



Attacks on Tenure: An Engineering Professor's Experiences with Public Policy Actions Impacting Higher Education

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Abstract

In recent years, several states have proposed modifications to university policies, including tenure policies, that would potentially impact the foundations upon which higher education rests in the United States. One such state is Wisconsin, in which the state legislature mandated many fundamental changes to the state statutes and governing policies involving the University of Wisconsin System in 2015. The Board of Regents of the University of Wisconsin System responded by significantly changing tenure policies for the faculty. These changes are seen by many as weakening the protections which faculty have grown accustomed to having. The author of this paper is an engineering professor whose role in faculty governance at the University of Wisconsin-Milwaukee provided him with the opportunity to both closely monitor how the changes were being made and influence the campus policies that were created in response to the legislative and regent actions.

This paper will consist of three main sections. First, a history of the changes to the tenure policies in Wisconsin will be provided. Second, the author will review his role in the process as an example of how a regular faculty member can influence the making of policies at an institutional level. This review will include the challenges that faculty can face while working to bridge gaps between the visions of different groups while crafting policy. Third, a series of recommendations will be presented for other engineering faculty who either intentionally or unintentionally find themselves in a position to defend or create policies at their own institutions. While these recommendations will be made with an emphasis on tenure policies, many are applicable to other higher-education related issues as well.

Introduction

While the institution of tenure in higher education is often seen as a permanent fixture, in recent years there have been movements in various states to at least weaken tenure protections, and in some cases eliminate tenure protections for faculty in public universities. For example, in early 2017, legislators in both Iowa and Missouri introduced bills that would have in some form eliminated tenure in the state universities [1-3]. Those who support such measures often question why faculty at universities should have a "job for life". Yet, at most institutions, faculty can be removed from a tenured position for just cause [4]. Another reason given for eliminating tenure is to give universities greater flexibility in developing an array of programs to meet the perceived needs of society.

In 2015, the state of Wisconsin took significant steps in reducing the tenure protections afforded faculty in the University of Wisconsin System. Prior to 2015, tenure protections for UW System faculty were entrenched in state law. Through inclusion of provisions in the 2015-17 state budget bill, tenure protections were removed from state law and the Board of Regents of the University of Wisconsin System were instructed to enact tenure protections in Board policy. This led to a process by which the Board of Regents developed and approved a new tenure

policy which allows for removal of a tenured faculty member for reasons other than just cause. These changes are seen by many faculty members detrimental to their professions. As such, many faculty members found themselves inserted into public policy debates and processes in ways that they never anticipated.

In this paper, the procedures used to change the tenure policies in Wisconsin, and how those changes may impact faculty will be described. The author will describe how he, as an engineering professor, was involved in the process; this provides an illustration of how ordinary engineering faculty may find themselves in such a position in the future. This then leads to recommendations to other faculty who may face such situations in the future, either regarding tenure or other public policies relevant to higher education.

Changes to Tenure in the University of Wisconsin System

Prior to 2015, the state of Wisconsin was unique in that it enshrined tenure protections for faculty in the University of Wisconsin System in state statutes. While on the surface, these protections were the same as granted by many universities across the country in university-level policy, the placement of these protections in state law was a source of pride for many in Wisconsin. It indicated that, as a tangible sign of the “Wisconsin Idea” [5], the people of the state of Wisconsin valued higher education to the point where protections granted to those providing that education were part of state law. Following on the Wisconsin Idea, the University of Wisconsin System grew to encompass 13 four-year schools, 13 two-year schools, and a thriving extension service. In the Fall 2016 semester, the combined enrollment of the four-year and two-year institutions was over 175,000 students, in a state whose population is approximately 5.8 million. [6]

In his proposed 2015-17 biennial budget, Gov. Scott Walker of Wisconsin proposed several measures that directly impacted both the daily operations of the University of Wisconsin System as well as its long-term operations. The proposed changes reflected growing sentiments throughout parts of the United States questioning the value of higher education in its current form, and the role that a state should play in providing public higher education. After modifying the proposed budget, the state legislature passed a 2015-17 budget which included cuts of \$250 million to the UW System (while maintaining a tuition freeze for state residents), changed language in state law regarding the role of faculty in shared governance procedures, and removed tenure protections from state law [7]. The financial cuts caused campuses throughout the system to institute immediate cost-savings measures that impacted the daily operations and education of students. While funding for the UW System was increased in the 2017-19 budget, those funds do not come close to replacing the \$250 million reduction in the previous budget, meaning that the leaner operations and reduced educational opportunities for students will persist. But the larger long-term implications of the 2015 changes are likely to be felt in the reduction in the role of faculty in institutional governance, and the changes that resulted in tenure protections.

