

Faculty Senate November 2, 2015 Transcription

>> Chancellor Blank: I'm going to call the meeting to order. I don't see anymore people waiting in the hall way. If I can ask all of you to rise for the reading of the Memorial Resolutions. And let me recognize Professor Tom Cox to present the Memorial Resolution for Professor Emeritus Robert Clodius. Professor Cox is not here yet. Well, let us move on to Emeritus Professor James Skiles to present the Memorial Resolution for Professor Emeritus Greiner.

>> Skiles: Well, thank you. Dr. Richard Greiner, Professor Emeritus of Electrical and Computer engineering, died January 29, 2015, at age 83. He retired in 1992, after a teaching and research career of 36 years. He was appointed Assistant Professor of Electrical Engineering in 1957 and thought Electronics. He started the Solid State Device Fabrication Laboratory and wrote a textbook, "Semiconductor Devices and Applications" in 1961. Among his many, many hobbies, he was active in the Medicine Astronomical Society and involved in the design and construction in operation of several local Astronomical Observatories and the Doc Greiner Research Observatory, near Animas, New Mexico. Doctor is referred to by students is often by Doc Greiner. And this New Mexico Observatory carries his name, the Doc Greiner Research Observatory as well. He was able to operate that from his house through remote control. Thank you very much.

>> Chancellor: Thank you. Let me recognize Professor Shahriar Salamat to present the Memorial Resolution for Professor Emeritus Robert Huntington.

>> Salamat: thank you. Dr. Robert Huntington began his career at the University of Wisconsin in 1971. As the Eminent Forensic Pathologist who covered the most counties in this state, he served the people of all state for nearly four decades. His professional skills combined with his vast general knowledge, made his ability to state forensic findings in a plane and a powerful testimony legendary. He taught the art and science of forensic pathology to thousands of the students, residents and law enforcement personnel. He's remembered as a caring, generous physician whose sense of humor and wide interest was a beacon to his students. Thank you.

>> Chancellor: And I want to recognize that professor Huntington's wife, Donna Huntington, his sister Edith and his daughter, Rania Huntington who is both professor and sharer of East Asian Languages and Literature here are all in attendance. Thank you for coming.

[Applause]

Let me recognize Professor Emeritus Todd Welbourne to present the Memorial Resolution for Professor Emeritus Howard Karp.

>> Welbourne: Howard Karp, Professor Emeritus of Piano and Internationally Acclaimed Pianist, died on June 30th 2014 at the age of 84. He joined the faculty of the School of Music in 1972. And until his retirement in 2000 is a beloved and dedicated teacher whose former students are on the faculties of colleges and universities through out the world. Karp was a selfless musician who is thrilling playing can still be heard in recordings of some of the greatest works for the piano. He was patriarch of a remarkable musical family whose annual Labor Day concerts became a cherished Madison tradition.

>> Chancellor: And let me recognize that Professor Karp's wife, Frances is here. His son, Parry Karp, who is also on the faculty at the School of Music, and a cellist with the Pro Arte Quartet, and his wife Katrin Talbot. Thank you for coming.

[Applause]

Let me recognize Professor Emeritus Donald Dietmeyer to present the Memorial Resolution for Professor Emeritus Allan Scidmore.

>> Dietmeyer: Professor Emeritus of Electrical and Computer Engineering, Allan K. Scidmore, died December 17, 2014 at aged 87. He joined the Electrical Engineering Team Building in Wisconsin Integrally Synchronized Computer, the WISC, which while earning his PhD. Allan joined the faculty of the Electrical Engineering department as an assistant professor in 1957. He made significant contributions to teaching and curricular development in electronics and computers revealed by college and campus awards in most of years, 1977 through 1988. He served as associate chair of his department, 1982 to 86 and 1990 to '94 and responsible for the undergraduate program and another administrative and advisory role.

>> Chancellor: I had been told that some of Professor Scidmore's children might be here. Are they here present? Perhaps, they haven't made it.

>> Chancellor: Oh, right back here, I'm sorry. I can't see you. Thank you for coming.

[Applause]

And let me recognize Professor Ulrich Langer to present the Memorial Resolution for Professor Emeritus Steven Winspur.

>> Langer: Our college and dear friend, Steven Winspur, Emeritus Professor French, passed away on Monday, April 28th, 2015 in Madison at the age of 59. Steven was born in Scotland and received his degrees from Edinboro and Columbia University for joining the UW-Madison faculty in 1989. The specialty was modern and contemporary poetry of France. And he later developed an interest in French-Canadian literature. His teaching ranged much farther. He made an indelible impact to especially on our graduate program and on our junior faculty with patient and supremely intelligent criticism and mentoring. His publications include books on Noel, Segalen, Guillevic, and Ponge. And a widely sided work on the principles of contemporary French Poetry. He thought how poetry enables us to navigate a geography both in the physical sense and as a metaphor for leading an ethical life.

>> Chancellor: Thank you. And professor Winspur's wife, Patty Winspur, who is a former graduate coordinator in the Philosophy Department, and his son Skye are both in attendance. Thank you for coming.

[Applause]

Has Professor Tom Cox arrived? Yeah, come, to present the Memorial Resolution for Professor Emeritus Robert Clodius.

>> Cox: Professor Robert Clodius distinguished and [inaudible] as a teacher, scholar and academic administrator at UW-Madison. He made significant contributions in campus administration during the early evolution of the University of Wisconsin System. He extended his higher education administrative

leadership in national and international institutions. Clodius was born on in Walla Walla, Washington. Grow up in a farm and learned early the challenges of economics of farming. He has PhD from the University of California Berkeley. University studies were interrupted by World War II.

[Inaudible Remark]

In 1990, Bob Clodius retired from the University of Wisconsin Madison. The academic departments of agriculture economics, economics of educational administration recommended he'd be recognized with their Emeritus Professor status. UW-Madison Chancellor, Donna Shalala. And her letter informing Bob up for positive recommendation to the Board of Regents said, "Your accomplishments as a teacher, scholar and administrator have earned you an international reputation and have greatly enhanced our reputation as an institution." Dr. Clodius retirement from NASULGC and his wife, Joan, moved to Rockford, Illinois. In Rockford, he served on the boards of Rock Valley Community College, Music Academy at Rockford College. Professor Robert Clodius died April 2nd, 2014 at the age of 93.

>> Chancellor: And Professor Clodius' son, Mark Clodius, is here. Thank you for coming, Mark.

[Applause]

That completes the memorial resolutions. You may all be seated. And well, all family members are welcome to stay. It might be a long meeting. So, don't feel that you need to leave. I just want to take a few minutes during the announcements period to highlight a few things that are happening. And just to get on your scopes with a couple of issues. I should start by announcing that PROFS is handing out a legislative update at the door. And if you didn't get it, you should pick it up on your way out. That's the announcement. Let me talk a bout a few things around campus; some good news, some challenges that we're facing. First of all, I know some of you were at the public launch of our large comprehensive fund raising campaign two weeks ago. We had I think more than a thousand alumni in town. Many of them here for Board of Visitors meetings as well as for the launch of that campaign. And, you know, we've had two years of a quiet face. And we'll now have five years of a public face of this campaign. We are at a place with real momentum coming off at the Morgridge Match which I think, it is probably some people in this room who benefited from which has helped fund additional professorships in every school and college across the university. And with the scholarship match from Ab and Nancy Nicholas in front us. Both of those together with other major gifts have just given us real momentum moving forward into this campaign. I would like to give all of you talking points because all for you are going to be here at one point or another that, look, the university is bringing in all this donor money. They can't possibly need any state funding anymore. And there are a number of responses to that. The first one of which is, no, that's not right. But let me tell you three reasons why that's not right. First of all, this is dollars that are tied to donor intent. These are not discretionary dollars that can be moved around as budget changed. They are largely not replacement dollars for state funding. Donors by in large want to fund new things, things that state and tuition dollars cannot fund. I think of donor dollars is providing what's often called the margin of excellence for things that really make us a top flight university of which are public funding often cannot be used for. So, this is not discretionary funding that easily replaces state funding. Number two, most of the money we bring in is not immediately spendable. The vast majority of it is put into endowment. And it pays out at four and a half percent a year. Now, that's not zero.

But when you hear that we raise, for instance, 250 million through the Morgridge Match, much of which will not be in until five years from now. We're talking about a four and a half percent pay out on that, not \$250 million to spend.

Thirdly, much of this money they'll pledge now is paid out over time. And I will tell you, I'm an economist and any economist will blush at the way we count money in these campaigns. Every university does it. There's absolutely no discounting done if USA 30-year-old Ares, want to give us an inherited donation that will pay out upon your death. And that's \$1 million. We're going to count \$1 million in our campaign even though we hope we aren't going to get that for the next 60 years. So that a lot of the money is not in any way immediately available to us and really will only be realized over time. So, I-- it's very important particularly for those of us who were here in Wisconsin and engaged in a variety of conversations with friends and with neighbors and with people at the state legislature to know how endowment funding is used and how it isn't. And that's an important part of the messaging around this campaign. So, that's comment number one. Comment number two, since we last met the Board of Regents passed a new policy for UW-Madison relating to our admissions. And I know many of you know something about this. They've given us essentially a four year waiver on the current cap on nonresident students in exchange for a very strong commitment to Wisconsin students. Now, the long-term and really primary reason for this, I will say unabashedly, is changing demographics in this state.

