

**UNIVERSITY OF WISCONSIN-STEVENSON
UPDATE ON POINT FORWARD PROPOSAL**

EXECUTIVE SUMMARY

BACKGROUND

On November 12, 2018, the University of Wisconsin-Stevens Point leadership team presented its vision for the 21st Century comprehensive university to both the campus community and members of the public.

REQUESTED ACTION

None.

DISCUSSION

On December 6, 2018, Chancellor Bernie Patterson and Provost Greg Summers will provide an update on the “Point Forward Proposal” to the Education Committee of the Board of Regents.

Detailed information about the Point Forward Proposal is located at:
www.uwsp.edu/pointforward.

RELATED WISCONSIN LAWS AND REGULATIONS

Section 36, Wis. Stats.
Chapters UWS 2, 3, and 5, Wis. Admin. Code

Approval of the Faculty
Layoff and Termination Policy
UW-Stevens Point

EDUCATION COMMITTEE

Resolution I.1.d.(2):

That, upon the recommendation of the Chancellor of UW-Stevens Point and the President of the University of Wisconsin System, the Chancellor is authorized to implement Chapter UWSP 5 Procedures Relating to Financial Emergency or Program Discontinuance Requiring Faculty Layoff and Termination.

UW-STEVENS POINT FACULTY POLICIES AND PROCEDURES RELATING TO FACULTY LAYOFF AND TERMINATION

EXECUTIVE SUMMARY

BACKGROUND

Section UWS 2.02, Wis. Admin. Code (“Faculty Rules: Coverage and Delegation”), states that: “Rules and procedures developed pursuant to UWS 3, 4, 5, 6, 7, and 8 by the faculty of each institution shall be forwarded by the chancellor to the president and by the president to the board for its approval prior to their taking effect. Such policies and procedures, unless disapproved or altered by the regents, shall be in force and effect as rules of the regents.”

On March 10, 2016, the UW System Board of Regents created Regent Policy Document (RPD) 20-24, Procedures Relating to Financial Emergency or Program Discontinuance Requiring Faculty Layoff and Termination. (Available for review at: <https://www.wisconsin.edu/regents/policies/procedures-relating-to-financial-emergency-or-program-discontinuance-requiring-faculty-layoff-and-termination/>.) RPD 20-24 states that: “UW System institutions shall submit to the Board of Regents for approval any institutional policy developed in accordance with this Regent policy. The chancellor at each institution, with the advice and counsel of the faculty, shall be responsible for implementation of this Regent policy.”

Accordingly, attached to this document is a memo from Chancellor Patterson requesting approval from the Board of Regents for the UW-Stevens Point Policies and Procedures relating to Faculty Layoff and Termination. The UW System Office of General Counsel and the Office of Academic and Student Affairs have reviewed the proposed procedures. The UW System President recommends approval of the UW-Stevens Point Policies and Procedures relating to Faculty Layoff and Termination.

REQUESTED ACTION

Adoption of Resolution I.1.d.(2), authorizing the chancellor to implement Chapter UWSP 5 Procedures Relating to Financial Emergency or Program Discontinuance Requiring Faculty Layoff and Termination at the University of Wisconsin-Stevens Point.

DISCUSSION

The UW-Stevens Point Faculty Senate approved UW-Stevens Point Policies and Procedures Relating to Faculty Layoff and Termination. Thereafter, Chancellor Patterson approved these same policies and submitted them to President Cross for review and approval. Attached to this document is Appendix A, containing the existing policy, the policy with tracked changes, and the new UW-Stevens Point policy for the Procedures Relating to Financial Emergency or Program Discontinuance Requiring Faculty Layoff and Termination.

RELATED REGENT POLICIES AND LAWS

Section 36, Wis. Stats.

Chapters UWS 2, 3, and 5, Wis. Admin. Code

Regent Policy Document 20-23, Faculty Tenure

Regent Policy Document 20-24, Procedures Relating to Financial Emergency or Program

Discontinuance Requiring Faculty Layoff and Termination

APPENDIX A

Existing Policy, Tracked Changes Version, New UW-Stevens Point Faculty Layoff Policy



☐ **New Policy** – complete items 1, 2, 4 and 5.

