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☞ Details: Informational Hearing: Employment Practices, University of Wisconsin System

(FORM UPDATED: 08/11/2010)

## WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

### 2005-06

(session year)

### Joint

(Assembly, Senate or Joint)

### Committee on Audit...

### COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

### INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
  - (**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)
  - (**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

# Record of Committee Proceedings

## Joint Legislative Audit Committee

### Informational Hearing

Employment Practices, University of Wisconsin System  
(Invited speakers only.)

September 13, 2005 **PUBLIC HEARING HELD**

Present: (7) Senators Roessler and Cowles; Representatives Jeskewitz, Kaufert, Kerkman, Travis and Cullen.

Absent: (3) Senators S. Fitzgerald, Miller and Lassa.

#### Appearances For

- None.

#### Appearances Against

- None.

#### Appearances for Information Only

- Kevin Reilly, Madison — President, University of Wisconsin System
- Pat Brady, Madison — General Counsel, University of Wisconsin System
- Al Crist, Madison — Assoc. Vice President of Human Resources, University of Wisconsin System

#### Registrations For

- None.

#### Registrations Against

- None.



Pam Matthews  
Committee Clerk





## WISCONSIN STATE LEGISLATURE

### Joint Legislative Audit Committee

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

July 25, 2005

Kevin Reilly, President  
University of Wisconsin System  
1720 Van Hise Hall  
1220 Linden Drive  
Madison, Wisconsin 53706

Dear President Reilly:

As co-chairpersons of the Joint Legislative Audit Committee, we write to express our grave concern over the use of back-up positions for University of Wisconsin (UW) System employees and the availability of paid leaves to faculty, administrators, and staff who have resigned from university positions. It is not yet clear how extensively these practices are employed and at what cost, but recent media reports indicate they are not isolated.

We know that two internal reviews are already underway. One is an investigation by Professor Susan Steingass into the allegations concerning Paul Barrows, the former Vice Chancellor for Student Affairs at UW-Madison, which is expected to be completed before the start of the next academic year. The second is the Board of Regents' investigation of employment agreements, administrative leaves, and back-up appointments, which is anticipated to be completed by October 2005.

We have been approached informally by a number of our legislative colleagues who share our concerns about these issues. In addition, we have received a formal request for a system-wide review by the nonpartisan Legislative Audit Bureau. To inform the Committee's consideration of the audit request, some additional information to quantify the use of back-up appointments and paid leaves within UW System would be helpful. Therefore, by September 2, 2005, we ask that you provide our offices with a written report that:

- identifies (by name and position title) the employees at each UW System campus (both two-year and four-year) with back-up positions as of June 2005;
- identifies (by name and position title) the employees at each UW System campus (both two-year and four-year) who were reassigned to a back-up position from July 1, 2002 through June 30, 2005; and
- identifies (by name and position title) any employees at any UW System campus (both two-year and four-year) who were granted paid leave after resigning from July 1, 2002 through June 30, 2005.

---

SENATOR ROESSLER  
P.O. Box 7882 • Madison, WI 53707-7882  
(608) 266-5300 • Fax (608) 266-0423

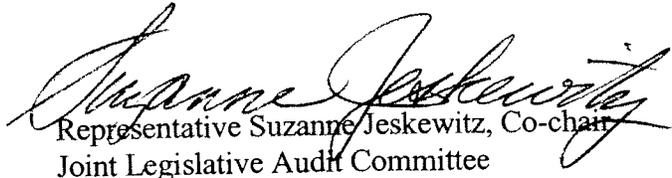
REPRESENTATIVE JESKEWITZ  
P.O. Box 8952 • Madison, WI 53708-8952  
(608) 266-3796 • Fax (608) 282-3624

Thank you for your cooperation. The information presented in response to our request will be carefully examined as we consider future engagement of the Legislative Audit Bureau on these matters.

Sincerely,



Senator Carol A. Roessler, Co-chair  
Joint Legislative Audit Committee



Representative Suzanne Jeskewitz, Co-chair  
Joint Legislative Audit Committee

cc: Senator Robert Cowles  
Senator Scott Fitzgerald  
Senator Julie Lassa  
Senator Mark Miller  
Representative Dean Kaufert  
Rep. Samantha Kerkman  
Representative David Cullen  
Representative David Travis  
Janice Mueller, State Auditor





Office of the President

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website: <http://www.uwsa.edu>

July 27, 2005

Senator Carol Roessler  
PO Box 7882  
Madison, WI 53707-7882

Representative Suzanne Jeskewitz  
PO Box 8952  
Madison, WI 53708-8952

Dear Senator Roessler and Representative Jeskewitz:

I have received your letter of July 25, 2005 regarding the use of "back-up positions for UW System employees." Thanks for taking the time to let me know of your concerns.

