

UWEX FACULTY POLICIES AND PROCEDURES

Chapter UWEX 3

FACULTY APPOINTMENTS

- 3.01** Appointment letter. Each person to whom an appointment is offered must receive an appointment letter in which an authorized official of the institution details the terms and conditions of the appointment, including but not limited to, duration of the appointment, salary, starting date, ending date, general position responsibilities, and probation and tenure status. Position responsibilities may change with the changing needs of the institution.
- 3.02** Types of appointments. Appointments to the Extension faculty, as defined in Chapter UWEX 1, are with tenure or are probationary. Faculty appointments carry the following titles: professor, associate professor, assistant professor, and instructor.
- 3.03** Recruiting. Recruiting for faculty shall be the responsibility of individual departments or administrative units. The faculty shall develop procedures relating to recruitment of members of the faculty, after consultation with appropriate students and the deans. These procedures shall be subject to the approval of the Chancellor. Recruitment shall be consistent with state and federal laws regarding non-discriminatory and affirmative action procedures and provide for departmental peer review and judgment in the recruiting process. In the case of Cooperative Extension community-based faculty positions, recruitment will be coordinated by the Cooperative Extension Personnel Office.
- 3.04** Departmental role. Faculty appointments may be granted only upon affirmative recommendation of a department, or if the appointment is to be divided among several departments, the group of departments shall identify one department as the principal sponsor of the recommendation for appointment. The fraction of a divided appointment in two or more departments may be changed only after consultation with the faculty member and by mutual agreement among the appropriate departmental executive committees.
- 3.05** Tenure appointments.
- (1) A tenure appointment is an appointment for an unlimited period granted to a ranked faculty member by the Board of Regents, or the President on behalf of the board, upon the affirmative recommendation of the appropriate academic department or its functional equivalent, the dean, with the advice of the Faculty Tenure Advisory Committee, and the Chancellor. Tenure may be granted without the affirmative recommendation of the appropriate academic department or its functional equivalent if the following apply:
 - (a) the UW-Extension Faculty Hearings Committee has found that the negative decision of the academic department or its functional equivalent was based upon impermissible factors as defined in Chapter UWEX 3.13(2).

- (b) An affirmative recommendation has been made by an ad hoc tenure review committee which was appointed by the University Committee which shall review the individual's record with reference to the criteria for tenure as published in institutional and departmental guidelines. This must be followed by an affirmative recommendation by the dean, with the advice of the Faculty Tenure Advisory Committee, the Chancellor, and the Board of Regents, or the President on behalf of the Board.
 - (c) The ad hoc committee must consist of persons who are knowledgeable or experienced in the individual's academic field or a substantially similar academic field. No member of this committee may be a member of the department or its functional equivalent that made the negative recommendation. Members of this committee need not be employees of UW-Extension.
 - (d) This ad hoc committee may not use impermissible factors as a basis for its decision. If the UW-Extension Faculty Hearings Committee found that a negative decision by the ad hoc committee was based upon impermissible factors, the ad hoc committee will be asked to reconsider its decision.
- (2) Tenure consideration is initiated by the probationary faculty member who makes application to the department. The department's recommendation passes through the dean and Chancellor to the President.
 - (3) The granting of tenure is based on a consistent and high level of scholarship (see Criteria for Faculty Appointment and Promotion in UW-Extension which is Appendix I to the Articles of Faculty Governance), not on years of experience. Standards of performance and scholarship shall be the same for part-time as for full-time faculty. Early tenure consideration (within the first 12 months of employment) may be negotiated at the time of hire, based on performance and scholarship prior to UW-Extension employment, or tenure may be granted after a minimum of four years of probationary faculty employment in UW-Extension, based on performance and scholarship in UW-Extension.

3.06 Advice on tenure appointments by the Faculty Tenure Advisory Committee.

Before a person is recommended for appointment to a position of tenure, the dean shall seek the advice of the Faculty Tenure Advisory Committee.

3.07 Probationary appointments.

- (1) A probationary appointment is a one-half time or more appointment as an instructor or assistant professor held by a member of the Extension faculty during the probationary period that precedes determination of tenure status. In the case of either a new appointment or a reappointment to a probationary position, the conditions of appointment shall be stated in writing to the appointee at the time the appointment or reappointment is made.
- (2) A probationary faculty member is normally appointed for a period of one year and may be reappointed for a similar probationary period not more than six times, but no obligation of reappointment during the probationary period is implied.

