

UW-Madison Faculty Senate Resolution on AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status

Whereas in Chancellor Blank's June 9, 2015, message to the faculty, she affirmed that Act 55, Section 39, "isn't a command or directive," that it merely grants to the Regents new authority to lay off faculty, and that the legislation permits the University of Wisconsin-Madison to "write policies that determine when and how the Section 39 authority is to be invoked on campus" (budget.wisc.edu/budget-news/blank-message-to-faculty-senate/);

Whereas on July 17, 2015, Chancellor Blank reaffirmed that Act 55, Section 39, is "simply authorizing language," and that "the standard approach for dealing with such language is for the Regents to approve policies that detail how and when (if at all) they utilize this authority" (chancellor.wisc.edu/blog/moving-forward/);

Whereas Chancellor Blank affirmed her support for AAUP tenure standards in her June 9, 2015, message to the faculty, and thereafter she "specifically tasked the faculty with formulating and implementing [tenure] policy [in response to Act 55] that aligns," inter alia, with "standards articulated by AAUP" (Faculty Document 2569);

Whereas the ad hoc committee tasked with formulating changes to FP&P 10 explicitly affirmed its intention to align tenure policies at UW-Madison with AAUP guidelines (Faculty Document 2569);

Whereas the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status acknowledges the changes in the law from Act 55 while calling upon the Regents and the Chancellors to defend tenure to the full extent of former state law and national AAUP standards;

Whereas United Faculty and Academic Staff (AFT Local 223), the Madison chapter of the AAUP, the Wisconsin University Union, and the TAA Executive Board have endorsed the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status;

Whereas shared governance bodies on other UW campuses have already begun to endorse the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status;

Resolved, that the Faculty Senate of the University of Wisconsin-Madison endorses the AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status with the following provisos:

- 1. Our endorsement is not a call to violate Act 55 but rather an appeal to the Chancellors and the Regents to refrain from exercising the new legal authority that Act 55 grants them in ways that are inconsistent with AAUP standards.**
- 2. Our endorsement does not mean that we abdicate our responsibility to design tenure policies that are specific to the UW-Madison campus. On the contrary, we believe that the best way we can uphold tenure equally throughout the UW System is to design a strong set of rules and policies for the UW-Madison campus that may then serve as a model for other campuses.**
- 3. We, the Faculty Senate, reserve the right to determine what, if any, collective action may be appropriate for us to take in the future in order to uphold and defend the principles of tenure. We do not delegate this right to the American Federation of Teachers or any other body.**

AFT-Wisconsin Higher Education Council Statement on Tenure and Indefinite Status

When the Wisconsin state legislature and Governor Walker passed and signed into law Act 55, the law gave all effective governance authority to the University Wisconsin Board of Regents and individual campus Chancellors, at the expense of any truly shared governance for faculty, academic staff, and students. We recognize this even as we stand opposed to such changes.

But while state law has radically curtailed shared governance, it has not removed the ability, and the responsibility, of Regents and Chancellors alike to uphold standards of tenure and academic freedom *in practice*, as well as policy, while acknowledging the new powers granted them under state law. Such standards guarantee the ability of faculty and academic staff to engage in excellent, cutting-edge research and to provide instruction to students, citizens, and entrepreneurs in every corner of the state and beyond. With this in mind, we call upon our individual Chancellors and the Regents to affirm and practice the following principles in regard to probationary and tenured faculty, in maximal accordance with both the state standards established by law and administrative rules immediately previous to Act 55, and the national standards summarized in the American Association of University Professors document *Recommended Institutional Regulations on Academic Freedom and Tenure*:

1. Tenured and probationary faculty should be terminated only for just cause, with a rigorous procedure of faculty review to uphold that standard.
2. Tenured and probationary faculty should not be laid off due to budgetary changes unless a financial emergency exists, as declared after detailed consultation with appropriate faculty governance bodies. A financial emergency is a severe financial crisis that fundamentally compromises the academic integrity of the institution as a whole and that cannot be alleviated by less drastic means.
3. The faculty as a whole, or an appropriate committee thereof, should primarily determine all program changes for their campus, including any changes that might lead to layoffs. Program decisions should be based essentially upon educational considerations. Educational considerations do not include cyclical or temporary variations in enrollment, but rather must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by the change.
4. The principles and practices of tenure, and the academic freedom which they enact, should be upheld equally throughout the System, without differentiation between campuses.

Governor Walker has also called for further study regarding whether or not to prohibit probationary and indefinite status appointments for academic staff. Any such changes would increase the employment insecurity of academic staff, and thus further undermine academic freedom and excellence at the University of Wisconsin. Therefore, we also call upon our individual Chancellors and the Regents to:

5. Publicly and privately oppose any and all attempts to abolish or attenuate indefinite status appointments for academic staff.

Finally and most importantly: should any of these principles be violated in practice, we hereby pledge to engage in all appropriate collective action to uphold and defend them, at our individual campuses and in the System as a whole.