Figure 1 contains a time-line of the actions taken with regards to tenure, both at the UW System level and the local level. After tenure protections were removed from state law, the UW System Board of Regents (BoR) needed to create a tenure policy for the System. Prior to the passage of the budget bill in July 2015, in June 2015 the Board adopted the previous state law as its policy

so as to assure continuity of tenure in the system. The BoR did not intend that this would be their long-term policy, and so it also began the process to modify the policy. As part of the process, the BoR convened a “Tenure Policy Task Force” consisting of 2 regents, 8 administrators from across the system, and 11 faculty members from UW institutions [8]. This task force was given the opportunity to provide input to the new policy, but importantly did not have to approve the new policy before the policy would be sent to the full BoR for consideration. Therefore, while the majority of members of the task force were faculty members, the lack of a need for the task force to approve the policy lessened the impact that the faculty could have in the creation of the new policy. The new policy was adopted by the BoR at their March 2016 meeting.

MONTH	ACTION
February 2015	Gov. Walker proposes 2015-17 Wisconsin state budget which includes removing tenure protections from Wisconsin state law.
June 2015	UW System BoR adopts existing state law on tenure as BoR policy.
July 2015	2015-17 state budget is passed and signed.
August 2015 – February 2016	UW System Tenure Task Force works on creating new policies related to faculty tenure.
March 2016	BoR adopts three policies related to faculty tenure.
April 2016	BoR modifies and adopts tenure policy for UW-Madison. UW-Milwaukee (UWM) Faculty Senate chooses to not pass a revised faculty tenure policy that reflects the changes made in the tenure policy by the BoR.
May 2016	UWM Faculty pass a no-confidence resolution against UW System President and BoR. Similar resolutions are passed by other UW System campuses.
September 2016	A new UWM Post-tenure review (PTR) policy is presented to the Faculty Senate, and suggestions for modifications are made by the Senate.
October 2016	UWM Faculty Senate passes the revised UWM PTR policy. UW System indicates that the new UWM PTR policy is no longer sufficient for approval by the BoR.
November 2016	A newly revised UWM PTR policy is approved by the UWM Faculty Senate.
December 2016	The BoR approves the UWM PTR policy.

Figure 1: Timeline of events related to the tenure policy revisions in the UW System and at the University of Wisconsin-Milwaukee (UWM). State government actions are indicated in Red, UW System and UW Board of Regents (BoR) actions are indicated in Green, and UWM actions are indicated in Blue.

The changes to the policies related to tenure can be found in the modifications of two regent policy documents and the creation of a new regent policy document. Regent Policy Document (RPD) 20-9 [9], “Periodic Post-Tenure Review in Support of Tenured Faculty Development” was revised to modify the procedures and potential implications of post-tenure review for tenured faculty in the UW System. RPD 20-23 [10], “Faculty Tenure,” spells out the general guidelines for faculty tenure that must be followed by individual campuses in their own tenure policies. RPD 20-24 [11], “Procedures Relating to Financial Emergency or Program Discontinuance Requiring Faculty Layoff and Termination,” was a new policy that described the procedures to be followed when faculty were to be laid off primarily for the elimination of a program. For quick reference, these documents are listed in Table 1.

Of these documents, RPD 20-23 probably contains the least amount of controversial material from the perspective of the faculty. The document basically repeats parts of the tenure policy that had been in state law, indicating that the BoR can grant tenured appointments, and faculty in such appointments can only be removed for “just cause”. The other two documents contained new details that could be used to more easily remove tenured faculty.