In the last six years, the numbers of high school graduates has dropped by 10% in only six years. So in a world where we have to admit three Wisconsin students for every one out of state students, if you wanted to do any expansion at all, I've got to tell you it's hard to find three Wisconsin students. And, you know, if you're expanding and that's particularly true when the rest of the system also is competing for those same students. Now in the phase of that, this waiver, we have made a very strong commitment to Wisconsin students. We have said that we will admit a minimum of 3600 Wisconsin freshmen in our entering class every year. Thirty-six hundred is about what we admitted this year. It is above the average number of Wisconsin freshmen coming into our class on average over the last 10 years. And as the number of high school graduates goes down, it's an increasing share of the high school class. And in order for us to do that and not see a decline in the quality of our entrance students from Wisconsin, we and our admissions office with the help of our alumni and all of other friends are going to have to do things we have never done before to attract top Wisconsin students to stay here in the state and come to UW-Madison. The majority of Wisconsin students who we admit but who do not take our offer of admission go out of state. And that's the group that we most want to attract. We want to hire matriculation rate among our admittees here in the state. And we're going to have to work for that to fulfill our commitment to the regent. In exchange for that commitment, for the next four years, they've given us a waiver on that nonresident cap. As I've said in multiple occasions, I don't plan to see huge increases in our freshmen class. We've actually had an increase in the number of out-of-state transfer students who've been applying and this gives us an opportunity to admit a few more of those students which don't clog up our entry level classes, don't use our dorms. For budget-related reasons, we will do some small increases in class size. But most importantly, it gives us an opportunity to actually make decisions about our admissions rather than simply being run by this cap and these numbers of what we have to do. And we will over time in consultation with all the appropriate committees be thinking about

where we're going to be going and what we're going to be doing admissions. And I consider this policy change a really big benefit to the university and I thank the regents for it. And I'm hoping that the four-year waiver we have to do some things in order to get that renewed. But I'm hopeful that we will do the right things over the next four years and show we are strongly committed to Wisconsin students and that we're being responsible about what we're doing in terms of our freshmen class size. So that's item number 2. Item number 3, if you missed it, we've had some really wonderful news on our educational outcomes at this university. About two weeks ago, we got the final statistics from last year.

And the statistics from last year show that our retention rate is now just below 96% between freshmen and sophomore year. That's as high as almost any schools goes. There might be a few four year really high and liberal arts colleges that do better than that. But we are at very top end of all our public peers and above many of our private peers at that number. Our four year graduation rates have gone up. Our six-year graduation rates have gone up. And our time to graduation continues to decline. There are number of reasons for this and I will say that we got a group of people who are working hard on looking at what else we need to do to keep making progress on those fronts and I'm very committed to that. These numbers are important not only for the quality of education that we provide but for reducing student loan debt and serving our student effectively. So if you didn't look at those numbers, there's a press release out.

There's a blog that I wrote that talks about them. It's good news. And it's news that we want to get out. Item 4, another piece of good news but I want to put this on perspective is the WARF-Apple suit that I know probably a lot of you heard about. WARF sued Apple for violation of patents that our computer science department, many of you know Gurindar and a couple of his graduate students produced in the mid-'90s that are the driver behind some of the speeds in that little phone that you carry around with you if you happened to buy Apple phones. This, you know, in the opinion of WARF and I must say the community science people was a very clear patent violation. The jury trial agreed with us. They awarded damages that were \$234 million. And let me again put these in perspective. First of all, they haven't done so yet. There's a very high expectation that WARF will appeal this and we could still be in the courts for quite a period of time before this is finally settled. On any appeal, the verdict can be overturned, the damages can be reduced. Any of that can happen. So they're still--you know, this is not money in the bank, this is still a very uncertain prospect.

Should we went out and get \$234 million as a settlement? We will first have to pay legal cost out of that and I assure you fighting a major lawsuit against Apple is not a cheap prospect and we will rightfully pay out inventor cost and the department share that comes out of all patent revenues. Any remaining money will then go into the WARF Endowment and like other endowments pay out at four and a half percent, all right. Now again, that's not zero. This is a big number even if you take some of those things off of it. And I think it's very good news for our university. Should we, at the end of appeal, receive a settlement of this sort? It certainly one that I think is our due given what-- from what I know and I know a little bit about patent law was clearly a patent law violation. But, again, I want to have everyone know sort of what you see in the papers suddenly-- about we suddenly have \$234 million to spend is not quite accurate. So let me be clear about that. A few other issues that are ongoing and I know we are going to visit these today. We continue, we being here the state relations people, the government people, our alumni association working on the campus carry issue which you're going to be talking about today working on the fetal tissue issue to make sure we can continue to do some of the lifesaving research we

do that does involve fetal issue. So those things are moving forward. Finally, one of the short item here, those of you who haven't been following your news feeds this afternoon, Exact Science is today, announced that it was going to back out of it's downtown building in the Judge Doyle Square deal. And we have been-- we here being the university Research Park, in very extensive negotiations with them about trying to make the university Research Park their number two option, right, because they were looking at some other options elsewhere. They're currently in the Research Park. They're going to be largely leaving that to go downtown. And I think we have reached an agreement with them. We're given that they no longer feel that they can pursue the downtown option. They will be staying in Madison and doing a variety of stage expansions and their properties at the university Research Park. And I want to give enormous credit to the director of that park Aaron Olver. And I think it's very good news for Madison. That if the downtown development does not work then we will retain Exact Science here in town. It's very good news for us for a variety of reasons not the least of which is they hire an awful lot of our undergraduates. And that's good news, too.

Finally, let me end by saying something about the tenure policy conversation that we're all going to hold in just a few minutes. So my private emails have not remained so private as you all know. Let me say where I think we are and I know that Dorothy will talk about this some when she speaks as well. It is very clear that the regents want to set broad policy before approving policies on any campus, all right. This is very similar to the way many policies are handled within the system. So for instance if you look at the academic calendar, there are policies at to the region level about how we have to handle our academic calendar or how many days we have to have when commencement is. On the other hand, every school on the system starts on different days and ends on different days. And there are policies inside. We have our own academic policy on calendaring, which we actually change last time. Similarly, how tenure is awarded. There are policies on tenure [inaudible] statute as you know. But there are details about how we do this that are very much set on campus. So for instance, our used of divisional committees.

We're the only school on the system that does that. Other schools do reviews and make decision in very different ways in a different levels of, you know, within their university. So the proposal here is that there will be broad policy set at the regent level that deals with this. And then they will adopt and approve at P&P policies in individual schools that talk about exactly how this is carried out. So today's vote, we will be voting as our recommended policy. And if this is adapted today, it will go into our faculty policy and procedures. It will not be final until the regents approved it. But I will tell you anything that faculty senate has voted through, should we, you know, I'm very much hoping we're not declaring any fiscal emergencies in the next six months. But say that would happen, we would be following this policy as voted on by the faculty. We obviously are going to be waiting to see what policies the regents adapted or borrow scale. We're going to be sending our recommended policy to them so they can see what we think is important here. And I am reasonably hopeful that this policy is actually will end up being quite consistent with regent statute. There may be a few things that have to go back and be amended. And I have no doubt we'll come back and talk about that under those circumstances. But I do think it's important that we make a statement about the policy that we want that we put it in place and that we're, therefore, in a position to follow it as we move forward. So that is where I think things stand at the moment.

Beth, do you have anything that you want to announce or say in your role as UC chair? Does anyone have any questions that they want to?

>> Etzel: Mark Etzel, District 11. At the faculty senate meeting in June, you assured us that tenure professions would not be weakened but rather simply transfer it from states statute to regent policy. Last March, Ray Cross vow to resign if shared governance in faculty tenure policies were not preserved. Now we hear that we are expected to pass a draft policy that is just a suggested policy that will not be finalized until next April. We've been lied to about tenure protections, budget cuts, and preserving faculty governance. It seems our leadership no longer works for us, but for the opposition instead. These betrayals have shattered trust. What reason do we have to trust you, Ray Cross, and the regents anymore? My question to you as Chancellor is, whose side are you on?

>> Chancellor: I would've thought that my private emails made it clear where I was in terms of my opinion on this. I think perhaps-- let me talk about where we are and trust and where I think this is going to end up. And obviously, the each-- question is watch the space. I know that both John Behling, Regent Behling who is chairing this tenure committee and a number of people in this room sit on that committee as well as Ray Cross are actually been in close consultation with the AAUP about the language that they are writing. They continue to say very strongly. And I have no reason to just believe them because they don't want this to be anything other than a tenure policy that comports without peers either that they are planning to write some broad procedures that will then underneath that have faculty at campuses approve-- you know, have their own policies that are entirely consistent with AAUP procedures. I don't think anyone is backing away from that statement. What has happened is the system has decided and perhaps this was inevitable that they want to complete their broad review prior to approving individual campus policies. I don't think that changes the nature of what they want to do in their policy, nor do I hope it changes the nature of our policy. I would have hoped this was settled a little earlier. My email expressed my unhappiness about that. I think this will continue, depend, over the winter until the regental committee has finished it's work and the regents have voted. But I still very much expect that we're going to end up at the system level and certainly here at UW-Madison with a set of policies that give us the strong protections that are written into what you are about to vote for here. And, you know, at the end of the day, you know, you're just going to have to watch how this unfolds. If we do not end up at that place, if for some reason the regental policy actually is seriously out of whack with AAUP policies and forces things on us that don't provide adequate provisions, I have no doubt that, well, this committee as well as the good amount of leadership here at the university will express our opinions. Yes, David?