I have asked staff to prepare the information that you requested, and we will provide it by the September 2 deadline. We anticipate that the Board of Regents will be using this information in its own review of these matters, which is expected to conclude by the September Board of Regents meeting.

Thank you again for contacting me. I look forward to ongoing communications with you on these and other issues.

Cordially,

Kevin P. Reilly  
President

Attachment

Copy: Regents  
Chancellors  
Cabinet





Good idea that went Bad  
well intended  
good policy  
Tom up front + transparent  
as possible.

# WISCONSIN LEGISLATURE

P.O. BOX 8952 · MADISON, WI 53708

July 19, 2005

Rep. Suzanne Jeskewitz, Co-Chair  
Joint Committee on Audit  
Room 314 North  
State Capitol

Sen. Carol Roessler, Co-Chair  
Joint Committee on Audit  
Room 8 South  
State Capitol

Dear Co-Chairs Jeskewitz and Roessler:

We are writing today to request a UW System-wide audit of administrators who have taken back-up positions, as well as administrators who are granted extended paid leaves after they have resigned.

Our offices have been inundated with calls from campuses around the state alleging this is a common practice where there are administrators collecting six figure salaries who have underperformed and are still drawing their high salaries, even though they have no presence, no office or duties on campus.

We are potentially talking about tens of millions of dollars of wasted tax dollars. A Milwaukee Journal-Sentinel story that ran this past weekend detailed the cases of four administrators at UW-Milwaukee whose salaries totaled more than \$600,000 who were granted one-year leaves – that's just one campus.

We need to look to Minnesota where they are able to remain competitive without providing these "golden parachutes" to administrators who don't perform up to expectations.

We hope you will agree that a system-wide audit of these practices is certainly justified.

Sincerely,

Rob Kreibich  
State Representative  
93<sup>rd</sup> Assembly District

Samantha Kerkman  
State Representative  
66<sup>th</sup> Assembly District

Enclosures: 2

2



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

PEGGY A. LAUTENSCHLAGER  
ATTORNEY GENERAL

Daniel P. Bach  
Deputy Attorney General

114 East, State Capitol  
P.O. Box 7857  
Madison, WI 53707-7857

July 19, 2005

The Honorable Rob Kreibich  
State Representative  
107 West, State Capitol  
Madison, WI 53702

The Honorable Scott Suder  
State Representative  
21 North, State Capitol  
Madison, WI 53702

The Honorable Terry Moulton  
State Representative  
5 North, State Capitol  
Madison, WI 53702

The Honorable Stephen Nass  
State Representative  
12 West, State Capitol  
Madison, WI 53702

The Honorable Robin Vos  
State Representative  
304 North, State Capitol  
Madison, WI 53702

The Honorable Scott Gunderson  
State Representative  
Room 7 West, State Capitol  
Madison, WI 53702

The Honorable Samantha Kerkman  
State Representative  
109 West, State Capitol  
Madison, WI 53702

The Honorable Glenn Grothman  
State Senator  
20 South, State Capitol  
Madison, WI 53702

The Honorable Andy Lamb  
State Representative  
9 West, State Capitol  
Madison, WI 53702

The Honorable Frank Lasee  
State Representative  
105 West, State Capitol  
Madison, WI 53702

The Honorable Mary Williams  
State Representative  
18 West, State Capitol  
Madison, WI 53702

Dear Representatives:

Thank you for your letter dated July 8, 2005, in which you request that I "commence a truly independent investigation" of potential pervasive abuse of leave time and appointments within the University system as evidenced by recent allegations and newspaper reports. I share your concerns and appreciate your confidence in my ability to conduct an independent investigation. As you know, the Attorney General's authority to act in most instances is limited

The Honorable Rob Kreibich  
The Honorable Samantha Kerkman  
The Honorable Scott Suder  
The Honorable Glenn Grothman  
The Honorable Terry Moulton  
The Honorable Andy Lamb  
The Honorable Stephen Nass  
The Honorable Frank Lasee  
The Honorable Robin Vos  
The Honorable Mary Williams  
The Honorable Scott Gunderson  
Page 2

to specific statutory provisions. After a thorough review of Wisconsin statutes in light of this fact situation, I have concluded that Wis. Stat. § 165.25 does not authorize me to conduct an investigation of specific personnel matters unless requested to do so by the University of Wisconsin Board of Regents. We have not received such a request from the University. Accordingly, with no statutory grant of authority for me to act, nor any permissive authority conveyed by the University, reluctantly I must decline your request.

Your request and recent newspaper articles also raise questions as to violations of this state's Ethics Code, Wis. Stat. § 19.25. Wisconsin Stat. § 19.29 provides that the Ethics Board shall receive such complaints. The Ethics Board, at its discretion, may investigate and, if appropriate, refer the matter for prosecution. Please be advised that this office is willing and prepared to pursue such an investigation of abuse of leave time or inappropriate "back-up" appointments upon referral from the Ethics Board.