3.08 **The probationary period.**

- (1) Tenure must be achieved (approved by the Board of Regents or by the President on behalf of the Board) by the end of the sixth year of UW-Extension probationary faculty employment. No faculty member will be allowed to apply for or be considered at the institutional level for tenure during a seventh and terminal year of UW-Extension probationary faculty employment.
- (2) Part-time service at less than one-half time shall not be counted in the probationary period. Each year of service at the rate of at least one-half time but not more than three-quarters time shall count as half of a year for probationary purposes, and service at a rate greater than three-quarters time shall be counted as a full year. The probationary period shall not exceed twelve calendar years, exclusive of approved leave of absence and military leave. This maximum may be decreased by agreement between the candidate and the department, if made at the time of appointment and included in the letter of appointment. In no case shall the maximum be less than that for full-time probationary appointments.
- (3) The period of an approved leave of absence does not constitute a break in continuous service but is excluded in calculating the probationary period.
- (4) Circumstances that do not constitute a break in continuous service and that shall not be included in the 7-year period include responsibilities with respect to childbirth or adoption, significant responsibilities with respect to elder or dependent care obligations, disability or chronic illness, or circumstances beyond the control of the faculty member, when those circumstances significantly impede the faculty member's progress toward achieving tenure. A request for additional time because of circumstances under this section shall be initiated in writing by the probationary faculty member concerned and shall be submitted to the department chair, who shall forward a recommendation to the dean who shall be authorized to grant a request and who shall specify the length of time for which the request is granted. It shall be presumed that a request made under this section because of responsibilities with respect to childbirth or adoption shall be approved. A request shall be made before a tenure review commences. A denial of a request shall be in writing and shall be based upon clear and convincing reasons. More than one request may be granted because of responsibilities with respect to childbirth or adoption. More than one request may be granted to a probationary faculty member but the total, aggregate length of time of all requests, except for a request because of responsibilities with respect to childbirth or adoption, granted to one probationary faculty member ordinarily shall be no more than one year.

- (5) If any faculty member has been in probationary status for more than six years because of one or more of the reasons set forth in sub. (4), the faculty member shall be evaluated as if he or she had only six years to work towards achieving tenure.

3.09 Vacant

3.10 **Notification of non-renewal.** Written notice that a probationary appointment will not be renewed shall indicate the offices to be contacted for information about the continuation of fringe benefits, unemployment compensation, and job placement counseling. This written notice shall be given to the faculty member in advance of the expiration of his/her appointment, as follows:

- (1) At least three months before the end of the appointment during the first twelve months of faculty service;
- (2) At least six months before the end of the appointment during the next twelve months of faculty service;
- (3) At least twelve months before the expiration of an appointment after more than 24 months of faculty service.

3.11 **Absence of proper notification.** If proper notice is not given in accordance with Chapter UWEX 3.10, the aggrieved faculty member shall be entitled to a one-year terminal appointment.

3.12 **Non-renewal of probationary appointments.**

- (1) Statement of reasons. Upon the written request of the faculty member concerned, within 30 days of the faculty member having received the non-renewal notice, the department or administrative unit making the non-renewal decision shall give him/her written reasons for non-renewal within 20 days of the request. Such reasons shall become a part of the personnel file of the individual. A non-renewal of a probationary appointment, regardless of reasons, is not a dismissal under this chapter.
- (2) Reconsideration. There shall be a reconsideration of a non-renewal decision to provide an opportunity to a fair and full reconsideration of the non-renewal decision, and to insure that all relevant material is considered. The request for a reconsideration must be made by the faculty member concerned within 30 days of his/her receipt of the written reasons for non-renewal. The reconsideration shall be undertaken by the individual or body making the non-renewal decision and shall include, but not be limited to, proper notice of the time of reconsideration of the decision, an opportunity to respond to the written reasons and to present any written or oral evidence or arguments relevant to the decision, and written notification of the decision resulting from the reconsideration. The reconsideration shall be held not later than 60 days after the request, except that this time limit may be enlarged by mutual written consent of the parties. Such a reconsideration is not a hearing or an appeal, and shall be non-adversary in nature. In the event that a reconsideration affirms the non-renewal decision, the faculty member may appeal under the procedures specified in Chapter UWEX 3.13.