>> Vanness: Hi Chancellor Blank, thank you. I'm David Vanness, Population Health Sciences. I'm not a senator. But I have a question. I'm also the president of the local AAUP chapter. And I am very happy to hear you say that AAUP standards are still going to be--

>> Chancellor: Ray has been in very close conversation with the chief lawyer at AAUP.

>> Vanness: Actually that I-- something that I wanted to talk to you about because I have an email here from the Executive Director of the National AAUP, Julie Schmid, that says the following-- because we've heard this too and it's quite frankly not true. As some of you are aware, Ray Cross had reached to AAUP early on when Act 55 was still winding its way through the legislature. And after the AAUP started sounding the alarm with the National Higher Education, that mainstream press to assurance at the regent's policy would follow AAUP standards. Long story short, there some conversations early on the system about regents policy. But I don't think it would be accurate to characterize those as consultation.

Nor would it be accurate at this point for system administration or anyone else to indicate that they have the AAUP stamp of approval for the changes they are making. So I'm afraid that you may be getting an incorrect the information. AAUP is a national organization has made it very clear to me as president of their local chapter that there is no ongoing consultation.

>> Chancellor: So, you know, I have not been part of these conversations and I simply can't comment on that. Yeah?

>> Paulsen: Kurt Paulsen, District 76. Sorry of change topics. But a friend of mine who's a state legislator asked me to come and raise an issue for all the faculty and particular they asked you. As you know, decisions was made not to have UW Student IDs be eligible for use under the new voter ID law. And there are many who are deeply concerned that this may create too many burdens for students and that other system schools have allowed their Student IDs to be used for voting. Even the college Republicans and Democrats agreed which says something that this would be a good policy shift. So, on behalf of this legislator, I like to urge you to reconsider your decision on that.

>> Chancellor: Yeah. No. I think I probably heard from that legislator or [inaudible] of the others as well. Let me say something about the voter ID issue. And I've actually been not happy with the press coverage of this which suggests that UW-Madison is somehow standing on its own. The majority of UW schools have made the same decision including UW-Milwaukee. And we've all made this decision for two reasons. The first is cost. The voter ID cards required that they have to be renewed every two years. OK. And so you would have to issue entirely new cards or renew them very two years for good number of our students, particularly a graduate students as well some of number of undergrads that means three new ID cards. Our estimate that it's going to cost just about \$3 million over 4 to 5 years to do that. And that's three million dollars, I don't have right now. Secondly, [inaudible] intentionally, this is even more important is their best practices about Student ID cards. Those Student ID cards are used to get into every building on campus. Different students have access if they're working in labs. They're doing other things. They carry the debit amount that students used to buy food to go. And many students have hundreds of dollars on these cards. It is not a recommended practice. They have a picture and a signature on the card, right. And the Student ID requires that. And one-- And I can tell you that there's a lot of groups out there that say, "Here's how you should do the student ID cards." All of them say don't do that. So, for those two reasons, we have chosen not to reconfigure our official student ID cards but to retain those in the form that they are. We are, however, issuing voter ID cards. Starting two weeks ago, any person who walks through the door, looking for new ID, if you've lost yours, if your new student, you will be asked "Would you like a voter ID card as well? That of course is going to assume all of the students who come in next fall. It says, at least a quarter of our campus will have been offered on the spot voter ID cards. Let me also be clear, if you have a Wisconsin Driver's License, a Wisconsin identification card, or a passport, you do not need an additional voter ID. If you're a foreign student, it doesn't matter what you have, you can't vote. So, that brings us down to actually handable number of students that we can get to with these other voter ID cards. We have set things up so that running up to any election where I know there'll be a lot of students, the day of, the day before, the weekend before suddenly realizing they need this card that we are going to be set up to run this, you know, very expensively on those days. We think we can easily handle the number of students who are likely to need it. And we are working very closely with student organizations and with our own communications people to get word out as clearly as possible. I will also note this is not just about ID cards. Not only just students have to bring an ID card, they have to be able to pull up on their phone or have a hard copy of

a current class registration that shows where they are and where they're living and that they're currently registered student. I mean, there's a bunch of things, students are going to have to do. And we are working hard, again, with student organizations with our comms people to start coaching them. And when students will listen, it's probably going to be that month before the election or we're just going to have to be working day and night to get word out and in-conjunction with all of the different student groups that care about voter turnout. I understand that's a challenge. It's a challenge because of the law. It's not a challenge because we've been doing things wrong. Any other questions? All right.

[Inaudible Remark]

If you will turn to the agenda pages 14 to 16, you have the minutes of the 5th of October 2015. Or are there any additions or corrections to those minutes? If not, I'm going to take the minutes as that approved as distributed. Let me then recognize Professor Meyerand, chair of UC, who's going to move to confirm an appointment to the Committee on Faculty Rights and Responsibilities.

>> Meyerand: I move to confirm the appointment of Professor David Vanness from the Department of Population Health Sciences to serve on the Committee on Faculty Rights and Responsibilities for the spring semester 2016, replacing Susan Lederer who is on sabbatical.

>> Chancellor: There's no second required because it comes from the UC. Are there any questions or is there any need for further discussion? If not, we'll take a vote. All those in favor indicate by saying, "Aye."

>> [Simultaneously] Aye.

>> Chancellor: Any opposed? Motion carries. Congratulations David. Let me recognize Provost Sarah Mangelsdorf who's going to present for informational purposes the University Academic Planning Council annual report for the last year.

>> Mangelsdorf: Last year, when I presented this to you, I hadn't actually been part of the UAPC the year before because I went-- as a new comer. And so, I just said, "Here it is and let me know if do you have any questions." I want to tell you, I won't keep it long because I know we have really important things to discuss. But the UAPC did do a lot of work last year. And reviewed 56 program reviews and we phased out or eliminated 11 different degrees, added one new major in Neuro Biology, named or restructured 16 under degrees, and suspended admissions in number to reprograms. You can look over tenures. And we've actually eliminated 74 programs consolidated 32 to-- down to 10. We closed academic departments, created new ones and new center. So, whenever anyone tells you, "Nothing changes in the academy," it certainly, there's a lot of change in the UAPC every year, in terms of new centers, new majors, and old ones going off the books. We also spent a lot of time on time to degree and decided to actually enforce prerequisites. Because as a study of time to degree discovered that students who took course without having taken the recommended prerequisite where more likely get Ds or Fs. And then you have to take the course again. And so, we are now beginning to actually enforce prerequisites of courses. That doesn't mean that you as a professor, can't grant a waiver if a student comes to you and you deemed that they have necessary background to take the course without the prerequisite. But we do think this will help in time to degree. Because lots of times, particularly our first generation students were finding themselves taking a course out of sequence and really getting in over their head. So, we

will continue to monitor time to degree. And that's the report from the UAPC. Happy to take any questions.

>> Burstyn: So one question with respect to this business of enforcement of prerequisites. Judith Burstyn from Chemistry, District 48. With respect to prerequisites and also grades and prior courses, is there a mechanism for these are very important. Those of us who teach these courses know that students who take our courses without prerequisites or who do not meet the grade requirements for the prerequisite course do very badly.

>> Mangelsdorf: Yeah, right. The enforcing the prerequisite you can do in just within the registration system in terms of computer coding, you know, if you haven't taken this course. But the grade on the previous course [inaudible].

>> Burstyn: But you have-- you can at least see that they have-- if they're in the semester before, right, you can see that they are in the course. But you cannot see that they successfully completed.

>> Mangelsdorf: That's correct and you won't know until perhaps it's too late, right. So, we will have to work on that. Yeah. That's very good point Judith. Any other questions or comments? Thank you.

>> Chancellor: All right. We now get to the exciting old business section of the agenda. Let me recognize Professor Dorothy Farrar-Edwards who will move to approve the revisions to FPP on Layoff and Termination that we discussed at the last meeting. Dorothy?

>> Farrar-Edwards: Hello again. So, I'm going to move to approve the faculty Document 2569a, which is the revisions to the faculty policies and procedures regarding on faculty layoffs. I just want to provide once again, a little bit of context. First, I want to thank everyone who contributed to the revisions to this document is. Those of you who've had a chance to read it, can see it's vastly revised from the previous draft that you saw at last faculty senate meeting.

We did our best to incorporate information at all the listening sessions as well as all the written comments. And I think that document is much, much better or the input. We think that this is probably the document that's generated the most, faculty input a the long-time on this campus. And we really, really appreciate the time and effort that everybody put in to make this a very strong document. So, this is I believe and it probably will be stronger after amendment.