☒ **Revised Policy** – complete items 1-5.

1.	Proposed or existing location in the University Handbook (i.e., Chapter, Section):	Chapter 4a, Section 2
2.	Please indicate who has authority to approve changes to this portion of the University Handbook:	Common Council, Chancellor, Board of Regents

Existing University Handbook text is available at <https://catalog.uwsp.edu/index.php?catoid=10>. When proposing revision, use *existing* text and underline to designate proposed new text and ~~strike out~~ for proposed deletions. To avoid confusion, please make sure to remove hyperlink underlining prior to beginning proposed revisions.

3.	Existing University Handbook text:	<p>Chapter UWSP 5 LAYOFF AND TERMINATION FOR REASONS OF FINANCIAL EMERGENCY</p> <p>UWSP 5.01 GENERAL.</p> <p>Notwithstanding 36.13, Wis. Stats., the Board may lay off or terminate a tenured faculty member, or lay off or terminate a probationary faculty member prior to the end of the appointment, in the event of a financial emergency. Such layoffs or termination may be made only in accord with the provisions of this Chapter, and imply the retention of rights indicated herein. A nonrenewal, regardless of reasons, is not a layoff or termination under this section.</p> <p>UWSP 5.02 FINANCIAL EMERGENCY.</p>
----	---	--

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

1. For the purposes of this Chapter, “financial emergency” is a state which may be declared by the Board to exist for the University of Wisconsin-Stevens Point, if and only if the Board finds that the following conditions exist:
 - a. The total General Program Operations (GPR/fee) budget of the institution, excluding adjustments for salary/wage increases and for inflationary impact on non-salary budgets, has been reduced;
 - b. Institutional operation within this reduced budget requires a reduction in the number of faculty positions such that tenured faculty must be laid off, or probationary faculty must be laid off prior to the end of their respective appointments. Such a reduction in faculty positions shall be deemed required only if in the Board’s judgment it will have an effect substantially less detrimental to the institution’s ability to fulfill its mission than would other forms of budgetary curtailment available to the institution;
 - c. The procedures described in 5.05 and 5.06 have been followed.

UWSP 5.03 LAYOFF AND TERMINATION.

For the purposes of this Chapter, “layoff” is the indefinite suspension or an involuntary reduction in services and compensation of a faculty member’s employment by the UW System. A laid off faculty member retains the rights specified below in 5.16 through 5.21 inclusive. For the purposes of this Chapter, “termination” is the permanent elimination of a faculty member’s employment by the UW System. A terminated faculty member retains rights specified in 5.18 and 5.19.

UWSP 5.04 FACULTY CONSULTATIVE COMMITTEE.

The University Planning Committee shall serve as the Faculty Advisory Committee on Financial Emergency. The Committee shall consult with the chancellor if at any time a declaration of financial emergency is to be considered. It is the right and responsibility of this Committee to represent the faculty before the Board if a declaration of a state of financial emergency for the institution is being considered, and to assure that the procedures of 5.05 and 5.06 are followed.

UWSP 5.05 CONSULTATION.

APPENDIX A

UW-Stevens Point Faculty Layoff Policy with Tracked Changes

		<ol style="list-style-type: none"> 1. In the event that a declaration of financial emergency is contemplated, the chancellor shall consult with and seek advice from the Faculty Advisory Committee on Financial Emergency at least 3 months before the matter is taken to the Board. The chancellor and the Committee shall: <ol style="list-style-type: none"> a. Consider identifiable alternative methods of budget reduction; b. Determine whether reductions in faculty positions under the provisions of this chapter can be made with less detriment to the institution's ability to fulfill its mission than would follow from reasonable alternative courses of action; c. Determine from which colleges, schools, departments, or programs faculty positions should be eliminated; d. Consult with faculties of colleges, schools, departments and programs potentially involved; e. Consult with such other individuals and groups as they feel may be able to provide valuable advice. <p>(1 m) The Faculty Advisory Committee on Financial Emergency shall prepare a report, with supporting documents, for submission to the chancellor, the Common Council, the student government, and the Board.</p> 2. It shall be the primary responsibility of the Common Council to establish criteria to be used by the chancellor and the Committee for academic program evaluations and priorities. A decision to curtail or discontinue an academic program for reasons of financial emergency shall be made in accordance with the best interests of the students and the overall ability of the institution to fulfill its mission.
--	--	---

