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Strengthening Wisconsin.

## Statement by PROFS in response to JFC omnibus motion #521, item #39

June 2, 2015

Language in the [omnibus motion](#) for UW System approved by the Wisconsin legislature's Joint Finance Committee on May 29 would fundamentally erode the concept of tenure at the University of Wisconsin, effectively allowing the UW Board of Regents to lay off any faculty or staff for virtually any reason. If such language is passed by the full Wisconsin legislature, it will cripple the UW's ability to attract and retain quality employees, devalue the educational credentials of future UW graduates, and create new financial challenges for the UW System.

We have [previously noted](#) that the omnibus motion passed by the Committee contains a number of troubling items, including many that are clearly policy issues without budget implications. Of these, by far the most alarming is item #39, which would allow the Board of Regents to "terminate any faculty or academic staff...due to a budget or program decision regarding program discontinuance, curtailment, modification, or redirection."

Under existing policy, program elimination accompanied by the layoff of tenured UW faculty can occur only in the case of financial exigency. Past [UW administrators have noted](#) that financial exigency is only invoked as a last resort, with the clear knowledge that such action will do lasting harm to the reputation of a university and to its ability to recruit faculty far into the future. By comparison, the item #39 provision casts the layoff decision in dangerously casual terms. Given legal cover by the vague terms "modification" and "redirection", there could be no meaningful limit on the power of the Regents to dismiss faculty and/or to close programs or research centers that fell out of favor with administrators or political leaders.

It is above all the promise of academic freedom directly afforded by tenure that provides the fertile ground for independent scholarly inquiry. That promise would be rendered hollow by the provision in the omnibus motion on faculty and staff dismissals. The "fearless sifting and winnowing" central to the Wisconsin Idea would be no more.

While earlier proposed modifications to the UW, such as the public authority, were widely debated, the justification for, and consequences of, item #39 were not. The vote by the JFC was taken within hours of the omnibus motion being made public for the first time. Wisconsin voters and the Wisconsin Legislature both deserve to understand what those consequences will be.

Specifically, it will become markedly more difficult to attract and retain outstanding faculty when the guarantee of tenure has been so thoroughly weakened. Salaries will have to increase to compensate for decreased job security, among other factors. Faculty who win the large external research grants that make up more than 30% of the UW-Madison budget (as compared to the 17% from the state) will depart, and budget problems will be exacerbated. Economic benefits to Wisconsin will be lost. Above all, UW students will lose access to the best teachers, researchers, and scholars in the field.

The potential loss of institutional quality is so dramatic that it could endanger future accreditation from the Higher Learning Commission, which in turn would imply loss of

student access to federal financial aid. The UW System will also be at risk of being placed on the American Association of University Professors [Censure List](#), which would drastically weaken our ability to attract and retain faculty.

Ultimately, the bond between Wisconsin families and the UW System will be undermined when the System can no longer promise to provide their children with a first-rate education. Out-of-state students who increasingly subsidize the cost of in-state tuition will have little incentive to pay a premium for a devalued degree.

Given the consequences that this profound weakening of tenure we call on our state representatives to take common-sense, fiscally prudent, and necessary steps to eliminate this non-fiscal provision and thereby protect a world-class institution that has served Wisconsin taxpayers extremely well for 167 years.

Signed by the following members of the PROFS Steering Committee

Brad Christian  
Irwin Goldman  
Donald Moynihan  
Grant Petty, President

Eric Raimy  
Joe Salmons  
Bill Tracy  
Terry Warfield

(additional signatories pending)