Very truly yours,

  
Peggy A. Lautenschlager  
Attorney General

PAL:MRB:kl

Online: UWM grants leaves after resignations



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Original URL: <http://www.jsonline.com/news/metro/jul05/341600.asp>

# UWM grants leaves after resignations

## Common perk called common, 4 administrators paid \$600,000 after stepping down

By MEGAN TWOHEY  
[twohey@journalsentinel.com](mailto:twohey@journalsentinel.com)

Posted: July 16, 2005

Under what it described as a common practice, the University of Wisconsin-Milwaukee has paid four former administrators more than \$600,000 in taxpayer dollars for yearlong leaves granted after their resignations.

The leaves were given to three deans and the university's provost over the past four years. Two of the four agreed to resign from their tenured faculty positions as well, according to copies of settlement agreements provided by UWM.

University officials say former administrators are expected to use paid leaves to prepare to resume teaching or research. But they acknowledge that the university doesn't track what the administrators do during their leaves and can produce no record of their activities.

The leaves, which are common at universities across the country, are connected to the practice of granting university administrators tenured faculty positions as "backups."

UWM officials contend they must offer such backup positions as job security to recruit top-notch talent to the university. They also say the paid leaves help them buy administrators out of their tenured positions once they step down and that leaves are cheaper than keeping administrators on the payroll indefinitely or trying to terminate them.

But granting such paid leaves raises questions about the university's management of increasingly scarce taxpayer dollars at a time when other UW officials are complaining bitterly that the state Legislature is cutting the UW System's budget.

And some critics say it amounts to giving administrators who don't work out a year of paid vacation at taxpayer expense.

"It's outrageous," said Patricia Goldstein, a lecturer at UWM who teaches without tenure and has been active in union efforts. "It's unfair to taxpayers and to everyone else in the university."

The disclosures about paid leaves for UWM administrators come as the case of former UW-Madison Vice Chancellor Paul Barrows simmers. Gov. Jim Doyle and Republican legislators have complained that Barrows was able to continue collecting his nearly \$200,000 a year salary during a seven-month paid leave after he stepped down.

In addition, UW-Green Bay has acknowledged that Carol Blackshire-Belay, who resigned in June 2004 as dean of liberal arts and sciences, continued to collect her full \$113,000 salary through the end of last month even though she had no duties and no office on campus.

In light of these and other cases, the UW Board of Regents has launched an investigation of university employment agreements, administrative leaves and backup appointments, which are guaranteed to hundreds of top administrators.

"It is important to clarify what benefits university employees receive, how employment agreements are constructed and how accountable the process is to the public," David Walsh, president of the Board of Regents, said last month in announcing the investigation.

The former administrators who were placed on paid leaves by UWM are William Gregory, who resigned as dean of the College of Engineering and Applied Science on July 1; John Wanat, who resigned as provost in January; Mohammed Aman, who resigned as dean of the School of Information Studies in September 2002; and Charles Kroncke, who resigned as dean of the School of Business in May 2001.

<b>UWM</b>
<b>Well-Paid Leaves</b>
Here are the four who resigned from their administration positions at the University of Wisconsin-Milwaukee and what they were or will be paid during their leaves:
<input checked="" type="checkbox"/> <b>William Gregory</b> , resigned as dean of the College of Engineering and Applied Science on July 1. Will be paid \$142,470.
<input checked="" type="checkbox"/> <b>John Wanat</b> , resigned as provost in January. Continues to receive \$187,416 a year salary until start of spring semester 2006.
<input checked="" type="checkbox"/> <b>Mohammed Aman</b> , resigned as dean of the School of Information Studies in September 2002. Was paid \$34,690 as a consultant from October through December 2002; another \$113,532 through August 2003.
<input checked="" type="checkbox"/> <b>Charles Kroncke</b> , resigned as dean of the School of Business in May 2001. Received 12 months of administrative leave at his dean's salary of \$141,545.

ne responded to phone calls and e-mails requesting interviews. Chancellor Carlos Santiago referred questions to the university's press office.

m Luljak, the vice chancellor for university relations, said confidentiality clauses in the settlement agreements prevent him from commenting the specific officials.

ettlement agreements are the result of negotiations in which the university balances the cost of the agreements against potential liabilities and e salary the university would be required to pay a senior tenured faculty member over the length of their remaining career," Luljak said.

e declined to say how the statement applied to the two administrators who didn't agree to resign from their tenured teaching jobs.

ne administrative leaves, Luljak said, allow individuals to immerse themselves in their field of study. But the university does not track what they e, he said, and the former administrators are not required to account for their activities.