4.	<p>Proposed new/revised* University Handbook text:</p>	<p>Chapter UWSP 5 LAYOFF AND TERMINATION FOR REASONS OF FINANCIAL EMERGENCY</p> <p>UWSP 5.01 GENERAL</p> <p>Notwithstanding 36.13, Wis. Stats., the Board may lay off or terminate a tenured faculty member, or lay off or terminate a probationary faculty member prior to the end of the appointment, in the event of a financial emergency. Such layoffs or termination may be made only in accord with the provisions of this Chapter, and imply the retention of rights indicated herein. A nonrenewal,</p>
----	---	---

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

regardless of reasons, is not a layoff or termination under this section.

~~UWSP 5.02 FINANCIAL EMERGENCY.~~

2. ~~For the purposes of this Chapter, “financial emergency” is a state which may be declared by the Board to exist for the University of Wisconsin-Stevens Point, if and only if the Board finds that the following conditions exist:~~
- ~~d. The total General Program Operations (GPR/fee) budget of the institution, excluding adjustments for salary/wage increases and for inflationary impact on non-salary budgets, has been reduced;~~
 - ~~e. Institutional operation within this reduced budget requires a reduction in the number of faculty positions such that tenured faculty must be laid off, or probationary faculty must be laid off prior to the end of their respective appointments. Such a reduction in faculty positions shall be deemed required only if in the Board’s judgment it will have an effect substantially less detrimental to the institution’s ability to fulfill its mission than would other forms of budgetary curtailment available to the institution;~~
 - ~~f. The procedures described in 5.05 and 5.06 have been followed.~~

~~UWSP 5.03 LAYOFF AND TERMINATION.~~

~~For the purposes of this Chapter, “layoff” is the indefinite suspension or an involuntary reduction in services and compensation of a faculty member’s employment by the UW System. A laid off faculty member retains the rights specified below in 5.16 through 5.21 inclusive. For the purposes of this Chapter, “termination” is the permanent elimination of a faculty member’s employment by the UW System. A terminated faculty member retains rights specified in 5.18 and 5.19.~~

~~UWSP 5.04 FACULTY CONSULTATIVE COMMITTEE.~~

~~The University Planning Committee shall serve as the Faculty Advisory Committee on Financial Emergency. The Committee shall consult with the chancellor if at any time a declaration of financial emergency is to be considered. It is the right and responsibility of this Committee to represent the faculty before the Board if a declaration of a state of financial~~

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

emergency for the institution is being considered, and to assure that the procedures of 5.05 and 5.06 are followed.

UWSP 5.05 CONSULTATION.

2. In the event that a declaration of financial emergency is contemplated, the chancellor shall consult with and seek advice from the Faculty Advisory Committee on Financial Emergency at least 3 months before the matter is taken to the Board. The chancellor and the Committee shall:

- f. Consider identifiable alternative methods of budget reduction;
- g. Determine whether reductions in faculty positions under the provisions of this chapter can be made with less detriment to the institution's ability to fulfill its mission than would follow from reasonable alternative courses of action;
- h. Determine from which colleges, schools, departments, or programs faculty positions should be eliminated;
- i. Consult with faculties of colleges, schools, departments and programs potentially involved;
- j. Consult with such other individuals and groups as they feel may be able to provide valuable advice.

(1 m) The Faculty Advisory Committee on Financial Emergency shall prepare a report, with supporting documents, for submission to the chancellor, the Common Council, the student government, and the Board.

It shall be the primary responsibility of the Common Council to establish criteria to be used by the chancellor and the Committee for academic program evaluations and priorities. A decision to curtail or discontinue an academic program for reasons of financial emergency shall be made in accordance with the best interests of the students and the overall ability of the institution to fulfill its mission.

UWSP 5: PROCEDURES RELATING TO FINANCIAL EMERGENCY OR PROGRAM DISCONTINUANCE REQUIRING FACULTY LAYOFF AND TERMINATION

UWSP 5.01: GENERAL

The purpose of this policy is to establish procedures for University of Wisconsin-Stevens Point consistent with Regent Policy Document 20-24 in the event that a financial emergency or program discontinuance requires faculty layoffs.