We certainly know that there will be amendments passed today. It was highly likely. So, what happens next? Well, what's going to happen next is that we will pass this, as the Chancellor said. And we will present it to the Board of Regents. So, the representatives to the regions tenure year task force, myself, Professor Patricia McManus, and Provost Mangelsdorf will strongly support this document. We have been very, very vocal at these meetings. You'll notice that my name was in Chancellor's email to John Behling. And we will not back off from the policies that are proposed here. We are very, very strong advocates. We can't say what's going to happen. No one would be foolish enough to say that.

But we believe that we will take a strong stand and our colleagues on the tenure task force from other universities who are standing behind us. They've given us every indication that they see our document, that the importance of having strong document coming from this university because we then support strong documents form our colleagues at other schools. And again we do not know what's going to happen. I don't want to be appalling Anna bout this. The fact that this is being done sequentially instead

of simultaneously is disappointing to me. But I don't think that alters our will or a commitment to what we're proposing to pass. Oh, there's one small change. Excuse me. I forgot my script. We have one small change to make and that's in Section 10.11 in the last paragraph where you see-- where it's talking about determination of severance, the word 'salary' is missing there. So you'll see to be awarded the faculty members and it goes length and quality of service. The word salary should have been there prior to length and quality of service that was picked up today. You know, no matter how many times you read a document, sometimes you missed a word. But it's very important that we insert the word salary there.

>> Chancellor: All right the motion has been made to move approval of these revisions and the floor is open for comments and discussion.

>> Chavez: So this is-- Sorry, I don't know anything about how those actually works. I'm Karma Chavez, District 49 is this amendment time [inaudible] or it would, you know, [inaudible] something?

>> Chancellor: If you want to amend, you can.

>> Chavez: OK. Just first of all I want to commend the word that the University Committee has done and was on the ad hoc committee this summer and so I have seen this through a lot. Many of you got a document from the AAUP as you came in that has some proposed amendments on this. If friendly amendments for a thing this would just I think be friendly amendments. Yeah, I know, that's why I said. If he wants the thing, this would be friendly because they are friendly.

>> Chancellor: Its looks like this, if you don't have it Steve. You might is there some more back there if anyone doesn't have it you might pass them out to people if they raise their hands.

[Inaudible Discussion]

It's going to go up here? OK.

>> Farrar-Edwards: So the first one, I'm looking at 10.01 Section A, Line 3. And so what we would propose there is to add the phrase, a department like body, after department or similar administrative unit. The other it's not on the list that you have but we would propose removing "offers majors and," so striking that part. The reason for this amendment proposal is essentially if there are programs like the ethnics studies programs, for example, that don't offer majors and are not exactly departments that this would include those in those protections.

>> Chancellor: Are we going to do these one by one or are we going to do them altogether?

>> Farrar-Edwards: Yeah, they said one by one.

>> Chancellor: OK. All right. Is there a second to that amendment? Is that-- It says-- I just going to say is--

[Inaudible Discussions]

Yeah. Let me be clear. Whether it is a friendly amendment and everyone is in agreement whether or not, we still have to take a vote on this. We cannot simply do it by a claim. There has to be a vote on every amendment. But, you know -- it is always valid to ask the UC and the people wrote this document if they're in agreement with the amendment, and they are. Is there other discussion of the amendment?

>> Reindl: Doug Reindl, District 42. Can you explain the difference between a similar administrative body and the department like unit?

>> That is a good question. It's just the language that's already in FP&P. That's where that comes from.

>> Reindl: All right. I think it seems unnecessary to me. To me, a similar administrative unit is analogous to department like body.

>> It was-- We were just trying to be inclusive with that and they'll took the from FP&P that was where it came from.

>> Reindl: To me it doesn't add anything. I'm opposed.

>> Chancellor: Is there other discussion?

>> Alan Goldberg, District 71. I'm speaking in favor of the amendment. As Karma mentioned, the reason was-- I was at the AAUP meeting where this was discussed. The reason for this as Karma said is because this phrase department like body is elsewhere in FP&P. We thought therefore it's important to reproduce the language here so that there was a correspondence and so that the meeting was clear. It might be-- it might appear redundant to some people but it's better to be-- to have greater clarity more precision and more certainty than less. And so I urge you to vote for the amendment.

>> Chancellor: Is there any other discussion of the amendment? If not, I will call for a vote. The amendment is up here in Section 10.01 Subpoint A, it's presumably clear to everyone what we are voting for? All those in favor of amending the language as shown indicate by saying "Aye."

>> [Simultaneously] Aye.

>> Chancellor: Any the opposed? All right. The motion passes. Did you have a second amendment?

>> Chavez: Yeah. So the second amendment then this is really kind of a similar thing just to keep things consistent. So we're looking at the language in 10.02a, the last sentence. Essentially reproducing that-- right, yeah. So it's the-- it's to make these two language. So in the second sentence of 10.05c, to make that consistent with 10.02a, the last sentence, so that it would read "If placement in another position would be facilitated by reasonable period of training, [inaudible] training and relocation will be provided in the institution will bear the cost." It's just the exact same language from above, so that it's consistent.

>> Chancellor: It essentially speaks it very clear that the institution is bearing the cost of the training. That's the main and makes it consistent with the earlier language?

>> Chavez: Yeah, those are the two points.

>> Chancellor: And I assume also that the draft [inaudible] document are all right with this change. Is there other discussions of this amendment? If not, all those in favor of the amendment as some-- as is being put up here. All right.

There you go. That's the language. Better not vote until you see the language. All those in favor of this amended language indicate by saying "Aye."

>> [Simultaneously] Aye.

>> Any opposed? All right.

>> Chavez: And then the last one is just to add one word. So we're at 10.03e Line 2. And this was just really a point of clarification where it says an appropriate faculty body. We wanted to add the word elected, so it read "An appropriate elected faculty body." And again, that was just to ensure that there would be people who had been, you know, voted in by their colleagues who had make the decision.

>> Chancellor: Is there any-- I'm just curious, are the writers of this proposal all right with that change or would they want to make any statement about it? They are consulting.

>> Burstyn: Just a comment on that. I think the question is this that committee elected? And the answer is they are selected from elected. Sorry. Judith Burstyn, District 48. The committee on financial emergency consists of members of elected committees. So they're selected. Yes, they are selected from elected committees. So I think it does count.

>> Chancellor: So your-- let me just be sure. What you are saying is that there's not a reason for the amendment or--

>> Burstyn: No. I think that the-- it is perfectly acceptable to say an appropriate elected faculty body. The concern that I heard from the university committee was, was this committee elected? And the answer is it is made up of members of elected committees.

>> Chancellor: So that counts as being elected.

>> Yeah.

>> Chancellor: OK. David, are you going to comment on the amendment?

>> Vanness: David Vanness, Population Health Sciences. If there are any questions, the reason this is in there, this is in the recommended institution regulations at AAUP. So that the body is not necessarily-- I don't want to-- don't want to insult [inaudible] full of handpicked people by the chancellor--

>> Chancellor: You bet.

[Inaudible Remark]

>> Vanness: Sorry.

[Laughter]

>> Chancellor: I tried to write and handpick by the chancellor but they wouldn't take that.

[Laughter]

Is everyone clear about the change? David, you want to-- no? You're going to talk to the amendment, no? All right. Are there any other comments in this amendment? If not, we will vote. All those in favor of the language change as suggested indicate by saying "Aye."

>> [Simultaneously] Aye.

>> Chancellor: Any opposed? All right. That amendment carries. All right. Bill.

>> Tracy: Bill Tracy, District 4. I have an amendment and I don't know if Steve has this one, on 5.0c-- 02c. And I too want to thank the UC for working really hard to get this new document in shape before this meeting.

>> Chancellor: So we [inaudible].

>> Tracy: All right. So--

>> Chancellor: It's very end.

>> Tracy: Yeah. And so the new motion is that where you have--

>> Chancellor: It's on page 33 or 46 if you got the same kind--

>> Tracy: The new language is new-- the main point of this new language-- I'll read that part. No proposal to discontinue or restructure an academic program regardless of its origin or rationale shall move forward without the express approval by vote of each of the following bodies in order. The faculty of the affected departments, the school, college governance body, APC. That is the APC. And then for undergraduate programs, University Academic Planning Council. And then for graduate program, GFEC and then UAPC. And somebody wants so second that and I'll speak [inaudible]?

>> Second.

>> The reason for this is that the old language says that all proposals shall be reviewed and voted on by the following bodies. It doesn't say that the bodies actually have to approve those roles. So it's conceivable that one could think that the program faculty of the affected department voted 'no,' but that's a vote. So that's the main point of this amendment is that they have to vote in favor to move forward.

>> Chancellor: Do directors want to respond to this at all? Why don't you come up to the mic.

>> No, I have just have a question. Not-- Not-- Just a clarification. So does it have to be a unanimous vote, a majority vote? So should we say by the majority?

