
Resolution on Actions by UW System and Board of Regents

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, 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 process by which changes to UW-Madison policies were made—directly by UW 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;

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 erosion of that tradition by the Board of Regents’ unprecedented and unwarranted interference with our local governance procedures does grievous damage to our university;

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 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 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;

It is hereby RESOLVED that the UW-Madison Faculty Senate has no confidence in UW System President Ray Cross or the University of Wisconsin Board of Regents to protect the institutions of tenure and shared governance that are indispensable to a world-class university.