Each individual tracks his own preparation," Luljak said.

According to copies of the agreements:

Gregory, 65, will take administrative leave during the upcoming school year. As dean, he was paid a salary of \$174,131. While on leave, he will e paid \$142,470 for a nine-month appointment. The following school year, he will return to the university. Gregory will continue to be paid the me salary, although it's unclear what his specific duties will be. Gregory is not required to resign from his tenured faculty job.

Wanat, 64, who began his administrative leave immediately after he resigned as provost on Jan. 1, will remain on leave until "the first day of the Spring semester 2006." During his leave, he will continue to collect his provost's salary of \$187,416 a year. Wanat will assume unspecified e search duties during the spring semester while continuing to be paid his provost salary. He will not teach. On Dec. 31, 2006, he will leave the niversity.

Aman, 65, who stepped down as dean after a university investigation determined that he had discriminated against faculty members, was placed n a paid leave of absence from October 2002 through August 2003. Aman served as a consultant to the School of Information Studies from October through December 2002, for which he was paid \$34,690, the three-month equivalent of his \$138,760 a year dean's salary. He had no duties for the remainder of the absence, for which he was paid \$113,532.

Since August 2003, Aman has been teaching courses during annual nine-month teaching appointments that pay \$113,532. He is not required to e sign from his tenured faculty job.

Kroncke, 65, received 12 months of administrative leave after he resigned as dean. During the leave, he was paid the \$141,545 a year salary he e arned as dean. He earned the same salary for the next three school years, during which he taught. As agreed, Kroncke resigned from his tenured faculty job June 30 and left the university.

Granting university administrators paid time off after they resign is common practice across the country, said Sheldon Steinbach, general counsel or the American Council on Education. The reason: academic tenure.

Tenure, in essence, is lifetime employment. To obtain it, faculty members must survive a seven-year probationary period, during which they undergo a rigorous peer review of their teaching and research. It's a tradition that's rooted in a commitment to academic freedom. Faculty members are guaranteed the free exchange of ideas without fear of being fired. About two-thirds of professors in the UW system have tenure.

"In an environment in which you can't terminate, it's kind of a buyout package," Steinbach said.

Attempts to fire tenured faculty members, he said, can prove extremely costly. UW-Superior's attempt to fire John Marder, a tenured faculty member, in 1999 has resulted in years of litigation. The case, which is being handled by the state's attorney general, will come before the Wisconsin Supreme Court Sept. 27.

George Brooks, head of human resources in the UW System, said his office doesn't monitor the way individual universities handle their administrators. He said it wouldn't be unusual for administrators who resume teaching in a field such as the hard sciences to take a semester off to prepare if they had been away from the classroom for many years. But he said the former administrator should be expected to account for his preparation.

"There is nothing in Wisconsin laws or code that says you as a public institution can pay your employees for not doing any work in exchange for their salary," Brooks said.

Brooks has acknowledged that it is common practice for Wisconsin universities and colleges to grant backup jobs to administrators. While the

Administrators have contracts, they serve at the pleasure of the chancellor. That means they can be asked to step down at any time and have no appeal power. The backup appointments are a form of job security.

Tenured faculty members who become administrators are guaranteed a return to a tenured position. Administrators who have not taught are promised another administrative job - often for a year - as a backup, Brooks said. Without them, he said, no one would want to become an administrator.

Under the state's administrative code, which is approved by the Legislature, backup jobs are guaranteed to university administrators and faculty members within the UW System who are promoted to limited administrative appointments. But it's become common practice for the schools to grant the backup jobs to administrators who come from outside Wisconsin.

That's what happened with the four at UWM, who were all working outside the state before they joined the university.

Under UW policy, Brooks said, administrators who step into their backup positions must be paid between 82% of what they were making in their administrative post and the average salary of peers in their department. The UW System doesn't track their salaries.

The four UWM administrators were all paid 82% or more of their former salaries - an amount that far exceeds what their peers are making.

For example, Wanat, who assumed his backup faculty job as a tenured political science professor even though he's not teaching, makes \$187,416 a year - the same salary he earned as provost. His peers in the political science department are making an average of \$80,000, according to the department's chair, Marcus Ethridge.

Certainly that is not the typical salary," he said of Wanat's pay. "Not by a long shot."

Backup appointments are granted to university administrators in other states, said Raymond Cotton, a Washington lawyer who specializes in administrators' contracts. But Cotton said many schools are moving toward set contracts instead. The contracts are often for three years, he said. The institution agrees that if things don't work out, it will buy the administrators out of their contract or pay them a year's salary, whichever is more money.

"That way you're not stuck with the individual for the rest of his or her career," Cotton said.

In March, Wanat interviewed to be president of Winona State University in Minnesota, but did not get the job.