>> Tracy: Well, the only reason I hesitate saying yes to that is different departments have different rules and each department sets their own rules on what a majority is. So this-- the real intent of this is to make sure that these decisions stay in what I considered the most important unit of shared governance and that's the department. And I'm reluctant to actually say that the-- a majority-- I guess you could say majority is determine by-- like it-- what's that?

>> An affirmative vote.

>> Tracy: Whatever the affirmative vote is.

>> Right. I'm not disagreeing with the amendment. I just wanted a clarification to make sure that it-- it actually carried the weight that you wanted to carry.

>> Tracy: Yeah, an affirmative vote. That's fine.

>> OK.

>> Tracy: So, now let's say-- with the-- with an affirm-- without an affirmative vote of each of the following bodies.

>> Chancellor: All right. We got [inaudible]. Are there comments on this one?

>> Burstyn: One other small detail-- oh, sorry. Judith Burstyn, District 48. I'm really sorry. I'm going to get this right one of these days. There is one little addition which is the graduate programs that there is actually approval by the University Academic Planning Council. And that-- I think that's of consequence that everything ultimately go through the University Academic Planning Council.

>> Chancellor: And that is what he says, right? Yeah.

>> Burstyn: Yeah.

>> Chancellor: I just want to make sure you're in agreement with this. Are there any other comments on this amendment? If not, we will both on the language you see in front of you. All those in favor indicate by saying "Aye."

>> [Simultaneously] "Aye."

>> Chancellor: Any opposed? Amendment carries. Other discussion of the draft document? If there is no discussion, we will move to a vote on the full document. All those in favor indicate by saying "Aye."

>> [Simultaneously] Aye.

>> All those opposed? The document carries. Thank you very much for the work of this committee.

[Applause]

I really do want to thank Dorothy and everyone else who's been part of this because it has been a-- it has been major work and I think really done a great job. I next am recognizing Beth Meyerand who's going to move a resolution on concealed carry.

>> Meyerand: So I'd like to move to approve a resolution on concealed carry. It's a on your agenda on pages 35 through 36. And if you look up on the screen as well. They UC wrote this and it's based on other documents that have been created by other units. But this is the first time you're seeing it. So we would like to welcome your edits further motions.

>> Chancellor: Discussion on the resolution?

>> Goldberg: I'm Alan Goldberg, District71. I move to set aside the orders of the day, take up Item 13.

>> Chancellor: What do I have to do with that motion? Going to get [inaudible] in here before I know what I can do right. I'm told the appropriate phrase is to set it-- could stand at ease for a moment while we consult. So the proposal is to move to take up the item that I assume would target-- I actually don't know what the number is. I assume we're talking about the item that deals with tenure--

>> Goldberg: Item 13, the AFT statement.

>> Chancellor: Yeah. Oh. You're going to the very last item? Ah! OK. I thought we were going else. Are there any objections to doing that among people on the floor?

>> Second.

>> Second.

>> Chancellor: OK. Is there a second to changing the order today? I have a second.

[Inaudible Remark]

Someone says it's a two-thirds vote.

[Inaudible Remark]

That is evidently a different motion, I'm told. Oh. So if the motion is to suspend the order of the day and move to an alternative, I'm told that does require a two-thirds vote. All right. So I have a second. Is there any discussion or are we ready to move immediately to vote to suspend the order and go to the last item next?

>> Tracy: Chancellor, may speak in favor of the motion. So the reason for this technically, Item 13 is new business. The reason that it's new business is because I introduced some clarifying language to address concerns that were raised last month. But for all practical purposes, this is unfinished business because this statement was on the agenda in October as most of you will recall. The other reason for wishing to take this up out of order is that there-- it's time sensitive. The regents are moving quickly. And if we are to have an opportunity as a body to vote on this item, I think it's important to do it today. I'm afraid that if we wait until the very end of the meeting, it will be postponed again or will not be taken up today.

>> Chancellor: So until that a motion to suspend the order is not discussable and that we would immediately move to a two-thirds vote, which we will need in order to pass this. All those in favor of suspending order and moving to the last item onto the agenda immediately indicate by saying "Aye."

>> [Simultaneously] Aye.

>> All those opposed?

>> Nay.

>> Nay.

>> I'm going to take that as a two-thirds vote. All right. Chad, you are up to present this. So we're now on the last item of the day, looking at the last two pages within your packet.

>> Goldberg: Yes. Chancellor, I moved to substitute the motion which was postponed of the October meeting with the one you have and your agenda.

>> Chancellor: All right. So, let me remind everyone where we are. OK. And then I'm going to ask for a second. Last time, we had a motion on the floor to adapt this statement from the AFT. And what Chad is proposing is that we replace that motion with a motion to instead adapt the resolution on the previous page, page 46 to 46 in my document. Is there a second to that motion? So, we're now propo-- and I-- Is there a discussion that? All right. So, OK. So, we can have discussion, the proposal to substitute from the AFT statement to the UW-Madison faculty Senate Resolution on AFT-Wisconsin Higher Education Council statement on Tenure and Indefinite Status. Is there any discussion of that? Otherwise, we

will--

>> Goldberg: I'll just say-- This is a lot of fancy parliamentary language. Basically, this is the same resolution that was brought before you on October. The only difference is if you look at the resolution, there is some clarifying language at the bottom, points 1, 2 and 3 that are expressly intended to address the concerns raised by colleagues in October. Otherwise, it's the same motion as the October motion.

>> Chancellor: We have statement. We have a second. Is there any other discussion on replacing the proposal from last time with this new proposal? If there's no other discussion, I will call for a vote on the replacement. And so now,

we're not voting on this. We're just voting on replacing. And then we're going to discuss the new proposal, all right. All those in favor of substituting the new proposal for the old one indicate by saying, "Aye".

>> [Simultaneously] Aye.

>> Chancellor: Any opposed? All right. We now have, I now assumed we have on the floor the substitute motion. And do I need another second on that? If anyone wants to second, I will take it. And then we know we're good. I'm assuming there's a second. Yeah. So now, the discussion is around the proposal that you find on page 46 to 46.

>> Goldberg: Chancellor, if I may speak to motion, I will urge my colleagues to vote for this motion, for this resolution. You've had plenty of time to read this AFT statement carefully as was introduced in October. You've had time to discuss it amongst yourselves and with your colleagues in the departments. These statement does nothing more than reaffirm what we've just done, which is to pass changes to FP&P that are in accordance with AAUP standards. The statement is calling for that. It's calling for chancellors and regents to respect AAUP standards. It's what we've been upholding in October and in today. The few reservations that I heard in October as I said, I believe, have been addressed in the language of the resolution on points 1, 2 and 3. So, I urge you to vote, yes, to send a strong message to the regents that we take AAUP standards very seriously. We are striving to uphold them on the Madison Campus and that we invite, encourage them to support our efforts.

>> Chancellor: Other discussion?

>> Amos: Amos, Ron, Computer Science. I think that the language that says, our endorsement is not a call to violate Act 55 gives the impressions of that in certain circumstances we may wish to call to violate state law. It's under no consideration, is that we are entitled to suggest even explicitly or implicitly that we are going to violate the state law, and therefore, including that as a resolution of the senate maybe inappropriate.

>> Chancellor: We'll take this in order. Yeah.

>> Vimont: Dan Vimont, Atmospheric and Oceanic Sciences. I don't know what district I'm in. I have a question about the statements, especially point 4, on the AFT-Wisconsin Higher Education Council. At the beginning, it says the principles and practices of tenure. And then so, should be upheld equally throughout the system. I would like a clarification on and the practices of tenure shall be-- does that mean that we are held to the same standards as whatever is decided as a systemwide?

>> Goldberg: Chad Alan Goldberg, District 71. If I may address both of those points. I find it hard to understand how the language of the resolution could be construed to mean that under certain circumstances, we might violate the law.

However, if that particular language is a reason for people to vote 'no', I'm very happy to see somebody move to amend, to strike that language from the resolution. I only included it there because I wanted to dispel the impression that-- or the concern that some colleagues expressed on October that without this language, we would be construed as violating the law. So, I seem to be caught either way. But if this is real-- if this is really a stumbling block, somebody should move to strike it from the resolution, I wouldn't object. The other point about the equality of principles and practices of tenure throughout UW system, again, I tried to address the point that was raised here in Item 3 of the resolution. Actually, excuse me, Item 2 of the resolution, what item-- what Point 2 in the resolution makes clear is that when we, the senate, if we were to adapt this, that when we call for a quality, it doesn't mean that we want to be dragged down to a lower standard. It means that we're moving ahead with our own rules, writing our own rules. Those are high-- Those are high standards and we feel that none of our colleagues throughout the UW system should be held to a lower standard. So, we're not trying to drag ourselves down here. We're trying to pull everybody up. That's the intent here and that's why I included the Point 2 and the language of the resolution.

>> Kissick: Michael Kissick, District 88, Medical Physics. I was in the joint finance committee when they were talking about Act 55. And I saw Sheila Harsdorf say "Tenure is not going away." And so, when we're talking about violating or not violating the Act 55, I think it's important to remember there might be more going on than just Act 55. There might be backdoor mobilizations to really just take tenure away. OK. And I think we need to do something strong. If we love this university and care about it, it's time to stand up now. If we don't, we're saying we're OK with whatever they do. So I strongly urge people to vote in favor of this.