Tenure is the keystone for academic freedom and excellence and is awarded for academic and professional merit. Tenure is an essential part of the guarantee of academic freedom that is necessary for university-based intellectual life to flourish. The grant of indeterminate tenure to faculty

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

members represents an enormous investment of university and societal resources, and those who receive this investment do so only after rigorous review which established that their scholarship, research, teaching and service meet the highest standards and are congruent with the needs of the university. It is therefore expressly recognized that the awarding and continued enjoyment of faculty tenure is of vital importance to the protection of academic freedom and to the overall academic quality of the University of Wisconsin System institutions.

Accordingly, faculty layoff will be invoked only in extraordinary circumstances and after all feasible alternatives have been considered. Additionally, faculty layoff shall not be based on conduct, expressions, or beliefs on the faculty member's part that are constitutionally protected or protected by the principles of academic freedom.

As provided in Wis. Stat. s. 36.21 and Wis. Stat. s. 36.22, and Chapter UWS 5 of the Wisconsin Administrative Code, the Board of Regents of the University of Wisconsin System (Board) has authority, with appropriate notice, to terminate through layoff a faculty appointment when necessary in the event of a financial emergency, or a program decision resulting in program discontinuance. The Board is permitted by Wis. Stat. s. 36.21 to adopt procedures relating to faculty layoff. Consistent with Chapter UWS 5 and Wis. Stat. s. 36.22, Regent Policy Document 20-24 sets forth those procedures. Faculty layoffs at University of Wisconsin System institutions may be undertaken only in accordance with RPD 20-24, Chapter UWS 5, Wis. Stat. s. 36.21, and Wis. Stat. s. 36.22.

UWSP 5.02 DEFINITIONS

A. For the purposes of this policy, "program" shall mean a related cluster of credit-bearing courses that constitute a coherent body of study within a discipline or set of related disciplines. When feasible, the term shall designate a department or similar administrative unit that offers undergraduate majors or minors, graduate degree programs, or sub-programs such as course sequences or courses essential to programs or general degree requirements and has been officially recognized by UWSP. Programs cannot be defined ad hoc, at any size, but should be recognized academic units. Programs shall not be defined to single out individual faculty members for layoff.

B. For the purposes of this policy, "program discontinuance" as described in Wis. Stat. ss. 36.21 and 36.22 shall mean formal program elimination or closure.

C. For the purposes of this policy, "financial emergency" is defined and may be declared as described in s. UWS 5.02 of the Wisconsin Administrative Code G).

D. For the purposes of this policy, "educational considerations" shall not include cyclical or temporary variations in enrollment. Educational considerations must reflect long-range judgments that the educational mission of the institution as a whole will be enhanced by a program's discontinuance.

E. For the purposes of this policy, "layoff" is the indefinite suspension or involuntary reduction in services and compensation of a faculty member's

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

employment by the University of Wisconsin System. Wis. Stat. s. 36.22(1)(a). A laid off faculty member retains the rights specified in Wis. Stat. ss. 36.22(11) to 36.22(15).

- F. For the purposes of this policy, “termination” is the permanent elimination of a faculty member’s employment by the University of Wisconsin System. Wis. Stat. s. 36.22(1)(c). A faculty member whose position has been terminated retains the rights specified in Wis. Stat. ss. 36.22(13) and (14).
- G. For the purposes of this policy, “termination” or “layoff” refers to tenured and probationary faculty members. A nonrenewal, regardless of reasons, of probationary track appointments is not a layoff or termination under this policy.