If he had, Wanat would have ended up in a public university system that doesn't guarantee administrators set contracts, backup appointments and paid leave upon resignation, according to Linda Kohl, a spokeswoman for the system.

If administrators who come from outside Minnesota want tenure within the state system, they must earn it, a process that can take at least two years, Kohl said.

And if the university wants the administrator to step down?

"That's it," she said. "It's over."

From the July 17, 2005, editions of the Milwaukee Journal Sentinel  
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**Office of the President**

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email: [kreilly@uwsa.edu](mailto:kreilly@uwsa.edu)  
website: <http://www.uwsa.edu>

August 12, 2005

To: Representative Scott Suder  
Representative Jeff Wood  
Representative Terry Musser  
Representative Joel Kleefisch  
Representative Steve Kestell  
Senator Robert Cowles  
Representative Robin Vos  
Representative Samantha Kerkman  
Representative Mark Pettis

Dear Legislators:

This is in response to your letter concerning the employment status of UW employees who have been convicted of crimes.

Your letter apparently refers to media accounts involving three recently convicted individuals employed at UW-Madison. The crimes of which these individuals stand convicted are reprehensible. That is why we initiated, in each of these instances, the process that will lead to discipline or dismissal. The two individuals who are currently incarcerated are not being paid while that process unfolds. They have been placed on unpaid leave pending final resolution of their cases, and will receive payment only for those benefits – such as vacation leave – to which they are entitled. The third employee is not working or being paid this summer. He will be placed on unpaid leave during his term of incarceration, scheduled to begin later this month.

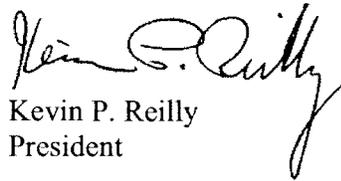
The statutes provide that these individuals may be terminated only for just cause, and further prohibit discrimination based solely on conviction records. Thus, however strongly we may feel about the wrongdoing involved in these cases, the individuals are entitled to due process.

That said, I share your interest in resolving concerns over these matters. As you know, I have already asked the Board of Regents to review a number of university employment practices, and I will ask that their review extend to disciplinary procedures in the kinds of circumstances involved in the UW-Madison matters you reference.

August 12, 2005  
Page Two

As to the information you request, we do not maintain comprehensive, system-wide records that would allow us to respond to your questions. To generate such information would require an extensive and costly review of public records including multiple state and federal court systems, which would then have to be cross-checked with individual personnel files. The expense involved may be prohibitive. I would be pleased to consult with you about how we might be responsive nonetheless.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kevin P. Reilly".

Kevin P. Reilly  
President

Copy: Regents  
Chancellors

DuluthNewsTribune.com

Posted on Wed, Aug. 24, 2005

## UW System president wants audit to resolve disputes

BY JR ROSS  
ASSOCIATED PRESS

**MADISON, Wis.** - The University of Wisconsin System president asked lawmakers Tuesday to have their independent audit bureau review UW hiring practices, signaling a willingness to work with legislators to resolve a series of disputes that have strained their relationship.

The system has been under constant criticism this summer over practices of guaranteeing fallback jobs to administrators and paying a top administrator sick leave even though he was actively looking for another job.

UW System President Kevin Reilly wrote the co-chairs of the Joint Legislative Audit Committee that the university was compiling information for its own internal review and expected to have that completed by Sept. 2.

Still, he wrote he wants lawmakers to initiate their own audit to answer their questions.

"We need to make sure that taxpayers' money is spent on what matters -- more faculty in the classroom, more research, and more dollars for financial aid -- not on administrative excesses," Gov. Jim Doyle said.

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## Governor endorses UW audit request

By Aaron Nathans  
August 24, 2005

Gov. Jim Doyle welcomed an audit of the University of Wisconsin System's employment practices, saying recent media reports have noted "outrageous" wastes of taxpayer dollars.

UW System President Kevin Reilly asked a legislative panel on Tuesday to authorize the audit, about a month after outraged lawmakers pressed for a similar review.

Reilly addressed the letter to the co-chairwomen of the Joint Legislative Audit Committee, Rep. Suzanne Jeskewitz, R-Menomonee Falls, and Sen. Carol Roessler, R-Oshkosh. The committee has the power to instruct the nonpartisan Legislative Audit Bureau to undertake an audit.

Reilly wrote that when he took office last year, "I pledged that the university would be transparent in all that it does. I remain committed to that goal."

Reilly noted that the Board of Regents is expected to conduct an internal review.

"But I am also eager to do all that we possibly can to ensure a long-term, productive and trustworthy relationship with the public and the Legislature," Reilly wrote.

The review would include the university's use of backup positions as well as other employment practices.