>> Chancellor: Is there other discussion? If not, I assume, we're ready to vote on this resolution, which has not been amended. So, we'd be voting on it in its current form as you see in front of you. All those in favor indicate by saying "Aye."

>> [Simultaneously] Aye.

>> Chancellor: All those opposed?

>> [Simultaneously] Nay.

>> Chancellor: The motion carries. All right. Now, we go back to regular order. And I believe that Professor Meyerand was discussing concealed carry. Have you put a motion on the floor?

>> Meyerand: I did.

>> Chancellor: So, there's a motion on the floor regarding concealed carry. Is there a second to that motion?

>> Second--

>> Chancellor: All right. Is there discussion of the motion on concealed carry that you have in your book on page 35?

>> Steve, could you push it up to where the resolution itself or the [inaudible] is?

>> Chancellor: Yeah. You can go to whereas is. Yeah. Go ahead.

>> Sharpless: John Sharpless, I'm the alternate from District 60, History Department. I will make no effort to change the wording of this resolution. I understand why it's come forwarded. I just would like to make an observation. It is not empirically valid to claim that campuses are safer by borrowing concealed weapons. There's no evidence success that that's true at all. The data are not there. You can include that based on your sense of things. But if you'll have any kind of empiricism, you should leave it out.

>> Kissick: Michael Kissick, District 88. Stanford University published really good research last year that aggravated assault increases with right to carry. So, we will be-- we will be faced with an increased in aggravated assault. And there's statistical evidence for that.

>> Chancellor: Is there other discussion of the resolution?

>> Mani: I just want to address that [inaudible] there's actually-- Venkat Mani, 161, I think, German Department. Media has replete with [inaudible] spies, whatever you look for showing a correlation between availability of weapons, fewer days to get licenses and the amount of violence that exist in particular state. So, I think there is empirical evidence to support this. Thank you.

>> Reindl: Doug Reindl, District 42. Of course the media is completely unbiased.

>> Off course, in my favor. Seriously, we're discussing this?

>> Chancellor: Are there other comments or discussion that people want to have?

>> Reindl: Look at the violent crime in the cities that-- Doug Reindl, District 42. Look at the violent crime in the cities that have the strictest gun control laws, Chicago; Detroit; Washington, DC?

>> Kissick: Michael Kissick, District 88. Those events can be so rare that you don't get good statistical significance out of them. But much more common events such as aggravated assault definitely increase when there's more guns around.

>> Mani: I don't like to tell my colleague that's violent crimes in this-- may I? Sorry. Venkat Mani, again, German Department. Violent crimes in the cities are also attributed in the biased media that you're referring to people of color. That also-- That bias also exists. Now thinking that this university already has very few people of color, I don't think media-- gun violence is such a big threat to this university.

>> Chancellor: Is there other discussion on the proposal itself on the resolution? If not, I will take that to people are prepared to vote. All those in favor of this resolution indicate by saying "Aye."

>> [Simultaneously] Aye.

>> Chancellor: All those opposed? The resolution passes. Let me call again on Professor Meyerand for a resolution on fetal tissue research.

>> Meyerand: So, before I move to approve this resolution. I had one tiny change. Wherever you see the word cell lines, where you see lines, it should read strains/lines. And that pops a few times. So it should be strains or lines. Not just cell lines per se. That makes it more scientifically accurate. So I'd like to move to approve resolution on fetal tissue research. This was written by the UC, again, based on text provided by other units. And I would welcome your amendments.

>> Chancellor: Is there discussion of the proposed resolution? In the absence of any discussion, I will assume you are ready to vote. All those in favor of adapting the resolution indicate by saying "Aye."

>> [Simultaneously] Aye.

>> Chancellor: Any opposed? All right. In that case, we move to recognize Professor Caroline Levine who's going to introduce proposed changes to FP&P Chapter 7 on post-tenure review for a first reading. Caroline.

>> Levine: Thanks. And so for 40 years state statute has actually mandated that there'd be review of University of Wisconsin faculty performance. So in 1992, the Board of Regents created systemwide guidelines and the UW-Madison policy is identical to the systemwide guidelines as they are right now. Now the guidelines are what an ad hoc committee looked at and considered. Most if not all schools and colleges are already performing some kind of post-tenure review but they're implementing it differently. And so we looked at the policy to try to figure out whether we could clarify and standardize it so that all schools and colleges would have guidelines that would make sense. So the purpose of the ad hoc committee was to assess UW-Madison post-tenure review policies and their implementation. We had committee members from most schools in colleges. Rich Halverson from the School of Education; Wally Block from the College of Engineering and the School of Medicine and Public Health; Michael Collins from the School of Human Ecology; Denise Ney from Cals; Galen McKinley from Letters and Science; Sheila McGuirk from the School of Veterinary Medicine, and then the co-chairs were me, Caroline Levine from the College of Letters and Science and Dorothy Farrar-Edwards from the School of Education. We also had Mike Bernard-Donals vice provost for faculty and staff as an ex officio member. So I've just walk you a little bit through the work that we did and why we propose the changes that we proposed in the document that you have. We wanted to make sure that the guidelines were clear and functional. I think we probably all agree that truly underperforming tenured faculty are very few and far between. But there's a public perception that tenure means a job for life and that there are no consequences for faculty who are not performing their basic duties. So we wanted to make sure that you could see how that works in the policy as it already stands. So some of it is just clarified that there are procedures for those cases. But the first thing that we did was to examine review policies of tenure faculty across colleges here at UW-- UW-Madison and also up here institutions especially at institutions in the CIC. And what we learned is that except for a very few elite private universities all of our peers had post-tenure review policies. And many of these were as detailed or more detailed than ours was here at UW-Madison. We also looked at colleges here to see what post-tenure review policies were-- was. And we found that some have very formal processes and others just have what was all ready in FP&P. We-- One of things we did that might not be so standard is we look at research on performance reviews and educational settings. We wanted to know how well this work and one thing we learned is that often very elaborate performance review processes are set up to take up lots of time and energy and they're intended to respond to just one or two people but whole institutions than have to spend lots of lots labor doing them. So we took very seriously that we did not want to create a lot of unnecessary

bureaucracy. And that was part of what we took to be our-- our responsibility. We also read a UP literature and other reports on academic freedom. We made it a top priority and make sure that post-tenure review wouldn't and couldn't just become a backdoor way to undermined academic freedom. So given what we found we thought that what was in FP&P was pretty good and we just proposed to make some relatively minor changes to what's there as oppose to wholesale new post-tenure review policies. So I'm just going to summarize the major changes that we proposed and then talk about what we're going to-- what we're going to do next in terms of procedure. So the first was that every department needs to establish its own criteria for scholarly productivity. And that's because there is no one-size-fits-all. And we didn't want to say it has to be three article or four books or what ever it is. So every department will have to do that for itself. Second, we propose so much specific calendar for identifying faculty to be reviewed and for departments performing review. Some departments haven't performed reviews in part because there's no merit raises and it hasn't seemed worth doing, and therefore, there hasn't been a kind of institutionalization of this. But we propose a calendar for that. We proposed a simple satisfactory or unsatisfactory rating and that was impart to make sure that bureaucracy doesn't go crazy and add lots of lots of labor. But a department can, of course, refine that, so that there are degrees of satisfactory including excellent and superb and magnificent performance if they wish. An unsatisfactory review means-- will mean that the faculty member and the chair together will develop a written plan to resolve any issues. And that include-- could include setting up a new mentoring committee or developing new teaching techniques. That would be depending on the issues that faculty member presents. After three unsatisfactory assessments, the provost then reviews performance for possible action. The fourth change that we proposed is consequences for departments that don't perform reviews according to the calendar because currently there's no-- there's no kind of mechanism for following up on departments that aren't doing this. So the document presented today is for-- for the first reading is a draft, which was prepared by the ad hoc committee and approved by the university committee. The UC will revise draft based on written comments and revisions and based on any comments that are made during the listening sessions that will be held on November 10th and 11th. And, of course, we welcome all suggestions there. And then the revise document will be discussed and possibly amended or revise at the December faculty senate meeting.

>> Chancellor: Thank you Caroline. As she say, this is only for discussion. Not for any voting. But the committee is very much looking for input.

>> Goldberg: Chad Alan Goldberg, District 71. So I would like to thank all of my colleagues who worked hard on this document, but with all due respect to them. In my opinion, this draft is [inaudible] unacceptable. The heart of the matter is on each three procedures, Section C.9. And what this provision does is to allow-- it authorizes the provost to discipline and dismiss faculty under a lower standard than adequate cost. And so it allows-- it authorizes the promote-- the provost to discipline and dismiss faculty for three unsatisfactory rankings. That is a lower standard than adequate cause which has been defined as demonstrated incompetence or dishonesty in teaching or research to substantial and manifest neglected duty or personal conduct which substantially impairs the individual's fulfillment of his institution responsibilities. So in I reading this document is simply not in accordance with AAUP standards. And I think this would have to be change if I was to consider supporting this document.

>> Chancellor: Other comments?

