

Academic Staff Appeals Committee (ASAC) Operating Guidelines UW Madison, 2017

Committee Purpose: As provided for by [Academic Staff Policies and Procedures \(ASPP\)](#) Chapter 9.01, the Academic Staff Appeals Committee (ASAC) "... shall review or hear all appeals of nonrenewals (ASPP 3), nonretentions of probationary employees (ASPP 4), layoffs (ASPP 5), discipline and dismissals (ASPP 6), and grievances (ASPP 7)."

Address: The ASACs address is:
ASAC, c/o The Secretary of the Academic Staff
270 Bascom Hall, 500 Lincoln Drive
Madison, WI 53706
soas@soas.wisc.edu

Notice of a matter for the ASAC and all correspondence and supporting materials should be sent through this address. Communication about matters before the ASAC should be made in writing via email.

Submission of Matters for ASAC Consideration: Submission of a matter for ASAC consideration should be made in writing via email to the Secretary of the Academic Staff Office (soas@soas.wisc.edu).

Files: The official records and files of the ASAC will be maintained at the Secretary of the Academic Staff Office.

Pre-review and Pre-hearing Consideration by ASAC: After receipt of notice of a matter for the ASAC, the chair or his/her designee may request ASAC to consider the question whether or not the matter is properly before the ASAC. If it is found that the matter is not properly before the ASAC, the chair shall report this finding to the Provost and recommend that it not proceed to a review/hearing.

Pre-review and Pre-hearing Teleconferences: After receipt of notice of a matter for the ASAC, the chair or his/her designee may request a pre review or pre hearing teleconference with the parties. The pre review/hearing teleconference is intended to consider "housekeeping" matters such as calendar planning for the review/hearing, an agreed upon statement of the relevant issue or issues to be considered, stipulations of fact, if any, document production, and the manner, length, and format of submissions or presentations to the ASAC.

Submission of Documents: The Chair shall advise the parties in writing of procedures associated with the review or the hearing and shall request inter alia that any additional documents to be considered part of the record must be submitted with the parties' reply by a specified date. No document shall be accepted for consideration after this date, except for good cause shown.

REVIEWS AND HEARINGS:

Panels: Each review or hearing will be considered and voted upon by a “panel” consisting of at least a simple majority of eligible ASAC members. The composition of each panel will be assigned by the chair or his/her designee.

Recording of Proceedings: For hearings, the ASAC will arrange for a verbatim recording of the hearing to be made at no cost to the parties. For reviews, the ASAC may arrange for a verbatim recording to be made at the committee’s discretion. For hearings and reviews, a party to the matter may arrange for a verbatim recording to be made at the party’s own expense.

Attendance and Voting: Panel members participating in a specific case will make a good faith effort to be present for all review or hearing proceedings. However, a panel member’s inability to be present for all proceedings will not disqualify the panel member from voting on the matter so long as

1. the panel member reviews a recording of that portion of proceedings he/she missed before voting, or,
2. all parties to the matter agree that the panel member’s partial absence shall not preclude him/her from voting in the matter.

Voting: The panel’s recommendation to the chancellor will be determined by a simple majority vote of panel members. Voting will be made by a show of hands. The number of votes in favor and not in favor of the recommendation will be recorded by the chair or his/her designee.

Report of Recommendation: The ASAC reports its findings of fact with a recommendation to the provost as the chancellor’s designee. Except as provided below, this report is the official and exclusive statement by the ASAC regarding a case. No member of the ASAC may discuss its report about a case, except when clarification is requested by the provost. The chair shall be the official representative in communications with the provost.

Recusal: A committee member may recuse her/himself from participation in any matter before the ASAC if he/she has reason to believe that doing so is in the best interest of any party to the matter.

A party to a matter before the ASAC may request recusal of a panel member by presenting the request in writing to the chair or by making the request at the pre review/hearing conference. A party’s request that a panel member recuse him/herself will be decided upon by the chair or his/her designee.

Open Meetings: The ASAC operates within the requirements of Wisconsin Open Meeting laws. Each meeting of the ASAC or an ASAC panel will begin in open session and will be closed by the chair or his/her designee only if:

A motion has been made that the committee will reconvene in closed session. The motion must state the nature of the business to be conducted in closed session.

The motion to close passes by a simple majority of those committee members present. The vote of each committee member on the motion to close must be ascertained and recorded in the meeting minutes or verbatim record of the proceeding.

The chair or his/her designee announces that the committee will convene in closed session, restates the nature of the business to be discussed in the closed session, and cites Wisconsin Statutes 19.85(1)(c) as authority for temporarily exempting the committee from open meetings policy.

Wisconsin Statutes 19.85(1)(c) provides for closed meetings when ... Considering employment, promotion, compensation, or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

Only business relating to matters identified in chair's/designee's announcement will be discussed and voted upon.

Applicability of Guidelines: These guidelines originally became effective January, 1996, on an interim basis. They were approved by the PPPC on April 25, 1996. They were revised by the ASAC on January 23, 1998, pending submission to the PPPC. Modifications are made as part of the ASAC's annual report to the PPPC as provided for in ASPP 9.06.2.

Changes approved by ASAC on October 12, 2017.