In a statement, Doyle endorsed the audit and said he hoped it would be prompt and thorough "so this mess can get cleaned up quickly."

"This is a step in the right direction and the university is right to invite this independent review of its practices. I hope this is part of a broad effort to clean up UW personnel policies. The kinds of abuses that have been reported in recent weeks are outrageous and undermine the work I've been doing to fight for more support of the UW System," Doyle said.

But Rep. Steve Nass, R-Whitewater, said the review is long overdue.

"It took them a long time. They certainly do fear an audit, but they have no choice," Nass said. Legislative pressure helped push them into asking

for the audit, he said.

Roessler said the committee is likely to approve the audit, but it will take 12 to 18 months for the Legislative Audit Bureau to complete its work. In the meantime, the committee will probably hold a hearing in mid-September to review information on backup positions provided by the UW.

The university attracted criticism this summer after media reports of a top administrator's long sick leave without a doctor's note. Before all of the criticism hit, the administrator, former Vice Chancellor for Student Affairs Paul Barrows, was promised a backup job upon his return at a salary of \$150,000. That led to criticism of the university's widespread use of putting backup positions into top administrators' contracts.

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wispolitics.com  
**PRESS RELEASES**

**Gov. Doyle: Statement on Call for Legislative Audit Bureau Review of UW System Practices**  
8/23/2005

Contact: Ethnie Groves, Office of the Governor, 608-261-2156

Governor Jim Doyle made the following statement in regards to University of Wisconsin System President Kevin Reilly's call for the Legislature's Joint Audit Committee to review the University's employment policies and practices:

"This is a step in the right direction and the University is right to invite this independent review of its practices. I hope this is part of a broad effort to clean up UW personnel policies. The kinds of abuses that have been reported in recent weeks are outrageous and undermine the work I've been doing to fight for more support of the UW System.

"I hope the Legislative Audit Bureau will conduct a prompt and thorough review of this situation so that this mess can get cleaned up quickly. We need to make sure that taxpayers' money is spent on what matters - more faculty in the classroom, more research, and more dollars for financial aid - not on administrative excesses."

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# WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

August 19, 2005

AUG 19 2005

The Honorable Carol Roessler, State Senator  
Co-Chair Joint Legislative Audit Committee  
Room 8 South, State Capitol  
Madison, WI

The Honorable Susan Jeskewitz, State Representative  
Co-Chair Joint Legislative Audit Committee  
Room 314 North, State Capitol  
Madison, WI

Dear Senator Roessler and Representative Jeskewitz:

We are writing this letter to respectfully request that the Joint Legislative Audit Committee, under your leadership as Co-Chairwomen, consider performing a comprehensive audit and review of the UW-System employment policies to determine exactly how many convicted felons are still employed by the UW despite their criminal convictions. Many taxpayers, students, and parents are deeply concerned about the UW's policy of allowing convicted felons to maintain their employment within the UW despite their criminal backgrounds and they also deserve to know exactly how many serious felons are being employed by the UW.

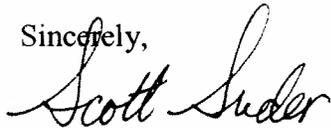
As we're certain you are aware, the UW has a policy in place that allows tenured professors and other members of their faculty to continue collecting their taxpayer funded salary and benefits despite their serious felony convictions. In some cases these criminals have been allowed to collect these benefits from behind bars. In fact, a tenured professor from UW-Madison who was recently convicted of molesting three young girls ages five, six, and nine is being allowed to appeal his dismissal from the UW and to collect his vacation and sick time while serving his sentence in jail. It's hard to imagine the anguish this is causing the families of these innocent children, who as taxpayers are not only being forced to pay this monster for the heinous crimes he committed against their daughters, but also have to bear the cost of his dismissal appeal.

When these outrageous employment policies were first uncovered, we made a reasonable request to UW-System President Kevin Reilly to provide us an accounting of serious felons employed within the UW. Shockingly, he refused our request saying that such a review would be too costly for the UW to initiate. We find his unwillingness to complete such a review extremely unfortunate and irresponsible due to the fact that with the proper lists and software in place, the UW could have compiled the felon list rather easily and at very little cost to taxpayers.

In the interests of the protection of these victims and their families, we are respectfully urging you to hold a Joint Audit hearing on our request for a review of the UW's employment policies. Since the UW has refused to cooperate in a reasonable manner with our offices, an audit is necessary in order to uncover exactly how many of their employees have been convicted of felonies and the policy justifications the System uses to continue to pay them a taxpayer-funded salary and benefits.

Thank you in advance for considering our request and we remain hopeful that with your assistance we will be able to reform the UW's employment policies. Please feel free to contact us should you have any questions or need any additional information. We look forward to working with you on this important matter.

