

Resolution on actions by UW System and Board of Regents
Approved by the Faculty Senate, May 2, 2016

WHEREAS faculty are responsible for ensuring a quality education for students, serving the state of Wisconsin, and contributing to knowledge through research;

WHEREAS fulfillment of these responsibilities has long been guided and enabled by the University's traditions of the Wisconsin Idea, robust tenure policies and shared governance;

WHEREAS these practices have enabled a state of average size and wealth to enjoy a university system of worldwide renown at unparalleled cost effectiveness;

WHEREAS UW System President Ray Cross and Regents by their actions have overseen a weakening of these traditions and engaged in practices that fall short of principles of responsible governance in their stewardship of the University;

WHEREAS on November 2, 2015, the UW-Madison Faculty Senate adopted new, campus-specific policies relating to faculty layoff and termination, as required by Act 55;

WHEREAS none of the UW System Tenure Policy Task Force members were ever asked to endorse the report issued by the chairman of the task force, and the chairman's report failed to outline many concerns expressed by non-regent members of the committee, and it was not released until January 22, 2016, a month after the task force concluded its work, which was too late for adequate consideration;

WHEREAS in March 2016 the Board of Regents adopted new UW System tenure policies based on the report from the UW System Tenure Policy Task Force without adopting any of the modifications requested by UW System faculty, thereby weakening professional standards of academic due process beyond what Act 55 required;

WHEREAS on April 4, 2016, the UW-Madison Faculty Senate resolved that the previously adopted campus-specific UW-Madison policies relating to faculty layoff and termination should be accepted by the Board of Regents without material alteration, or if alterations were deemed necessary, the Board of Regents should return the UW-Madison policies back to the Faculty Senate for modification;

WHEREAS on April 6, 2016, UW System general counsel Tomas L. Stafford made material and substantial changes to the UW-Madison policies to be considered by the Board of Regents on April 7-8, flagrantly violating local faculty governance and failing to provide representatives of UW-Madison time to review and consider the additional changes;

WHEREAS representatives of UW-Madison were asked by the Board of Regents education committee for their opinion of these changes without time for consideration or counsel;

WHEREAS the process by which changes to UW-Madison policies were made—directly by UW

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System general counsel and the Board of Regents instead of returning the policies to the UW-Madison Faculty Senate for modification—violates local faculty governance and erodes our tradition of active shared governance;

WHEREAS, owing to the changes to UW-Madison policies made by UW System general counsel and adopted by the Board of Regents, administration now need only “consider” (not “pursue”) alternatives to layoff, the chancellor no longer needs the approval of faculty governance bodies (only to consult with them) to discontinue academic programs leading to layoff, a faculty hearing committee is no longer authorized to question whether program discontinuation is based on primarily educational reasons, Faculty Policies & Procedures 5.02 is not applicable to program discontinuance based on educational considerations that may result in faculty layoff under Faculty Policies & Procedures 10, program changes may now be made on the basis of non-educational criteria such as “comparative cost-effectiveness” and budgetary prioritization, severance pay is now at the chancellor’s discretion and no longer guaranteed, and funds for retraining displaced faculty are no longer guaranteed;

WHEREAS the UW-Madison policies relating to faculty layoff and termination, as modified by UW System general counsel and adopted by the Board of Regents, are not consistent with the high standards set by the American Association of University Professors in its Recommended Institutional Regulations on Academic Freedom and Tenure;

WHEREAS the UW-Madison Faculty Senate previously resolved to “engage in all appropriate collective action” to “uphold and defend” the principles regarding tenure that the Faculty Senate endorsed on November 2, 2015 (Faculty Document 2586);

WHEREAS the decades-long tradition of active shared governance has made the University of Wisconsin unique among universities of its stature, fostered a tremendous sense of loyalty and commitment among its faculty, and energized grass-roots creativity in research and teaching;

WHEREAS the failure of the UW System President and the Board of Regents adequately to protect academic due process and shared governance has damaged the reputation of UW-Madison as a great state university that encourages continual and fearless sifting and winnowing by which alone the truth can be found;

WHEREAS the erosion of tenure and shared governance in conjunction with budget cuts is likely to have a disproportionately negative impact on faculty who are already most marginalized and/or engaged in politically controversial research;

WHEREAS program changes based on non-educational considerations, the erosion of academic due process, and the circumventing of faculty governance in conjunction with budget cuts jeopardize the quality of students’ education;

WHEREAS affordable tuition, adequate budget, strong tenure and shared governance are essential to the quality of a university’s educational, scholarly, and outreach missions;

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WHEREAS a primary function of the university, to aid our students in the development of the critical thinking skills they will bring to bear on their personal experiences and the challenges faced by human society, is impaired when the authority for the educational direction of the university may be wielded to suppress instruction in areas that are deemed risky or controversial;

WHEREAS the erosion of active shared governance in conjunction with budget cuts diminishes access, affordability, and educational resources for our students, as well as support for scholarship and its associated economic benefits, as well as outreach and services to the citizens of the State of Wisconsin, and harms the quality of our university;

It is hereby RESOLVED that the actions of President Ray Cross and the Board of Regents give the UW-Madison Faculty Senate no confidence in their commitment to defending the Wisconsin Idea, extending the benefits of the University to every citizen in the state;

It is further RESOLVED that the UW-Madison Faculty Senate calls on System President Ray Cross and the Board of Regents to recommit themselves to the Wisconsin Idea by carrying out their responsibilities and working with us to strengthen the quality of our state universities, in particular by working with the state legislature to make a positive case for improved access, affordability, and educational resources for our students; for additional support for scholarship and its associated economic benefits; for greater resources for outreach and services to citizens of the State; and by truly respecting, advancing, and participating in shared governance at the UW System.