UWSP 5.03 FACULTY LAYOFF OR TERMINATION FOR REASONS OF FINANCIAL EMERGENCY

- A. Notwithstanding RPD 20-23 (Regent Policy Document on Faculty Tenure), a tenured faculty member, or a probationary faculty member prior to the end of his or her appointment, may be laid off in the event of a financial emergency. Layoff for reasons of financial emergency may occur only in accordance with RDP 20-24, UWS 5.01 through UWS 5.07 of Chapter UWS 5 of the Wisconsin Administrative Code, and Wis. Stat. s. 36.22.
- B. Except as provided in subdivision A above, no faculty member shall be laid off or terminated due to curtailment, modification, and/or redirection of a department. Faculty displaced due to restructuring of a program or discontinuance of a program for reasons other than financial emergency or educational considerations will be placed in another suitable position, at the same rank. If placement in another position would be facilitated by a reasonable period of training, such retraining and relocation will be provided and the institution will bear the cost.
- C. A Consultative Committee consisting of faculty members shall be created to consult with the chancellor as described in s. UWS 5.04 in the event a declaration of financial emergency is being considered. The Consultative Committee shall participate in the decision at the institutional level regarding whether to recommend to the Board that a financial emergency be declared. The chancellor shall provide the Consultative Committee with access to information and data relevant to the proposed declaration of financial emergency. The chancellor shall consult with and take into serious consideration advice from the Consultative Committee at least three months before making any recommendation to the Board as described in s. UWS 5.05(1).
- a. The Consultative Committee shall be comprised of at minimum, the following members:
- i. Chair of Faculty Council. In consultation with the Common Council Chair, the Faculty Council Chair shall appoint one tenured faculty from the following bodies: the Academic Affairs Committee, the College of Fine Arts and

APPENDIX A

UW-Stevens Point Faculty Layoff Policy with Tracked Changes

Communication, the College of Natural Resources, the College of Professional Studies, the College of Letters and Sciences (humanities and history), the College of Letters and Sciences (social sciences), the College of Letters and Sciences (natural science/mathematics/computing), and the University College.

- ii. Once the Consultative Committee is established, it shall appoint two additional voting members from the Student Government Association and an additional voting member from each of the Academic Staff Council and the University Staff Council. At all times, the Consultative Committee shall be comprised of at least 2/3 faculty.
- iii. When the task of the committee turns to establishing which faculty are to be laid off, only faculty committee members have voting rights.
- iv. No one college shall have a majority (50% or more) of faculty members [managed by careful selection of the AAC member].

- b. Consultation shall proceed in accordance with s. UWS 5.05 and shall include consultation with other individuals and groups who may be able to provide valuable advice (see s. UWS 5.05(1)(e)).

D. It shall be the responsibility of the Consultative Committee to recommend criteria to be used by both the Consultative Committee and the chancellor to determine program evaluations and priorities as described in s. UWS 5.05(2). The criteria examined shall be made in accordance with the best interests of students and the overall ability of UWSP to fulfill its mission. It also shall be the responsibility of the Consultative Committee to recommend to the chancellor and Board of Regents those areas within the overall academic program where layoffs may occur. The Consultative Committee shall prepare a report regarding the proposed declaration of financial emergency that shall be shared with the Common Council, the chancellor and the Board, as described in s. UWS 5.05(1m). A decision to declare a financial emergency shall be made in accordance with the best interests of students and the overall ability of the institution to fulfill its mission.

E. If a chancellor decides to recommend that the Board declare a financial emergency for UWSP, as described in s. UWS 5.06, the chancellor shall provide their recommendation to the System president and the Board, accompanied by a report that shall include data demonstrating the need to declare a financial emergency; identification of the programs in which faculty reductions will be made, with data supporting those choices; any report created by the Consultative Committee; and a report of any action of the Common Council on the matter.

F. The chancellor and the chairperson of the Consultative Committee, or their designees, and representatives of affected colleges, schools, departments, and programs, may appear before the Board at the time the

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

recommendation is considered. Other interested parties may submit in writing alternative recommendations or challenges to any part of the recommendation.