RPD 20-9 reaffirmed the previous policy of conducting post-tenure reviews of the tenured faculty, and the policy mandated that campuses develop policies adhering to the guidelines spelled out in RPD 20-9. The BoR was to approve each campus policy, and this is the point where much controversy arose. In comparison to the previous post-tenure review policy, RPD 20-9 mandated that there be a substantive review of the faculty post-tenure review by the dean, provost and chancellor (or designee). Note, the policy provides campuses with flexibility in how the initial review will be conducted, and in general it was assumed that this review would be conducted by tenured faculty in the faculty member’s unit. RPD 20-9 also introduced and required the possibility that a review could result in a decision of “Does not meet expectations” for a faculty member. If such a determination was made, a remediation plan would be created, and the faculty member would be given three academic semesters to improve his/her performance (unless the shortcoming was research-related, in which case he/she would have four academic semesters to rectify the shortcomings). If a faculty member was not deemed to have corrected his/her performance as spelled out in the remediation plan, the faculty member could receive discipline up to and including dismissal for cause.

Table 1: Select UW System Board of Regents Policies Related to Tenure.

POLICY NUMBER	BRIEF DESCRIPTION
20-9	Provides guidelines for procedures and potential implications for campus-level Post-Tenure Review policies
20-23	Provides general guidelines for faculty tenure that must be followed in the campus-level tenure policies
20-24	Provides procedures that were to be followed at the campus-level if tenured faculty were to be terminated due to financial emergency or program discontinuance.

These requirements caused considerable concern among faculty. The primary concern was that the BoR could have only approved policies that would have allowed administrators to overrule an assessment by the faculty that a tenured faculty member “meets expectations”, with no recourse being available to the faculty to object to the finding. Carried to its extreme interpretation, campus policies could be required to allow the chancellor and the chancellor alone to determine that a particular faculty member “does not meet expectations”, and put that faculty member into remediation. Furthermore, policies could be required that one individual could have the only say into whether or not a faculty member satisfied the remediation plan. Clearly, if such extreme policies were required by the BoR, faculty would need to be concerned about conducting potentially controversial research or teaching about controversial topics for fear that a chancellor could be told by the BoR or other state authorities to either stop this faculty member or have them fired through the post-tenure review process. The role played by faculty on the resolution of this public policy issue will be discussed in the next section. It should be noted that the BoR has not required such policies to this point, but as this is now in Board policy rather than state statutes, a future BoR could require such policies to be adopted.

RPD 20-24 involves the potential of faculty layoffs due to financial emergency or program discontinuation. The financial emergency procedures are not particularly controversial, as they are in general agreement with AAUP principles [4]. The program discontinuation provisions were developed in response to the changes made in sections 36.21 and 36.22 of the Wisconsin State Statutes. In Wisconsin, the state law is now such that tenured faculty can be terminated due to “program discontinuance, curtailment, modification, or redirection”. This language opens up the possibility of individual faculty being targeted based on their research, such that a program could be “modified” or “redirected” to not include such research areas. If a faculty member did not wish to change their area of expertise, they could be terminated in short order by administrative decisions for which the faculty would have little, if any, say.

RPD 20-24 did not go as far as the state legislature did as it only allows for program changes being due to “program discontinuance”. Furthermore, RPD 20-24 did indicate that programs should typically be entire academic units, and should not be defined in such a way as to target particular faculty. Therefore, under the current form of RPD 20-24, it should be necessary to close an entire academic unit if the purpose was to eliminate a single faculty member, or work in a particular sub-discipline. But, it should be noted that Regent policy can be changed easily in the future to include the other provisions allowed for in Wisconsin state statutes, meaning that faculty should remain diligent in monitoring Board activities in this area.

While many faculty members considered this form of RPD 20-24 somewhat positively for faculty, faculty did still have concern over how a program can be discontinued. Programs are supposed to be discontinued only for “educational considerations”, but the definition of educational considerations is broad and many reasons could fit under this description. Programs that are to be eliminated that would not involve faculty layoffs will still need to go through the normal campus approval process that involves faculty. However, RPD 20-24 states that programs that might result in faculty layoff do not need to go through such processes, and instead a separate process that involves feedback (but not approval or agreement) from faculty was created. (This leads to the rather odd circumstance that it is easier to discontinue a program that would result in faculty layoffs than one that would not result in layoffs.) Furthermore, the

policy can have many individuals initiate a program discontinuation that would result in layoffs, including the provost or chancellor. The faculty committees who will then examine the discontinuation proposal are only providing recommendations to the chancellor. Upon receiving the faculty recommendation, a chancellor can still recommend program discontinuation to the BoR, even if the faculty recommendation is against discontinuation. The Chancellor needs only to provide “compelling reasons which should be stated in writing and in detail.” [11] Here the problem exists that “compelling” is not defined, nor is “in detail”. This opens up the possibility of tenured faculty being terminated via program discontinuation for vague educational considerations with only the chancellor approval and acquiescence of the BoR. While this may not be of much concern to engineering faculty today, it is certainly plausible to think that a humanities or social science discipline could be targeted for elimination solely for political motivations.

