

Recommendations from the Instructional Academic Staff Committee (IAS) February 12, 2009

Introduction:

The May 6, 2004, agenda of the 38th Faculty Senate included a discussion of Instructional Academic Staff Contracts. The minutes of that meeting with regard to this issue read:

Discussion of Instructional Academic Staff Contracts.

Members of the instructional academic staff have asked the faculty senate to join them in requesting that the UW-L administration abide by the letter and spirit of the approved UW-L employment policies related to academic staff concerns. *In the spring 2003 semester, the UW-L administration made a decision to eliminate all rolling-horizon contracts for academic staff, effective fall 2003. All new IAS contracts include the statement that "renewal is not intended," and the majority of IAS have been informed that new contracts will be issued on a one-year terminal fixed-term basis. The UW-L administration cited a need for flexibility in the face of a budget crisis as the justification for this change in policy related to IAS contracts.* The IAS object to this change in policy because it threatens job security and undermines principles of faculty governance. The IAS ask for consideration of the following points:

- With this change, the administration violates the letter and spirit of approved UW-L employment policies and contradicts UW-System employment guidelines.
- Other UW-S institutions have not allowed budgetary problems to affect their employment policies for faculty who are IAS.
- This change in policy jeopardizes program continuity throughout the university.

M/S/P the Faculty Senate requests that the Chancellor abide by the letter and spirit of the approved UW-L employment policies related to academic staff contracts (see excerpt from UW-L 10.03). The Faculty Senate also requests that the Chancellor clearly define the process for determining Instructional Academic staff contracts with regard to length of contract and with regard to type of contract (rolling horizon, fixed term, etc). (unanimous show of hands)

Excerpt from UWL 10.03 Appointment policies.

... A fixed term academic staff appointee with a 50% or more appointment who is reappointed after four years of continuous service shall receive at minimum, a two-year rolling horizon contract, if his/her performance is determined to be appropriate and there is reasonable certainty that the position will be continued and that resources for the position will continue to be available. The rolling term appointment shall be for a specified time period set forth in the letter of appointment...

...After seven years of continuous service fixed term academic staff members with a 50% or more appointment shall receive at a minimum a three-year rolling horizon contract if his/her performance is determined to be appropriate and there is reasonable certainty that the position will be continued and that resources for the position will continue to be available...

M/S/P the faculty senate participate in the creation of a task force to address instructional and non-instructional academic staff concerns regarding contracts and other employment and representational issues. (unanimous show of hands)

Unfortunately, this issue was never resolved and we find ourselves before the 43rd Faculty Senate for a "Discussion of Instructional Academic Staff Contracts." The following set of recommendations represents the culmination of five years of work to develop IAS policies and procedures – including those previously adopted for IAS Titling, Workload and Career Progression. This work is credited to many individuals across the UW-L community who have worked on IAS issues for many years.

Recommendations from the Instructional Academic Staff (IAS) Committee:

Position Description and Individual Development Plan (IDP):

“The Wisconsin Statutes, Chapter 230.37, state that appointing authorities should establish “an employee evaluation program to provide a continuing record of employee development and, when applicable, to serve as a basis for pertinent personnel actions.” At UW-L, the method to document position expectations and results is accomplished through Individual Development Plan (IDP) process. Annually, supervisors of unclassified academic staff and classified employees are expected to meet with their employees to discuss department/unit goals, employee career goals and supervisory position expectations. Information is documented on the IDP checklist and form and a copy of the completed IDP is placed in the employee’s personnel file.”

The 2008-09 IAS Committee spent much of the fall semester revising the current Position Description and Individual Development Plan (IDP) templates (<http://www.uwlax.edu/hr/current/IDP/IDP.htm>) to better suit the needs of instructional academic staff. The revised templates (see attached) have been reviewed by several department chairs and were forwarded to the Office of Human Resources for feedback.

Recommendation #1: The IAS Committee recommends the adoption of the IDP and Position Description templates for immediate implementation for Instructional Academic Staff at UW-L.