- G. The Board may declare a financial emergency for UWSP if the Board determines the existence of the conditions set forth in s. UWS 5.02, Wisconsin Administrative Code. It is recognized that the Board should exercise its authority adversely to the Consultative Committee recommendation with respect to declaration of financial emergency only for compelling reasons which should be stated in writing, in detail.
- H. If the Board declares a financial emergency for the institution, the tenured faculty in the affected departments and programs shall have responsibility for recommending to the Consultative Committee which faculty will be laid off. These recommendations shall follow seniority, unless the department makes a clear and convincing case that program needs dictate other considerations, e.g., the need to maintain diversity of specializations within a department.
- a. Every effort, consistent with federal and state laws regarding fair employment practices, shall be made to ensure that the university's affirmative action programs are not impaired by the operation of this seniority system.
 - b. Designation for reassignment or layoff shall follow the order of seniority according to years of service at the University of Wisconsin-Stevens Point in accordance with c – f below.
 - c. Seniority is determined by the date of the beginning of the semester in which the faculty appointment began at the University of Wisconsin-Stevens Point and by the years of full-time service here. Thus, faculty who served half-time for 2 academic years shall have acquired 1 full academic year of seniority. All leaves for professional or family medical purposes granted with the concurrence of the department shall be counted toward seniority except that no more than 2 consecutive years of leave shall be counted.
 - d. Faculty members holding a joint or split appointment shall have a "home" department, usually the department in which the person holds rank. Seniority shall reside in that department.
 - e. When it is necessary to select from among persons of identical seniority members of department, in consultation with the Dean, may consider rank, educational preparation, time in rank, and other academic credentials, such as teaching effectiveness, disciplinary contributions, scholarly development, professional affiliation and activity, and contributions to the department or university.
 - f. A person who has transferred from another UWS institution to become a faculty member at UWSP shall receive full credit for years of faculty and if applicable, instructional academic staff service at that UWS institution, in accordance with Sections 5.03 H (a through e) above.

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

- | | |
|--|--|
| | <p>I. <u>The department may seek the general advice of other groups such as accrediting bodies or individuals in formulating its recommendations. The departmental recommendation shall be forwarded to the chancellor via the Consultative Committee, the dean and vice chancellor of academic affairs. The chancellor shall prepare recommendations for the System president and the Board.</u></p> <p>J. <u>A faculty member whose position is recommended for layoff shall receive the notification provided in Wis. Stat. s. 36.22(4) and shall be entitled to the notification period provided in Wis. Stat. s. 36.22(5). The faculty member also shall be entitled to the due process hearing and appeal procedures, reappointment rights, and other rights and protections in Wis. Stat. s. 36.22. As provided in Wis. Stat. s. 36.22(12), institutions shall devote their best efforts to securing alternative appointments for faculty laid off under this section, and also shall provide financial assistance for readaptation of faculty laid off under this section where readaptation is feasible.</u></p> <p style="padding-left: 40px;">a. <u>A faculty member who is to be laid off or terminated under this policy has a statutory right to at least twelve months' notice under Wis. Stat. 36.22(5)(a) at the faculty member's current salary. At the discretion of the chancellor or designee, in consultation with the faculty member, the faculty member may be granted salary as severance pay in lieu of part or all of the statutory notice period, early retirement, or relocation leave accompanied by a resignation. Acceptance of any option terminates the faculty member's association with the system at the end of the leave period.</u></p> |
|--|--|

UWSP 5.04 FACULTY LAYOFF FOR REASONS OF PROGRAM DISCONTINUANCE

- | | |
|--|---|
| | <p>A. <u>The maintenance of tenure-track and tenured faculty, and of essential instructional and supporting services, remains the highest priority of the university. To promote and maintain high-quality programs, UWSP may over time develop new programs and discontinue existing programs. Accordingly, and notwithstanding RPD 20-23 (Regent Policy Document on Faculty Tenure), a tenured faculty member, or a probationary faculty member prior to the end of their appointment, may be laid off in the event that educational considerations relating to a program require program discontinuance. Educational considerations may include strategic institutional planning considerations such as long-term student and market demand and societal needs. Layoff for reasons of program discontinuance may be made only in accordance with this policy and Wis. Stat. s. 36.22. A nonrenewal, regardless of reasons, is not a layoff or termination under this policy.</u></p> <p>B. <u>Program review and adjustment to the curriculum according to professional and educational standards and accreditation requirements is part of routine institutional planning. Educational considerations are</u></p> |
|--|---|

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

related in part to regular program review and ongoing assessment practices. They reflect a long-range judgment that the educational mission of the institution as a whole will be enhanced by program discontinuance. This includes the reallocation of resources to other programs with higher priority based on educational considerations. Such long-range judgments generally will involve the analysis of financial resources and the needs, value and quality of the program and any related college or school.