While these policy changes at the System level were significant, how the new policies were implemented at the campus-level was also important. Individual campuses needed to create campus policies that fell under the guidelines set forth in the Regent Policies, and these were to then be approved by the BoR. Due to the changes to state statutes regarding the faculty role in governance, campus policies can now be established by the chancellors with little input from faculty; however individual campuses did not take this approach. Following the historical tradition of shared governance, the individual campuses generally had faculty develop policies through their Faculty Senates; the Senates would work with the Chancellors to find mutually acceptable policies. These policies were then forwarded by the Chancellor to the UW System and BoR for approval. This was the process that was followed by UW-Madison as they sent their first policy for approval by the Board in April 2016. However, the UW System legal counsel and BoR modified the UW-Madison policy without adequate time for the UW-Madison Faculty Senate to consider the changes, and the Board quickly adopted the amended policy at their April 2016 meeting [12]. This was met with considerable disbelief by faculty around the UW System, as it illustrated just how much faculty could be excluded from the process of governing their institutions. As a result, approximately half of the UW System campus’ faculty passed resolutions of no-confidence in either the BoR or the UW System administration (or both). While it is not possible to know for certain, this may have led to changes in how the UW System and the BoR approached the policies put forward by other campuses, as in the Fall a more cooperative approach was taken that involved hearing from faculty and obtaining faculty approval of their new policies before consideration and approval by the BoR.

Role of an Engineering Professor in the Wisconsin Tenure Change Process

As clearly indicated above, public policy changes have the potential to dramatically impact faculty and the role they play in higher education. Some university faculty members naturally gravitate towards being involved with the creation and implementation of public policies that impact higher education, such as tenure policies. But a quick study suggests that the number of engineering faculty who are deeply engaged in such actions is relatively low. The lack of engineering faculty participation in public policy processes that impact higher education deprives those creating the policies of the perspectives and skills of engineers.

For most of his career, the author of this paper would have fit the description of an engineering faculty member who was fairly aware of what was being done with regards to policies impacting higher education, but would have had no role in the creation or implementation of the policies and would have not even recognized what he could have done. But, through a series of events, the author found himself in a key faculty governance role at the University of Wisconsin-Milwaukee (UWM) during the tenure changes in Wisconsin. Here, the author will describe his role and activities, as an example of how engineering faculty can get involved in higher education public policy matters.

From August 2015 until August 2017, the author was the chair of the UWM University Committee, which is the executive committee of the UWM Faculty Senate. The University Committee has many functions [13], but essentially acts as the primary liaison between the administration and the faculty, and represents faculty interests in this role. The chair of the University Committee also acts as the UWM representative to the UW System Faculty Representatives body; the purpose of this body is to rapidly share information between campuses and represent System faculty interest to the UW System administration. Prior to his position as chair of the University Committee, he had been on the University Committee as one of its seven members for the two previous years, and had been elected chair-elect in May 2015. Thus, he was either transitioning to chair or was chair of this primary faculty governance body at UWM during the time period encompassing the changes to state statutes by the legislature, the creation of the Regent policies on tenure, and then the creation of some of the UWM campus policies required by the Regent policies.

It should be emphasized that the author was not intending to be in this role, but rather came into the role through a series of other events. This began in May 2012, when the Faculty Senate (of which he was a member) elected the 2012-13 Rules Committee. The Rules Committee's purpose is to set the agenda for Faculty Senate meetings. It is required that one member of each of the university's four divisions be on the Rules Committee, and nobody from the Division of the Natural Sciences was volunteering for the position. To keep the Senate meeting moving forward, the author volunteered, and was elected to the 2012-13 Rules Committee. During that year, other members of the Rules Committee encouraged him to run for the chair position of the Rules Committee for 2013-14. The author agreed to do so, and in May 2013, the Faculty Senate elected him chair of the Rules Committee. This position also meant that he would serve on the University Committee for 2013-14. Finding the work of the University Committee interesting, the author chose to seek election to a 3-year term on the University Committee in the campus-wide faculty elections. The author was elected to a University Committee term lasting from 2014-17. Then, in May 2015, the University Committee chose to elect him to be the chair for 2015-16 (and he was later reelected as chair for 2016-17).