Recommended Revisions to UWL 8 through 13:

The UW-L Unclassified Personnel Rules (UWL 8 through 13) were reviewed by the 2007-08 IAS Committee with regards the content of policies and procedures that affect Instructional Academic Staff (IAS). These policies can be found at: <http://www.uwlax.edu/hr/rules/AS-UPRs.htm>. Many of the policies are out of date and/or do not reflect current practice at UW-L. All revisions to UW-L Unclassified Personnel Rules require the approval of UW-L Faculty Senate, Academic Staff Council, UW-L senior administration and the UW System Board of Regents.

The changes being proposed for UWL 8, 9, 11, 12 and 13 (see attached) reflect a recommendation that was passed by Faculty Senate on March 10, 2005, stating that “All IAS, regardless of faculty status, are represented by Faculty Senate.” This change of governance has already been included in the recent revisions of the Faculty Articles of Organization. The IAS Committee recommends changes in the language of UWL 8, 9, 11, 12 and 13 to reflect this change in governance and, therefore, due process procedures for instructional academic staff. These changes have been reviewed by the Office of Human Resources.

Recommendation #2 for UWL 8: Unclassified Code of Ethics: The IAS Committee recommends the approval of the attached changes to UWL 8.05.

Recommendation #3 for UWL 9: Academic Staff Rules: Coverage and Delegation: The IAS Committee recommends the approval of the attached changes to UWL 9.01 and 9.02.

Recommendation #4 for UWL 11: Dismissal of Academic Staff for Cause: The IAS Committee recommends the approval of the attached changes to UWL 11.03, 11.06, 11.07, 11.10 and 11.12.

Recommendation #5 for UWL 12: Layoff of Academic Staff for Reasons of Budget or Program: The IAS Committee recommends the approval of the attached changes to UWL 12.01, 12.03, 12.04, 12.05, 12.06, 12.09, 12.10 and 12.11.

Recommendation #6 for UWL 13: Complaints and Grievances: The IAS Committee recommends the approval of attached changes to UWL 13.01 and 13.02.

UWL 10: Academic Staff Appointments:

Currently, UWL 10 does not include all of the types of fixed-term appointments described in UWS 10.03, nor does it allow for flexibility in granting contracts. In addition, UW-L has not been in compliance with UWL 10.03 since May 2003 when rolling horizon contracts were eliminated by our former Chancellor. According to the language of the current policy, *a fixed term academic staff appointee with a 50% or more appointment who is reappointed after four years of continuous service shall receive at minimum, a two-year rolling horizon contract, if his/her performance is determined to be appropriate and there is reasonable certainty that the position will be continued and that resources for the position will continue to be available . . . After seven years of continuous service fixed term academic staff members with a 50% or more appointment shall receive at a minimum a three-year rolling horizon contract if his/her performance is determined to be appropriate and there is reasonable certainty that the position will be continued and that resources for the position will continue to be available.* According to this, sixty of our IAS should have a 3-year rolling horizon contract and seven should have a two-year rolling horizon contract for the 2008-09 academic year. If the language in UWL 10 is not revised, UW-L will be in non-compliance with a total of 102 IAS and an unknown number of NIAS with regards to the issuance of rolling horizon contracts for the 2009-10 academic year. At this point, everyone is in agreement that the current policy language cannot remain in place and that any revised policy must allow flexibility for unforeseen budgetary circumstances; however, an agreement has not been reached regarding what revisions should be made.

The IAS Committee did extensive research into academic staff appointments at other UW System schools and in UW System Unclassified Personnel Rules (UWS 10) and UW System Unclassified Personnel Guidelines (UPG). The committee used UW-Osh Kosh and, to a lesser degree, UW-Madison to create a revised UWL 10 that would reflect current practice, offer a complete range of appointment types to complement the variety of academic staff positions, - while providing flexibility for both programmatic and budget reasons. The policy also incorporates a notice of non-renewal timeline that will eliminate the need for the “Renewal is not Intended” clause that currently appears in every IAS contract. The proposed UWL 10 and an example of the current IAS contract language, along with a proposed alternative for both fixed-term terminal and renewable contracts are attached.

Recommendation #7 for UWL 10: Academic Staff Appointments: The IAS Committee recommends the approval of the revisions to UWL 10.

Recommendation #8 for Contract Language Revision: The IAS Committee recommends the revision of IAS contracts to incorporate appropriate appointment types and required elements (e.g., salary) and to remove the “Renewal is not Intended” clause and issue separate notices of nonrenewal when warranted.

Respectfully submitted,

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