>> Haley-Lock: Ann Haley-Lock, I don't know the district, Social Work, brand new at this. So I fear that I would come off as bumpkinish. But there's just been so much even this meeting alone to keep track off. As someone who's on the newer side of tenure, what I'm craving and I fear I might have missed but just in case I didn't, is some sort of mapping of how this-- well, what the implications are for this in terms of the meaning of tenure itself, my gut instinct "Wow. This seems a little shocking to me." Also that we have processes for post-tenure review in the form of full professor promotion, I thought. And then beyond that some standard review. But that tends to be associated with merits given that [inaudible] numbers protected by tenure. And so on its face and, again, I may be engaging in phase of this that is distant and hasn't tracked, provided detail. I don't understand why this is being done. So I lack the motivational undergirding for this effort.

>> Chancellor: [Inaudible] do you want to respond to that?

>> Levine: Sure. Maybe a couple of different ways to think about it. One is that the AAUP has long resisted post-tenure review on exactly those grounds and yet there's tremendous public pressure for it on all public state universities.

And so how and whether and then what condition we proceed is of course up to this body. But that's certainly part of what's going on here. The other thing that's going on though is that this is already on the books and it simply doesn't get-- it's not-- a lot of this is not new. So you do want to know what's in your post-tenure review FP&P procedures now and then think about what's being added and think about whether that-- the pieces that are being added or unacceptable to you.

>> Chancellor: I think one should also note, if I can, that the Tenure Policy Committee under Regent Behling is looking at post-tenure review as well as the other procedures. And that there will broader [inaudible] policy on this as well, again, which we can write specifics on. But, you know, this is coming at us. OK.

>> I'm [inaudible], District 52. So we should not isolate our self. We are leaving in [inaudible] with public debate. We are being watched and there is a perception in certain portions of the public. As the tenure maybe exploited for the benefit of the individual without any protection for this institution. The institution must [inaudible] and publicly defend a procedure that in case there is clear evidence that the individual is exploiting the system, there are consequences. We can debate whether this particular word or particular sentence is appropriate or not. But if you don't provide leadership and go forward and compliment our strong support of the tenure process with an equally strong support that has consequences to those that manipulate the system then we lose credibility.

>> Burstyn: Judith Burstyn, District 48. I'm being reminded by Bill Tracy. So I will also speak to my concern about this-- specifically the Section 9 that was just mentioned. This looks to me like a three strikes and you're out rule which I have serious concerns over and while just for the perspective, it is clear that we must update our post-tenure review policies both for the regents and because of the legislative pressures. I would also say that it's tremendously important that we ensure that individual due process rights are preserved and that whatever we do is very clearly set up so that we protect the rights of the individual as well as the institution.

>> Kissick: Michael Kissick, District 88. Other people are making my points. So I won't say much. But I do want to say if you're talking about public opinion that you're worried about, be careful. That's not all of

the opinion and you're really haven't done the surveys to really back it up necessarily. There is definitely pressure but you don't have to bend to it. You can fight back.

[Applause]

>> David Vanness: Remember to put the microphone up after Judith this time. It's David Vanness, Population Health Sciences. And just to reiterate a couple of things and maybe offer some helpful way forward. As it stands now, I agree with Chad Goldberg that there is not a clear enough separation, and Judith Burstyn by the way. That there's not a clear enough separation between the process of post-tenure review and unsatisfactory rankings, and then the higher standard of the adequate cause for dismissal. And we just have to be very clear that unsatisfactory rankings is not by itself a-- an expression of what is considered adequate cause on the industry. And so we need to make sure that that separation is there. That-- And also that we do not violate due process for the procedures that are to happen under FPP 9.06, which is supposed to be a separate process to establish whether there's adequate cause. That process, the burden of proof is on the administration to prove that the individual is either incompetent, manifests that he neglects their duty or his act in the dishonest or otherwise problematic way. Whereas in the satisfactory review process, it is the burden of proof of the faculty member to prove that they are performing in a satisfactory manner. It may seem like a really very subtle distinction. But we want to make sure that the burden of proof is established to go on the direction from administration, if it's going to lead determination of an individual. And I think that can be clarified. I also wanted to note that this policy as has been drafted by this committee here is quite a bit more protective than the bullet points that you may have seen coming from the Tenure Policy Task Force which would not even lead to a due process dismissal claim but rather would lead to the complaint section of UW statute and UW system code, which is a far less rigorous standard with far less due process. So I think that this policy has the potential to be quite strong if we make some clarifications and I would suggest that we work on that over the coming month.

>> Chancellor: Did you want to respond to-- one of those things Caroline?

>> Levine: Just quickly, yes. So that-- it's exactly the intent of the committee to make sure that all of the disciplinary processes and procedures are as they stand right now, that is the burden of proof remains with the administration and the faculty remember retains all rights to appeal under FPP including to the community on faculty rights and responsibilities. So we can clarify that. But that is absolutely the intent.

>> Block: Wally Block, Biomedical Engineering and Medical Physics. I was on the ad hoc committee. And I had to say that we got all the way to page 3 before people found some serious problems. I think that's pretty good. We're looking forward to the listening sessions to see how we can improve the document. I have [inaudible] that every May, my neighbors say you got two exams, now you can take the summer off. You must be feeling great. And every May, I have to tell them again about what my job is and how it's research-oriented. And I think we have to have as a political science professor described, we need to have some basis for credibility to talk with the neighbors. The intent of the committee, we look at the best practices on the campus. Some people were very thrilled with their-- the policies they have for review and how it's strengthen the department allowed it to publicized the great work. I recall I spent five years working for a large manufacturing company here in the state. And hiring manager there, one of my colleagues was now on the leadership positions said, you know, "We're not like the university in the world that has reviews every year. We just need confident people." You guys always looking exceptional people. We don't expect, I think, on the community that there'll be many-- very few

unsatisfactory procedures. But for these rogue cases that make all the publicity, I think we need some things in place that say "We're respectful of that. We're going to take care of that." I do recall 10 years ago, the faculty senate looked at procedures we have when it was very difficult to get rid of somebody who did a terrible crime was convicted and the faculty senate change their procedures. And as we became much more credible again in the public, I think that's where we should be going.

>> Chancellor: Thank you. Here first and then I'll go over this side.

>> Olson: Crystal Olson [assumed spelling], District 55. And you'll forgive me because I'm cutting this. It was originally planned with the tenure stuff, but we didn't have much discussion there. And I think it still applies. I think clarification in this district-- in this area 9 makes sense. But I want to make sure as we talk about tenure that we are talking about the public value of tenure, not tenure as private advantage. I think we often sound like we don't want to lose our jobs no matter what. We want to be sure that we get to keep our jobs no matter what. And I think we need to be emphasizing and solid policies in this area make that difference. We need to say tenure is not about keeping our jobs forever. Tenure is about allowing controversial research to happen and controversial teaching to happen. Tenure is about allowing time for things that take time to develop allowing for time when what seems to be valuable right now is moving fast. But the person who studies-- and I'm going to do this to you Jordan, medieval literature, still get-- that that's still an important part of our cultural heritage and we keep that in mind. Tenure is also about recognizing that there is a system of value that is not economic. And so, that not every decision is based on what's economically appropriate. Those are the aspects of tenure that we need to defend and that means that sometimes those very, very rare cases where somebody is not doing their job. That's-- we should be OK with that sometimes meaning that somebody-- tenured faculty member lose their job. It happens so rarely. It's not about any of the things that makes tenure publically valuable, and I think otherwise. If we say no, never, never, never, then we just look like the people that certain members of the legislature think we are.

[Applause]

>> Haley-Lock: I greatly respect that-- that sentiment. But I think we are-- we've become as-- Oh, I'm sorry. Anna Haley-Lock, Social Work, don't know the district. Sorry. I think we've become entirely too concerned about what some legislators think about us. I think that we have an incredible role to play, a huge responsibility as the faculty at University of Wisconsin. The whole system and Madison as bell weather or the canary in a coal mine for tenure of drafting policies with regard to tenure and post-tenure review that will stand and mark the future for higher education broadly. And I think that we are doing a tremendous service to that fundamental responsibility. It chagrins greatly and I would have a hard time being associated with a university that there's anything less than that than to grab that bull by the horns. Everyone else is looking to us. It is not just about our legislature and we can say that while being incredibly dedicated to Wisconsin idea and all that it represents. Very logistically, I think it will be very helpful for this in terms of people voting in the room and to make it a workable document going forward to-- if you have a motivational four section that discusses how this relates to tenure and doesn't fight it in terms of tenure policy that we're drafting, and how this is distinct or builds upon what we have already in place in terms of full professorship and other kinds of post-tenure reviews. I still don't understand that. And that again maybe that I'm-- just my lifespan in terms of the tenure review processes as earlier on than other people's. But I feel like I need that and it's not forthcoming. But again, I-- while I greatly respect the earlier comment about you don't need to be concerned about public view

also, I'll add this to the first comment I made. We-- there are much larger and much longer term issues in terms of the kinds of policies we are crafting today in going forward at the next weeks, months, and years that will set the tone for higher education and the kind of place that we want to build knowledge in and-- and keep students in. And I-- I think it is crushing to not keep our eye on that particular price. Not just that we don't want folks to think it we're-- that you've dedicated only to keeping our job.