In his role as Faculty Representative, the author was able to interact with UW System administrators, members of the BoR, and other faculty representatives as the policies were being created. In particular, he was able to closely follow the frustration being expressed by the faculty with the actions of the Tenure Policy Task Force. He was in a position to voice concerns along with the rest of the UW System Faculty Representatives about this process. But, other than monitoring the process and advocating for faculty concerns, the author's role in the process that led to the creation of these policies was limited.

The author's greater role in the process came when the attention turned from the creation of the BoR policies to the creation or modification of the campus policies. In this role, there was a need to continue to advocate for and represent the interests of the faculty to the administration both of the campus and the UW System, while also keeping the faculty focused on the requirement that conforming policies be developed and adopted in a timely fashion.

One of the first actions taken by the UWM faculty was to have a campus-wide faculty meeting in May 2016 to consider a no-confidence resolution [14, 15] against the BoR and the UW System President. Here, the author felt that it was important to have the faculty voice their frustrations in a manner that may or may not have been productive, without stepping into the debate on either side. The resolution was passed by the UWM faculty, and as mentioned it is possible that these and other resolutions did lead to a moderation in the BoR interactions with faculty.

The remainder of the work by the author centered on the creation and refinement of the campus tenure policies. This began with the April 2016 UWM Faculty Senate meeting. This meeting was being held after the BoR meeting in which they amended the UW-Madison policies on tenure as approved by their Faculty Senate. Initially, the University Committee had prepared, in collaboration with the UWM campus administration, a policy that was very similar to the un-amended UW-Madison tenure policy involving potential faculty layoffs due to program discontinuation. After the Board amended these policies, the University Committee prepared a new policy reflecting the Regent changes. The author presented both of these to the Faculty Senate, with the understanding that the first version was unlikely to be approved by the Board of Regents. While both versions were greeted with little enthusiasm by the UWM Faculty Senate, the second version was met with significant opposition. After the discussion led by the author, the Faculty Senate chose to not approve either version, as they did not want to support the weakening of tenure; by default this led to use of the Regents policy as the default policy. While this may not be a viable solution for the long-term, the campus does not yet have a campus-specific policy (as of March 2018).

The inaction on the tenure policy for program discontinuation was possible because the BoR set no deadline for those campus policies to be approved. The same was not true on revising the campus post-tenure review policy, as those were to be completed by December, 2016. Therefore, after having spent time creating the policy for termination of faculty due to program discontinuation, the author began the process of revising the campus post-tenure review (PTR) policy. This was done by the author considering proposed policies from other campuses, and modifying both the existing campus policy and the proposed policies to create a version that he felt might be acceptable to faculty, campus administration, and System administration. After receiving input from the University Committee, he then worked with campus administration that also sent the proposed policy to the UW System for comment. This resulted in a policy that was acceptable to the campus and System administration that was ready for consideration by the Faculty Senate in its September 2016 meeting. At that meeting, several changes were suggested, and the policy was sent back to the University Committee for revision. The UC revised the document, again working with campus administration to have a document that was acceptable to them. The revised document was brought to the Faculty Senate in October 2016 for approval.

At the October 2016 meeting, the Faculty Senate first approved a resolution protesting Regent Policy 20-9. After that, the Senate discussed the UWM PTR policy proposal, and approved the policy with a few small changes. Note, with this two-pronged approach, the Senate was able to voice their disagreement with the proposed policy but still pass a policy to enable the campus to satisfy the fixed demands of the BoR.

