Employee Handbook

Introduction
Administration
Faculty and Staff
Calendars and Committees
Bylaws
Wisconsin Administrative Code
TABLE OF CONTENTS

- **Introduction**
- **Administration**
  - THE UNIVERSITY OF WISCONSIN SYSTEM MISSION STATEMENT
  - THE CORE MISSION OF THE UNIVERSITY CLUSTER
  - THE SELECT MISSION OF THE UNIVERSITY OF WISCONSIN-PLATTEVILLE
  - SYSTEM ADMINISTRATION
  - ORGANIZATIONAL CHARTS
  - SOURCES OF INFORMATION AT UW-PLATTEVILLE
- **Faculty and Staff**
  - FACULTY AND ACADEMIC STAFF RESPONSIBILITIES
    - Deans
    - Department Chairs
    - Faculty and Academic Staff
  - FACULTY AND ACADEMIC STAFF PRIVILEGES
    - Employment Stipulations
    - Leave of Absences
    - Absences for Personal Reasons
    - Benefits Summary
    - Payroll
    - Notary Public
    - Reimbursement
    - Wisconsin Statutes Concerning Political
  - POLICY STATEMENTS (By Topic)
    - Affirmative Action and Equal Opportunity
    - Sexist, Racist, and Discriminatory Conduct
    - Consensual Relationships Statement
    - Reasonable Accommodations for Disabilities
    - Communicable Diseases
    - Hazardous Materials and Hazardous Waste
    - Clean Indoor Air
    - Misconduct in Scholarly Research
    - Lobbying Activities
    - Class Cancellation and Campus Closure Policy
- **Calendars and Committees**
  - CALENDARS
  - COMMITTEE STRUCTURE
  - FACULTY GOVERNANCE COUNCILS AND COMMISSIONS
  - FACULTY GOVERNANCE COMMITTEES
  - ACADEMIC STAFF GOVERNANCE
  - ADMINISTRATIVE AND STUDENT COMMITTEES
  - UNIVERSITY COUNCILS AND COMMISSIONS
  - UNIVERSITY COMMITTEES
- **Bylaws**
o FACULTY HANDBOOK
  ▪ Faculty Handbook Spring 2016

o ACADEMIC STAFF CONSTITUTION
  ▪ Article I: Authority
  ▪ Article II: Name and Membership
  ▪ Article III: Meetings
  ▪ Article IV: Academic Staff Senate
  ▪ Article V: Amendments

o ACADEMIC STAFF BYLAWS
  ▪ Part I: Academic Staff Membership and Privileges
    ▪ Article I: Service Areas of the Academic Staff
    ▪ Article II: Eligibility to Vote in Elections and Referenda
    ▪ Article III: Eligibility to Serve as an Academic Staff Representative
  ▪ Part II: The Academic Staff Senate
    ▪ Article I: Name
    ▪ Article II: Purpose
    ▪ Article III: Academic Staff Senate Year
    ▪ Article IV: Composition of Academic Staff Senate
    ▪ Article V: Elections
    ▪ Article VI: Officers of the Academic Staff Senate
    ▪ Article VII: Meetings of the Academic Staff Senate
    ▪ Article VIII: Operational Procedures of the Academic Staff Senate
    ▪ Article IX: Duties of Senators
  ▪ Part III: Governance Structure
    ▪ Article I: Committee for Elections and Appointments
    ▪ Article II: Personnel Commission
    ▪ Article III: Professional Development Committee
    ▪ Article IV: Academic Staff Award for Excellence Committee
    ▪ Article V: Ad Hoc Committees
  ▪ Part IV: Instructional Academic Staff Representation on Faculty Senate
    ▪ Article I: Representation
    ▪ Article II: Elections
  ▪ Part V: Personnel Policies and Procedures
    ▪ Chapter I: Coverage, Delegation, and Definition
    ▪ Chapter II: Structure of the Academic Staff Personnel Commission
    ▪ Chapter III: Academic Staff Appointments
    ▪ Chapter IV: Performance Evaluation
    ▪ Chapter V: Retitling and Promotion
    ▪ Chapter VI: Nonreappointment of Fixed Term Employees
    ▪ Chapter VII: Nonrenewal of Probationary Academic Staff
    ▪ Chapter VIII: Indefinite, Multi-Year, and Rolling Horizon Appointments
    ▪ Chapter IX: Dismissal of Academic Staff for Cause
    ▪ Chapter X: Layoff of Academic Staff for Reasons of Budget or Program
    ▪ Chapter XI: Complaints
    ▪ Chapter XII: Grievances