3.13 Appeal of a non-renewal decision.

- (1) The standing faculty committee designated to hear appeals of non-renewal decisions is the Faculty Hearing Committee, as established in Chapter UWEX 2.02.
- (2) The appeal of a faculty member, made within 20 days (25 days if notice is by first class mail and publication) of notification that the reconsideration has reaffirmed the non-renewal decision, shall be heard by the Faculty Hearings Committee. The appeal shall be in writing and addressed to the chair of the hearing body or Secretary of the Faculty. The hearing shall be held according to procedures described in Chapter UWEX 6.03 and 6.04, not later than 20 days after the request, except that this time limit may be enlarged by mutual written consent of the parties, or by order of the hearing body. The faculty member shall be given at least 10 days' notice of such review. The burden of proof in such an appeal shall be on the faculty member, and the scope of the review shall be limited to the question of whether the decision was based in any significant degree upon one or more of the following factors, with material prejudice to the individual:
 - (a) Conduct, expressions, or beliefs which are constitutionally protected, or protected by the principles of academic freedom, or
 - (b) Factors proscribed by applicable state or federal law regarding fair employment practices, or
 - (c) Improper consideration of qualifications for reappointment or renewal. For purposes of this section, "improper consideration" shall be deemed to have been given to the qualifications of a faculty member in question if material prejudice resulted because of any of the following:
 - (i) The procedures required by rules of the faculty or board were not followed, or
 - (ii) Available data bearing materially on the quality of performance were not considered, or
 - (iii) Unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.
- (3) The hearing body shall report its recommendations to the party or official making the non-renewal decision and to the appropriate dean and the Chancellor.

3.14 Vacant

3.15 **Leave** A department or administrative unit may recommend leave for a probationary or tenured faculty member for personal reasons or for reasons relevant to one's professional area. Leave is granted for a period of up to one year, but under exceptional circumstances it may be extended.

3.16 **Leave of absence for administration.** A department or administrative unit may recommend leave to a faculty member to assume administrative responsibilities under a fixed term academic staff appointment or a limited appointment anywhere in the University of Wisconsin System. A tenure appointment is not lost by appointment to such an administrative position.

- 3.17** **Leave of absence for service at another institution.** Where full- or part-time leave has been granted to a probationary or tenured faculty member for service at another institution in the University of Wisconsin System, the department and/or administrative unit shall review such leave annually to determine whether renewal should be recommended.
- 3.18** **Military leave.** In accordance with state statutes and national policy, Extension cooperates in facilitating the return to normal occupation of faculty who (as defined in 45.50, Wis. Stats.) serve the federal government in the interest of national defense. Military leave is granted as follows:
- (1) Faculty with tenure shall be granted leaves of absence for federal service, and their departure and return shall be in accord with 45.50 Wis. Stats. Following return, they shall continue in tenure status.
 - (2) Faculty on probationary status shall be granted leaves of absence for federal service, and their departure and return shall be in accord with the general intent of 45.50, Wis. Stats., to the extent that the University requirements and standards will allow. To prevent prejudice against the person concerned, leave granted hereunder shall not be deemed probationary service.
- 3.19** Vacant
- 3.20** Vacant
- 3.21** **Annual reviews.** Annually the academic department chair and/or administrative unit chair (depending on where one functions) or a committee elected or appointed for this purpose shall review with each faculty member job conditions, the individual's performance, potential advancement, and further career developmental opportunities, consistent with Unclassified Personnel Policy (UPG) #1. Written summary copies of the review shall be provided to the faculty member, the administrative unit chair, grant funding source (if required), and the academic department chair, and be included in the faculty member's personnel file.
- 3.22** **Limitation.** Tenure and probationary appointments in Extension are confined to Extension except that other institutions within the University of Wisconsin System may agree to share tenure appointments through established procedures. Shared tenure appointment agreements shall specify the tenure responsibility and budget responsibility of each institution sharing the appointment.

Revised October, 1997

Approved by Faculty Senate June, 2001

Approved by Board of Regents February, 2002

Approved by University Committee October 2016