- C. A proposal to discontinue a program due to educational considerations that will result in faculty layoff may be initiated by faculty in the program, faculty in the college or school that contains the program, the faculty council, the dean, the provost, or the chancellor. The proposal shall be in writing and shall contain appropriate information and analysis regarding the educational considerations, including programmatic and financial considerations, supporting the proposed program discontinuance. The proposal shall be provided for review to the faculty and staff in the affected program, to the Common Council, to the academic staff shared-governance body, to the university staff shared-governance body, and other governance bodies at the institution, and to the chancellor. A proposal to discontinue a program that will not result in faculty layoff shall follow the standard program review process in place at each institution, and shall not be required to follow the process outlined in this policy.
- D. A Consultative Committee consisting of faculty members shall be created to consult with the chancellor as described in s. UWS 5.04 and in 5.03C (above) in the event of a consideration of program discontinuance. The Consultative Committee shall participate in the decision-making process at the institutional level regarding whether to recommend that program discontinuance be considered. The chancellor, deans, and provost shall provide the Consultative Committee with access to information and data relevant to the proposed program discontinuance.
- E. The Consultative Committee shall review and evaluate any proposal to discontinue a program that will lead to faculty layoff. The committee's review and evaluation may be based on the following considerations, where relevant:
- a. The centrality of the program to the institution's mission;
 - b. The academic strength and quality of the program, and of its faculty in terms of national ratings if applicable;
 - c. Whether the work done in the program complements that done in another essential program;
 - d. Whether the work done in the program duplicates academic instruction and course content delivered in other programs at the institution;
 - e. Student and market demand and projected enrollment in the subject matter taught in the program;
 - f. Current and predicted comparative cost analysis/effectiveness of the program;

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

- | | |
|--|--|
| | <ul style="list-style-type: none">g. <u>Current and past Program Review and Assessment reports; and</u>h. <u>Other relevant factors that the committee deems appropriate.</u> <p>F. <u>The Consultative Committee shall request and review comments and recommendations on the proposed program discontinuance from faculty and academic and university staff in the program, faculty and academic and university staff in the affected college or school, students in the program, and other appropriate institutional bodies or individuals. Based on this review and evaluation, the Consultative Committee shall prepare a recommendation and report regarding the proposed program discontinuance that shall be shared with the faculty and staff in the program, the faculty council, the college dean, the provost and the chancellor. The Consultative Committee shall provide its recommendation and report to the chancellor within three months of the date of the Common Council's receipt of the program discontinuance proposal.</u></p> <p>G. <u>The chancellor, provost and dean shall consult with and take into serious consideration advice from the Consultative Committee. It is recognized that the chancellor, provost, or dean should make a recommendation adverse to the Consultative Committee recommendation with respect to discontinuance of an academic program only for compelling reasons which should be stated in writing and in detail.</u></p> <p>H. <u>If the chancellor decides to recommend that the Board approve discontinuance of a program that will result in the layoff of faculty, the chancellor shall provide their recommendation to the System president and the Board, accompanied by a report that shall include information demonstrating the educational considerations supporting program discontinuance, any recommendation and report created by the Consultative Committee, and a report of any action of the Common Council on the matter. The chancellor shall provide any such recommendation to the System president and the Board within four months of the date of the Common Council's receipt of the program discontinuance proposal.</u></p> <p>I. <u>The System president shall provide the Board with their recommendation on the program discontinuance proposal. After reviewing the System president's and the chancellor's recommendations and related report, the Board shall make the final decision on whether the program is to be discontinued, resulting in faculty layoffs. It is recognized that the Board should exercise its authority adversely to the Consultative Committee's recommendation with respect to program discontinuance only for compelling reasons which should be stated in writing, in detail.</u></p> <p>J. <u>If the Board approves discontinuance of a program resulting in faculty layoffs at UWSP, the Consultative Committee shall have responsibility for recommending which faculty will be laid off. These recommendations shall follow seniority, unless the department makes a clear and convincing case that program needs dictate other considerations, e.g., the need to maintain diversity of specializations within a department, as described in Wis. Stat. s. 36.22(3)(a) and s. 36.22(3)(b). Additionally:</u></p> |
|--|--|