However, the process was not yet complete. After approval of the policy, the UW System administration decided to change their expectations of what was needed in each campus' PTR policies with respect to independent administrative review; as a result, the PTR policies being developed and approved at UWM and other campuses needed to be revised. Here, UW-Madison took the lead in suggesting that deans would perform a "sufficiency" review, but nobody defined what such a review was. Naturally, the UW System administration found this problematic. Here, the author stepped in to help define the nature of the dean's independent review, and proposed restrictions on such reviews that allow faculty to still have a strong voice in the outcome of the PTR process. At UWM, this works as follows. If a dean chose to change a "meets expectations" determination from the faculty review committee (typically the "executive committee" of the faculty member's unit, consisting of the tenured faculty in that unit) to a "does not meet expectations," the dean would need to justify this by first determining that either the faculty review was improperly performed or that the faculty body did not hold the faculty member to a reasonable standard. The dean then must ask the appropriate university divisional committee for their recommendation on the case. If the divisional committee recommends a decision of "meets expectations," a dean can still send forward a recommendation of "does not meet expectations" but would now clearly be going against two reviewing faculty bodies, one of which is not directly connected to the faculty member on a daily basis. The chancellor (or designee) then arbitrates the split recommendation to produce a final decision. After considerable discussion with UW System administrators, the UW System and BoR agreed to this model for independent administrative PTR review. It should be noted that many of the other UW System campuses subsequently followed this approach as they crafted their own PTR policies.

This last version of the UWM PTR policy [16] was approved in the November 2016 UWM Faculty Senate meeting, and sent to the BoR. The BoR approved this policy at its December 2016 meeting.

Another important feature to note in the UWM PTR policy is that if both the executive committee and the dean find that the faculty member "meets expectations", the review ends. Only when either the dean or the executive committee (or both) finds that the faculty member "does not meet expectations" does the chancellor have a voice in the matter. This protects faculty from the possibility of a chancellor targeting individual faculty for non-academic reasons. The faculty viewed this as important, as the chancellor is the individual whose position is most likely influenced by outside political forces.

What can be taken away from the author's experience is that all faculty, including engineering faculty, may find themselves unexpectedly in a position of interacting with those who are creating public policies that impact higher education, and may also have the opportunity to shape either broad or local policies. By keeping aware of issues, being organized, and being willing to

impact the policy creation process, engineering faculty can play a role in protecting higher education from those who may be trying to “fix” elements of higher education that are not in need of fixing. One need not have experience in policy creation to do these tasks; these can be done through a willingness to commit to the task and knowing from whom to seek assistance when help is needed.

Recommendations for Policy Creation

From the author’s experience with this process of modifying tenure protections through public policy, he has developed several recommendations for engineering faculty who find themselves in a position to influence or create higher education policy. The first set of recommendations is specific to dealing with attacks on tenure, while the second set can be applied to a broader array of higher education public policies.

When it comes to tenure for university faculty members, there is a need to recognize that most people do not understand what tenure is, how it is earned, how it can be lost, and why it is important. Carrying this one step further, many people outside of academia do not even really know the full array of activities that are involved with faculty jobs. Engineering faculty can play an important role in educating the public about tenure and what faculty do because (a) many people are impressed by someone being an engineer because it isn’t something that they think they have the skills to do, and (b) politicians and business leaders are very much interested in having more STEM graduates and therefore will view engineering as a “worthwhile” subject to study in college. (This is not to say that non-STEM disciplines are not valuable to study, but rather that someone teaching engineering does not need to explain the value of students studying their discipline as the audience likely already views engineering as valuable.) Some recommendations for engineering faculty for explaining/defending tenure are listed and discussed below.

1. When talking with those outside of academia, casually mention from time-to-time aspects of your job outside of the classroom

This can begin to break down negative characterizations of faculty that stem from people not understanding how many different things faculty are expected to do. By mentioning that you were working on a grant proposal, or editing a student’s thesis, or filling out accreditation paperwork, you can start to let people know that faculty do more than teach one or two classes a semester for a few hours a week. This can be particularly important if they then hear others talk about “lazy” faculty members who have jobs for life. Be careful though to not overwhelm people with details that may bore them.

2. Have a short (3 sentence), simple description of tenure and how it is earned ready in case you hear others criticizing tenure inaccurately.

If you can quickly correct a misunderstanding about tenure without insulting the listener, you have a better chance of winning over the opinion of that person. Learning that faculty must earn tenure after a multi-year probationary period and an intense evaluation process can be surprising to those outside of academia.