(Table of Contents) Page 4
• Chapter XIII: Outside Activities
  • Part VI: Amendments to Bylaws
• Wisconsin Administrative Code
  o UWS 1 Definitions of Terms
  o UWS 2 Faculty Rules; Coverage and Delegation
  o UWS 3 Faculty Appointments
  o UWS 4 Procedures for Dismissal
  o UWS 5 Layoff and Termination
  o UWS 6 Complaints and Grievances
  o UWS 7 Dismissal of Faculty in Special Cases
  o UWS 8 Unclassified Staff Code of Ethics
  o UWS 9 Academic Staff Rules: Coverage and Delegation
  o UWS 10 Academic Staff Appointments
  o UWS 11 Dismissal of Academic Staff for Cause
  o UWS 12 Layoff of Academic Staff
  o UWS 13 Complaints and Grievances
  o UWS 14 Student Academic Disciplinary Procedures
  o UWS 17 Student Nonacademic Disciplinary Procedures
  o UWS 21 Use of University Facilities
  o UWS 22 Accommodation of Religious Beliefs
Introduction:

- This handbook is not a legal contract of employment. It is intended to be a source of general information about policies, procedures, and rules as they exist on the date of publication.
ADMINISTRATION:

The University Of Wisconsin System Mission Statement

The mission of this system is to develop human resources, to discover and disseminate knowledge, to extend knowledge and its application beyond the boundaries of its campuses, and to serve and stimulate society by developing in students heightened intellectual, cultural, and humane sensitivities; scientific, professional, and technological expertise; and a sense of value and purpose. Inherent in this broad mission are methods of instruction, research, extended education, and public service designed to educate people and improve the human condition. Basic to every purpose of the system is the search for truth.

The Core Mission Of The University Cluster

As institutions in the University Cluster of the University of Wisconsin System, the University of Wisconsin-Eau Claire, the University of Wisconsin-Green Bay, the University of Wisconsin-LaCrosse, the University of Wisconsin-Oshkosh, the University of Wisconsin-Parkside, the University of Wisconsin-Platteville, the University of Wisconsin-River Falls, the University of Wisconsin-Stevens Point, the University of Wisconsin-Stout, the University of Wisconsin-Superior, and the University of Wisconsin-Whitewater share the following core mission. Within the approved differentiation stated in their select missions, each university in the Cluster shall:

1. Offer associate and baccalaureate degree level and selected graduate programs within the context of its approved mission statement.
2. Offer an environment that emphasizes teaching excellence and meets the educational and personal development needs of students through effective teaching, academic advising, counseling, and through university-sponsored cultural, recreational and extracurricular programs.
3. Offer a core of liberal studies that supports university degrees in the arts, letters, and sciences, as well as specialized professional/technical degrees at the associate and baccalaureate level.
4. Offer a program of pre-professional curricular offerings consistent with the university's mission.
5. Expect scholarly activity, including research, scholarship and creative endeavor, that supports its programs at the associate and baccalaureate degree level, its selected graduate programs, and its approved mission statement.
6. Promote the integration of the extension function, assist the University of Wisconsin-Extension in meeting its responsibility for statewide coordination, and encourage faculty and staff participation in outreach activity.
7. Participate in interinstitutional relationships in order to maximize educational opportunity for the people of the state effectively and efficiently through the sharing of resources.
8. Serve the needs of women, minority, disadvantaged, disabled, and nontraditional students and seek racial and ethnic diversification of the student body and the professional faculty and staff.
9. Support activities designed to promote the economic development of the state.

The Select Mission Of The University Of Wisconsin-Platteville

(Table of Contents) Page 7
In addition to the system and core missions, the University of Wisconsin-Platteville has the following select mission:

The University of Wisconsin-Platteville provides Associate, Baccalaureate, and Master’s degree programs in a broad spectrum of disciplines including: science, technology, engineering, and mathematics; criminal justice; education; business; agriculture; and the liberal arts. We promote excellence by using a personal, hands-on approach to empower each student to become broader in perspective, intellectually more astute, ethically more responsible, and to contribute wisely as an accomplished professional and knowledgeable citizen in a diverse global community.

BOARD OF REGENTS

SYSTEM ADMINISTRATION

Senior Members of UW System administration, with offices located in Van Hise Hall, 1220 Linden Drive, Madison, WI 53706, are:

Kevin Reilly – President of UW Sustem
Patricia Brady – General Counsel
Rebecca Martin – Senior V.P. for Academic Affairs
Thomas Anderes – Senior V.P for Administration & Fiscal Affairs
Deborah Durcan – V.P. for Finance
David Giroux – Executive Director of Communication & External Relations
Sharon Wilhelm – Interim Associate V.P. for Policy Analysis & Research
Stephen Kolison – Associate V.P. for Academic & Student Services
David Miller – Associate V.P. for Capital Planning & Budget
Freda Harris – Associate V.P. for Budget & Planning
Alan Christ – Associate V.P. for Human Resources & Workforce Diversity
Edward Meachen – Associate V.P. for Learning & Information Technology

ORGANIZATIONAL CHARTS

These are the organizations of administration at UW-Platteville broken down into a number of charts which show the hierarchy of the administrators. All of the charts are in PDF format for ease of use.