>> Chancellor: Dorothy did you--

>> Farrar-Edwards: Let me say something. I want to just take you to the Section A for purpose. The purpose of the review of tenured faculty are to recognize outstanding achievement, to provide opportunities for mentoring and for professional development, and to help identify and remedy from a developmental point of view any deficiencies. We actually had very little conversation about public opinion and whether we needed to satisfy people outside of here. We need a process that's fair, open, transparent to support faculty and not every department does that. We have tremendous concerns about mid-career faculty who feel-- you know, who get tenured and the feel like their line of research has played out and feel like there are no resource available to redirect to inform. I actually encourage people to read this document. I'm sure it's going to be changed and it should be change. We-- You saw the process that we followed for the-- the changes to FP&P. We're going to do the same thing here. Our goal is to support the tenure process and to support tenure faculty and learning if there are issues, what resources are available to address them, and to not dilute in anyway the protections available. And if we need to strengthen the language, we should strengthen the language. But it was not the intent to have this dilute any individual faculty freedoms or responsibilities.

>> Chancellor: Yeah.

>> Olneck: Michael Olneck, Senator Emeritus, from Policy Studies and Sociology. I would be very careful of not being dismissive of the AAUP standards, the fact that the AAUP has opposed post-tenure review. I'm actually not familiar with their stands on this. But I do know that their commitment to protecting faculty is something we should be paying very close attention to. I have a position that I've shared here before, I believe, and it not may not be the best politics.

I believed you should not adapt anything that you don't want to adapt and that is there are going to be measures imposed upon us by the regents, by the legislature, we should not have acquiesced in them, we should have not given them a bit of legitimacy by saying-- letting them say, "Oh, but you voted for that." So now some would argue that's not politic. And we could be beaten downwards. I just would hate to see anything come out of here that would lead to tenured faculty being dismissed. I'm not sure what those sections are that you reffer to. But I'd really, really believed that if it was going to be done let's make it clear where the responsibility lies and don't acquiesce.

[Applause]

>> Yu: Tim Yu, English Department. I just want to thank the members of the ad hoc committee and the UC and my department chair, Caroline Levine for their very hard work out on this document. Just like the previous document, obviously, being written under a great deal of political pressure. And I think everybody in this room has acknowledged that. I think one lesson that I take away from our revision of the document about tenure policy was that we significantly improved that document. And I think came

to a document that we were all, you know, much more comfortable with in part by stepping back from that document and saying, "OK, we're operating in a certain political environment," we know that.

Given that, how can we craft the policy that actually does what we want, that actually creates a policy that we feel is going to serve the needs of this institution. And so, actually, professor Farrar-Edwards just kind of addressed what I was going to say which is to point to, you know, what the larger purposes of a post-tenure review might be. I think that the whole question of whether it will make legislators or our neighbors feel better about the fact that we have tenure, I think that very little that we can do in a post-tenure policy will alleviate some of those things. You know, clearly we are under some pressure to respond to these kinds of pressures. But I think that with that said, we can craft a policy that does what we wanted to do. Now part of the issues here, of course, is that-- it's Section A here is to recognize outstanding achievement. And, obviously, one of the reasons we might have post-tenure review in a university is so that we can reward positive achievement. Unfortunately, we do not have as many tools as we would like to have to do that. And so for our faculty member's point of view the motivation for having post-tenure review seems it's all stake and no carrot. And so I think that's something that we need to think very carefully about which is why would from the point of view of faculty members evaluating our peers? Why would we want to have a post-tenure review system and what purposes would it serve? So I would just encourage us even as we debate about the specific language here that we keep that in view and try to craft the policy that best serves the needs that we really want to see it served.

>> Chancellor: I'm seeing a lot of people leaving the room. But I'm going to propose we take the final three individuals here and then see where we are and-- because we do have some other items on the agenda. And this is obviously for further discussion.

>> Goldberg: Chad Alan Goldberg, District 71. I'll try to be brief. I think echoing what some other speakers have said. I'm very concerned that the impetus for this process is largely external pressure. It's not it all clear that we'd even be considering changes where it not for those kind of [inaudible] forces. In response to that, I just wanted to say three things. First of all, well, I think we all recognize the political realities that we live under in the state at the moment, I don't think that-- to paraphrase a certain famous Supreme Court justice-- FP&P should be made into a suicide act. The second point is that if anybody here thinks that lowering our standards and throwing AAUP standards out the window is going to appease the forces that are coming after us and that they will no longer-- they would leave us alone once we would pass such a policy. I would-- If I was a betting man I would bet everything I have that you would be surely mistaken. They will not stop no matter how many concession that we make. They will not stop because it's too politically useful to have a scapegoat. And third, I would say that we cannot determine what the regents will do. We cannot constrain them. We cannot make them certain things. The only thing that we can do and I think Michael Olneck made this point very well. We can refuse to legitimize changes that they would impose on us, that we feel are detrimental to this institution and to our professional responsibilities as researchers and educators.

[Applause]

>> Milenkovic: Paul Milenkovic, District 36. A mid-career change in research direction of faculty member who currently has over 30-- 3 years of experience leading since 2008 to '11, full research papers, nine-- ten of them in the new area, nine of them so authored in the top journals in the area. Three patents, two awarded, one on a unique robot wrist; one on a very broad patent on physics principles of articulated body motion which is actually the culmination of a hundred years of research in this field.

Teaching-- In addition to teaching smaller course every semester, teaching a basic engineering course serving the entire college, serving 140 students. This is a case, which is probably going to end up before the provost for consideration for dismissal. You vote for this and what you voted earlier today just goes out the window in term of protecting tenure. It's just gone. Now you know, a person can take the retirement offer with that year of service and probably do well financially. I don't know. You decide. Thank you.

>> Let me just say that the committee on faculty rights and responsibilities which I sit on does offer protections for faculty who have been unfairly dismissed. So there is that-- that remains enforced and remains as a check on the provost power.

>> Paulsen: Kurt Paulsen, District 76. That was exactly my question. Could we-- one of my concerns with the document and perhaps we could strengthen by referencing the appropriate section is sends a negative or unsatisfactory review triggers this three year clock. There has to be some mechanism for a faculty who gets an unsatisfactory review to appeal it and have that overturned by perhaps the committee on faculty rights and responsibilities. In my department, of course, we all love each other. But there are some departments where that may not be the case. And if there's just two people who are empowered to do the review I realize you can object. But if your whole department doesn't appreciate your research, there has to be some intermediate form of appeal.

>> So thank you for those comments. We'll certainly continue to hear all suggestions for a revision. Please do keep in mind that the goals of post-tenure review are here to recognize outstanding achievement which we wish we had more tools to address, to provide opportunities for mentoring. And in case of deficiencies actually to respond, there will be listening sessions on November 10th and 11th and please do read what's in FP&P now before panicking about what's changing, because there is actually a lot of language about post-tenure review here at present. So please do consider that. And when-- and we'll be happy to take all suggestions for revision into account.

>> Chancellor: Well, thank you and the committee very much for that. We have two more agenda items and I ask the senator to stay I think these will not take long. Let me recognize Professor Beth Meyerand to make a motion to change the membership of the University Curriculum Committee.

>> Meyerand: I moved adaption of the changes to the membership of the University Curriculum Committee indicated in Faculty Document 2584 page 44 of the agenda materials. In addition I'd like to make one small change replacing academic staff nominating committee with academic staff nominating body as shown on the screen.

>> Chancellor: Is there discussions of this proposed change in University Curriculum Committee membership.

>> Goldberg: Chad Alan Goldberg, District 71. Point of information. Beth could you just say a few words about the reasons for the changes and what the objective is just briefly. Thank you.

>> Burstyn: Judith Burstyn, District 48. I'm a member of the Committee on Committees, which actually I think requested to the University committee that this change be made. It's actually been extremely difficult to find enough people to serve on this committee especially with curriculum committee experience.

>> Chancellor: Are there other questions or comments? If not, all those in favor of this change indicate by saying "Aye."

>> [Simultaneously] Aye.

>> Chancellor: Any opposed? Let me recognize Professor Amy Wendt who'll move endorsement of the statement of support for the faculty senate of the University of Iowa. Amy.

>> Wendt: Good afternoon. I moved to endorse the statement of support for the faculty senate of the University of-- at the University of Iowa. So on page 45 of the senate agenda, it's a one page document prepared by governance leaders at Midwestern Peer Institutions. And at the center of the page in italics you'll see the prompt for this statement, which is a resolution approved by the University of Iowa senate. The university of Iowa resolution expresses no confidence in the University of Iowa Board of Regents citing violations of shared governments in the selection of the newly appointment University of Iowa president. The statement before your calls for the University of Iowa Board of regents to adhere to the principles of shared governance ethical behavior and transparency.

>> Chancellor: Is there discussion? None at all. All those in the favor of the resolution indicate by saying "Aye."

>> [Simultaneously] Aye.

>> Chancellor: All those opposed? Resolution carries. That is the end of the agenda. And I declare the meeting of adjourned. Thank you all for your patience.