3. Be prepared to share concrete examples of why tenure is important for faculty.

Here is an area where engineering faculty can have particularly powerful examples. Avoid saying things like “having tenure ensures academic freedom” because those outside of academia may have no idea what that means. Similarly, saying “tenure allows faculty to voice provocative opinions in class without fear of being fired” is also likely not a good strategy. But, saying that tenure allows faculty to pursue new lines of research without fear of being fired over a less-productive year as they try to become experts in a new field may be very effective for defending tenure. For example, as engineering faculty it is helpful to have concrete examples of how someone took a couple of years to change research disciplines and then became very productive in that area. If you can say “Dr. X in our electrical engineering department has developed a new product that can help treat deafness. To do this, she had to change her research specialization, which required her to spend a couple of years to become enough of an expert in that specialty to get the grant funding that led to the research that led to the product. Without tenure, she wouldn’t have been willing to take that risk because she could have been fired for an unproductive year.” If engineering faculty can provide good examples of how the freedom allowed by tenure has led to societal benefits, people will have less reason to attack tenure.

4. Be able to explain the process by which faculty can lose tenure.

If you are able to explain that some faculty members do lose tenure, and how this happens, it can help to remove the false idea that tenure guarantees a job for life.

5. Be sympathetic when you hear complaints about tenure.

Often, people who are against tenure are either coming from a work environment where their jobs can be lost at any time (or are legislators representing this group). So they can see tenure as being unfair. This can then be reinforced if they hear about how “little” faculty work or if they hear specifics of how particular faculty members abuse the tenure system. The most effective response to this may be to acknowledge that some faculty members do abuse tenure, but that those are a small minority. Agree that that is an indication that some reform of tenure may be needed, but throwing out an important institution because of the actions of a few is not the way to proceed. Would you prohibit everyone from driving a car because a small minority chose to drive under the influence of alcohol?

From his experiences, the author also has the following recommendations for engineering faculty becoming involved with higher education policy creation or modification in a more general sense than just tenure policies.

6. Be respectful and attentive to all involved in the process.

It is likely that you will find yourself working with others whose opinions differ from your own. You are more likely to reach a favorable result if you show others respect. Treating others

arrogantly or condescendingly will likely antagonize them. While you may have more immediate knowledge of a situation, acting superior to others will likely alienate them.

7. Recognize that any policies that are created will likely need to balance different opinions.

While there are some subjects that may be met with nearly universal agreement, most potential policy topics are likely at least somewhat controversial. If a policy is to be created using input from multiple groups (rather than being imposed by one leader), it is likely that the members of the different groups will be seeking potentially opposing outcomes with the policy. An example of this is the independent administrative review in the PTR process initially sought by the UW BoR. Faculty wanted to avoid this, as it was seen as potentially ending tenure protections, while the BoR wanted to assure that faculty did not automatically say that everyone “meets expectations”. As it is likely that most faculty would not want to work at an institution with no tenure protections, a compromise was needed and was found.

8. Determine what outcomes are most important, and put your primary effort into achieving those goals.

When you start dealing with the creation of a policy, you can quickly get swamped by minutiae. In addition, the work can be sidetracked by a particular group’s agenda. As a result, you may lose sight of what is more important for the group you represent. If that begins to happen, you have to remember to bring the issue back into the discussion of the policy and continue to work with others to gain support for it.

9. Learn of what others have done with similar policies, and try to maintain a broad network of contacts to share information.

It is likely that the policy you are creating has already been dealt with in another university or state. It is important to research what else has been done, and to check with others on how effective it has been. For example, when the tenure policies were being discussed at the Tenure Task Force, tenure policies from two selected states were being used as examples. It was learned that while certain provisions may exist in those policies, in practice the provisions were never used. That information then was used to try to exclude those provisions from the new UW System policies being developed. Another example was the combined efforts of the UW System Faculty Representatives. This group was able to keep each campus informed, and pass good ideas from one campus to the others.

Summary

This paper describes the process employed during the recent changes in the tenure policies in the University of Wisconsin System from the view of an engineering faculty member. The history and the nature of the changes are described as well. The author then relates the processes by which he and other faculty modified the campus level tenure policies to reflect the UW BoR policies, including how negotiations were needed to find policies that were acceptable to the faculty, the UWM administration, UW System administration and the UW BoR. A number of suggestions are made on how engineering faculty can approach proposed changes to tenure at

their own institutions, and broader recommendations are given regarding working on creating higher education policies.

It should be noted that this paper does come from the personal perspective of the author, and as such should be considered one vantage point rather than a comprehensive analysis of all tenure-related issues.

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