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

- | | |
|--|--|
| | <ul style="list-style-type: none">a. <u>Every effort, consistent with federal and state laws regarding fair employment practices, shall be made to ensure that the university's affirmative action programs are not impaired by the operation of this seniority system.</u>b. <u>Designation for reassignment or layoff shall follow the order of seniority according to years of service at the University of Wisconsin-Stevens Point in accordance with c – f below.</u>c. <u>Seniority is determined by the date of the beginning of the semester in which the faculty appointment began at the University of Wisconsin-Stevens Point and by the years of full-time service here. Thus, faculty who served half-time for 2 academic years shall have acquired 1 full academic year of seniority. All leaves for professional or family medical purposes granted with the concurrence of the department shall be counted toward seniority except that no more than 2 consecutive years of leave shall be counted.</u>d. <u>Faculty members holding a joint or split appointment shall have a "home" department, usually the department in which the person holds rank. Seniority shall reside in that department.</u>e. <u>When it is necessary to select from among persons of identical seniority, members of a department, in consultation with the Dean, may consider rank, educational preparation, time in rank, and other academic credentials, such as teaching effectiveness, disciplinary contributions, scholarly development, professional affiliation and activity, and contributions to the department or university.</u>f. <u>A person who has transferred from another UWS institution to UWSP, or became a faculty member at UWSP, shall receive full credit for years of faculty and if applicable, instructional academic staff service at that UWS institution, in accordance with Sections 5.03 H above.</u>g. <u>A faculty member whose position is recommended for layoff shall receive the notification provided in Wis. Stat. s. 36.22(4), and shall be entitled to the notification period provided in Wis. Stat. s. 36.22(5). The faculty member also shall be entitled to the due process hearing and appeal procedures, reappointment rights and other rights and protections in Wis. Stat. s. 36.22. As provided in Wis. Stat. s. 36.22 (12), UWSP shall devote it's best effort to securing alternative appointments for faculty laid off under program discontinuance, and also shall provide financial assistance for readaptation of faculty laid off under this section where readaptation is feasible.</u>h. <u>A faculty member who is to be laid off or terminated under this policy has a statutory right to at least twelve months' notice under Wis. Stat. 36.22(5)(a) at the faculty member's current salary. At the discretion of the chancellor or designee, in consultation with the faculty member, the faculty member may be granted salary as</u> |
|--|--|

APPENDIX A
UW-Stevens Point Faculty Layoff Policy with Tracked Changes

		<p><u>severance pay in lieu of part or all of the statutory notice period, early retirement, or relocation leave accompanied by a resignation. Acceptance of any option terminates the faculty member's association with the system at the end of the leave period.</u></p> <p><u>5.05 SAFEGUARDS FOR STUDENTS</u></p> <p><u>UWSP will make every effort to accommodate students adversely affected by discontinuance of an academic program for reasons of financial emergency or because of educational considerations. Discontinuance of a program should be phased in over a reasonable time period to provide students with the opportunity to complete the program or transfer to another program. Completion of a program or transfer to another program cannot be guaranteed by the university.</u></p>
5.	Effective date of policy, if different than upon the chancellor's signature:	



MEMORANDUM

TO: Karen Schmitt, Ph.D., Interim Vice President for Academic and Student Affairs

FROM: Bernie L. Patterson, Ph.D., Chancellor *BLP*

DATE: November 27, 2018

SUBJECT: UW-Stevens Point Procedures Relating to Financial Emergency or Program Discontinuance Requiring Faculty Layoff and Termination Policy

I request that the UW-Stevens Point Procedures Relating to Financial Emergency or Program Discontinuance Requiring Faculty Layoff and Termination policy be included on the Board of Regents agenda for their December 2018 meeting. The policy was reviewed by UW System Legal and approved by our Common Council on April 18, 2018, approved by me on April 27, 2018, and submitted to the Board of Regents on May 7, 2018.

I appreciate the work of our Common Council and the support of UW System Legal on this matter.

Thank you.

Cc: Greg Summers, Provost
Mary Bowman, Chair, Common Council