Sincerely,



**Scott Suder**  
State Representative  
Wisconsin's 69<sup>th</sup> Assembly District



**Jeff Wood**  
State Representative  
Wisconsin's 67<sup>th</sup> Assembly District



**Robin Vos**  
State Representative  
Wisconsin's 63<sup>rd</sup> Assembly District



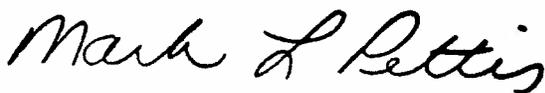
**Samantha Kerkman**  
State Representative  
Wisconsin's 66<sup>th</sup> Assembly District



**Terry Musser**  
State Representative  
Wisconsin's 92<sup>nd</sup> Assembly District



**Joel Kleefisch**  
State Representative  
Wisconsin's 38<sup>th</sup> Assembly District



**Mark Pettis**  
State Representative  
Wisconsin's 28<sup>th</sup> Assembly District



**Steve Kestell**  
State Representative  
Wisconsin's 27<sup>th</sup> Assembly District



**Rob Kreibich**  
State Representative  
Wisconsin's 93<sup>rd</sup> Assembly District



# WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

## FOR IMMEDIATE RELEASE

For further information, please contact:  
State Representative Scott Suder

August 19, 2005

1-(888)-534-0069

## **LAWMAKERS REQUEST INDEPENDENT REVIEW OF UW EMPLOYMENT POLICIES BY LEGISLATIVE AUDIT BUREAU**

**UW President's Refusal to Provide Full List of UW-Employed Felons and Discovery of Back-Up  
Job for Reilly's Housekeeper Prompts Lawmakers to Request Independent Audit**

**Madison...** A coalition of state lawmakers led by State Representative Scott Suder (R-Abbotsford) has called for an independent audit and thorough review of the UW-System's employment and dismissal policies. The move comes on the heels of UW-System President Kevin Reilly's refusal to provide a complete listing of convicted UW felons on payroll and new revelations that his own housekeeper was given a 3-year academic back-up job. Reilly, in a statement made earlier this week, said the University System could not fulfill the lawmakers' previous demands because it would be may be "too costly" for the UW. Suder labeled the statement "blatant stonewalling" and wondered how the University could afford to guarantee Reilly's housekeeper an academic backup job and continue to pay felons on its payroll in prison, but couldn't afford to perform a simple cross-reference of its employees with court records.

*"It appears we need an independent audit of the UW System to find out how many serious felons it has on its payroll and its policies surrounding those hiring decisions," Suder stated. "The UW's employment and dismissal policies need serious reform and their most recent actions are forcing the Legislature to intervene."*

In a letter to the Co-Chairs of the Joint Legislative Audit Committee, the lawmakers listed below requested an independent review of the UW-System's employment policies regarding felons and possibly back-up positions. The legislators went on to challenge Reilly's assumptions that such a review would be a financial burden on the UW. They highlighted the fact that cross-referencing UW employees with a list of convicted felons would take only a matter of minutes with the appropriate software in place. Suder and his fellow lawmakers said that the public's trust in Wisconsin's world class institution of higher learning has been placed in jeopardy and taxpayers are demanding reform.

*"Public trust in the UW System is at an all-time low," said Suder. "The only way for the UW to begin to restore that trust is to come clean on how many felons it employs and tell the reasoning behind such employment decisions."*

The list of lawmakers requesting the audit is as follows:

- State Representative Scott Suder (R-Abbotsford)
- State Representative Jeff Wood (R-Chippewa Falls)
- State Representative Robin Vos (R-Racine)
- State Representative Samantha Kerkman (R-Burlington)
- State Representative Terry Musser (R-Black River Falls)
- State Representative Joel Kleefisch (R-Oconomowoc)
- State Representative Mark Pettis (R-Hertel)
- State Representative Steve Kestell (R-Elkhart Lake)
- State Representative Rob Kreibich (R-Eau Claire)

For more information on this issue or any other legislative matter please feel free to contact Representative Suder toll-free at 1-(888) 534-0069.





**Office of the President**

1720 Van Hise Hall  
1220 Linden Drive  
Madison, Wisconsin 53706-1559  
(608) 262-2321  
(608) 262-3985 Fax

email: kreilly@uwsa.edu  
website: <http://www.uwsa.edu>

August 23, 2005

Senator Carol A. Roessler  
Representative Suzanne Jeskewitz  
Co-chairs, Joint Legislative Audit Committee  
State Capitol  
Madison, WI 53702

Dear Senator Roessler and Representative Jeskewitz:

When I took office as President of the University of Wisconsin System last September, I pledged that the University would be transparent in all that it does. I remain committed to that goal. To this end, I respectfully request that you and your colleagues on the Joint Legislative Audit Committee undertake an audit of UW System employment policies and practices.

Since Regent President Walsh and I announced the suspension in granting administrative "back-up" appointments, and the Board of Regents announced its intent to review our employment policies and practices, there have been additional requests from legislators and others for further clarification and changes to UW employment policy. With the cooperation of our Chancellors, I am confident that the Board of Regents will be thorough and deliberative in its review, and that the Regents and I will identify actions to be taken to reform and improve our operations in this area.

But I am also eager to do all that we possibly can to ensure a long-term, productive, and trustworthy relationship with the public and the Legislature. This is precisely why I am asking you to engage the Legislative Audit Bureau (LAB) in its own review.

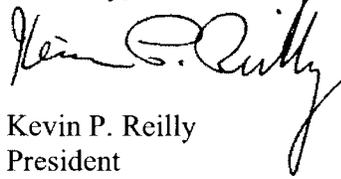
As you know, by September 2<sup>nd</sup> I will provide you with the answers to your questions about university "back-up" appointments. Following the Board of Regents meetings on September 8<sup>th</sup> and 9<sup>th</sup>, I would like an opportunity to brief both of you on Regent actions and intentions regarding University employment issues. My hope is that the Regents' determinations will be taken into consideration should you and your Joint Legislative Audit Committee colleagues choose to move forward with the audit I am requesting.

Senator Carol A. Roessler  
Representative Suzanne Jeskewitz  
August 23, 2005  
Page Two

Regent leadership, our UW Chancellors, and my System administration colleagues are supportive of my request and will join me in working with you to ensure that ours is a cost-effective and competitive system of public higher education. We want to make sure, as I know you do, that the brightest teachers and best researchers continue to come to the University of Wisconsin, and are encouraged to do their best work here for our students and the state's future.

I make this request in the spirit of having University operations be as open as possible, of finding more ways to improve efficiency and effectiveness, and of building trust with the Wisconsin citizens we serve and their legislative representatives. Thanks for considering my request.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin P. Reilly". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Kevin P. Reilly  
President

cc: Joint Legislative Audit Committee members  
Senate Higher Education and Tourism Committee members  
Assembly Colleges and Universities Committee members  
Board of Regents  
UW Chancellors  
Cabinet





WISCONSIN STATE LEGISLATURE

*Joint Legislative Audit Committee*

Committee Co-Chairs:  
State Senator Carol Roessler  
State Representative Suzanne Jeskewitz

August 29, 2005

Dr. Kevin Reilly, President  
University of Wisconsin System  
1720 Van Hise Hall  
1220 Linden Drive  
Madison, Wisconsin 53706

Dear President Reilly:

On July 25, 2005, we wrote you to express our concern over the use of back-up positions for University of Wisconsin (UW) System employees and the availability of paid leaves to faculty, administrators, and staff who have resigned from university positions. In our July letter, we asked you to quantify the use of back-up appointments and paid leaves within the UW System and provide us with a written report by September 2, 2005. We eagerly anticipate receiving your report.

In recent weeks, we have been approached by a number of our legislative colleagues who share our grave concerns about these issues and other UW System employment practices described in recent media reports. For example, it was reported that a housekeeper was provided a back-up appointment and that employees convicted of felonies continue to be employed by the UW System. In addition, we have also received written requests for the nonpartisan Legislative Audit Bureau to conduct an audit of employment practices in the UW System. One such request was submitted by you on August 23, 2005.

Based on our serious concerns, we will ask the Committee to engage the Legislative Audit Bureau in a comprehensive audit of UW System's employment practices at a future date. In order to sharpen the focus of this crucial audit, the Committee will hold an informational hearing on UW System's employment practices on Tuesday, September 13, 2005, at 10:00 a.m. in Room 411 South of the State Capitol. We ask that you and appropriate members of your staff be present at the hearing to:

- respond to questions from committee members on the content of the report requested in our July 2005 letter;
- testify on the specific outcomes of any internal reviews of employment practices conducted by the UW System and the status of any reviews still underway; and
- provide a detailed summary of the actions taken to-date by the UW System and the UW Board of Regents to address the serious concerns that have been raised.

Please plan to provide each committee member with a written copy of your testimony at the hearing. This testimony will assist the Committee to best define the scope of the future audit. Please contact Ms. Pam Matthews in the office of Representative Suzanne Jeskewitz at 266-3796

to confirm your participation in the hearing. Thank you for your cooperation and we look forward to hearing from you as we work diligently to resolve these concerns.

Sincerely,



Senator Carol A. Roessler, Co-chair  
Joint Legislative Audit Committee



Representative Suzanne Jeskewitz, Co-chair  
Joint Legislative Audit Committee

Enclosure

cc: David G. Walsh, President  
UW System Board of Regents

Janice Mueller  
State Auditor