- UW System
- Chancellor
- Provost and Vice Chancellor for Academic Affairs
- Division of Institutional Strategy and Planning
- Associate Vice Chancellor and Dean of Graduate Studies
- Assistant Vice Chancellor Academic Affairs
- Administrative Services
- Admission and Enrollment
- Business, Industry, Life Science, and Agriculture
- Engineering, Mathematics, and Science
- EMS, Collaborative Engineering Program
- Liberal Arts and Education
- Athletics
- Division of Student Affairs
- Alternative Delivery Systems
- Office of Continuing Education
- University Advancement

**SOURCES OF INFORMATION AT UW-PLATTEVILLE**

<table>
<thead>
<tr>
<th>Area on Campus</th>
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<tr>
<td>General Campus Info</td>
<td>Action Line</td>
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<td>Academic Staff Policies and Procedures</td>
<td>Janelle Crowley</td>
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<td>Affirmative Action</td>
<td>Janelle Crowley</td>
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<td>Foreign National Employment Eligibility</td>
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<td>Alumni Affairs</td>
<td>Steve Ramig</td>
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<td>Car Fleet – Driver Authorization</td>
<td>Tammy Jaacks</td>
<td>608.342.1155</td>
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<td>Car Fleet – General Info./Vehicle Reservation</td>
<td>Tammy Jaacks</td>
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<td>Children’s Center</td>
<td>Julie Soja</td>
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<td>Classified Staff Policies and Procedures</td>
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<td>Conference Services</td>
<td>Don Francis</td>
<td>608.342.1301</td>
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<td>Cooperative Education</td>
<td>Keith Thompson</td>
<td>608.342.1686</td>
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<td>Counseling Services</td>
<td>Deirdre Dalsing</td>
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<tr>
<td>Duplicating Services</td>
<td>Diana Blindert</td>
<td>608.342.1848</td>
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<td>Educational Media Services</td>
<td>ITS Help Desk</td>
<td>608.342.1400</td>
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<td>Facilities – Athletic</td>
<td>Mike Emendorfer</td>
<td>608.342.1567</td>
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<tr>
<td>Facilities – Center for the Arts</td>
<td>Michael Breitner</td>
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<td>Facilities – Classroom Assignments</td>
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<td>Facilities – Ullsvik Hall</td>
<td>Kelly Jo Hadfield</td>
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<td>Faculty Personnel Policies and Procedures</td>
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<td>Foreign Student Advisor</td>
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<td>Grants and Federal Programs</td>
<td>Will Hoyer</td>
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<td>Information Technology</td>
<td>Suzanne Traxler</td>
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<td>Insurance – Health, Life,</td>
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<td>Disability International Studies</td>
<td>Donna Anderson</td>
<td>608.342.1726</td>
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<td>Library – Director</td>
<td>Jon Musselman</td>
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<td>Library – Acquisitions/Serials</td>
<td>Judith Wurtzler</td>
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<td>Library – Circulation &amp; Reserved</td>
<td>Vicki Chase</td>
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<td>Library – Instructional Materials</td>
<td>Regina Pauly</td>
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<td>Library – Operational Equipment</td>
<td>Colleen Garrity</td>
<td>608.342.1628</td>
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<td>Library – Wisconsin Room/Archives</td>
<td>James Hibbard</td>
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<td>Mail Services</td>
<td>Diana Blindert</td>
<td>608.342.1848</td>
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<td>Multicultural Student Affairs</td>
<td>Angela Miller</td>
<td>608.342.1555</td>
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<td>Outreach and Extension</td>
<td>Kerie Wedige</td>
<td>608.342.1302</td>
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<td>Parking</td>
<td>Jason Williams</td>
<td>608.342.1584</td>
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<td>Payroll</td>
<td>Tonya Lux</td>
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<td>Placement - General</td>
<td>Jennifer Williamson-Mendez</td>
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<td>Public Relations</td>
<td>Paul Erickson</td>
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<td>Resident Life</td>
<td>Linda Mulroy - Bowden</td>
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<td>Retirement</td>
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<td>Sick Leave</td>
<td>Hollie Moore</td>
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<td>Student Organizations</td>
<td>David Nevins</td>
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<td>Tax Sheltered Annuities</td>
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<td>Textbook Center</td>
<td>Roxane Ford</td>
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<td>University Computing</td>
<td>Suzanne Traxler</td>
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<td>Veteran’s Affairs</td>
<td>Amber Prazak</td>
<td>608.342.7352</td>
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<tr>
<td>Center for Gender &amp; Sexuality</td>
<td>Claire Forstie</td>
<td>608.342.1173</td>
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FACULTY AND STAFF:

FACULTY AND ACADEMIC STAFF RESPONSIBILITIES

- Deans
  - AUTHORITY AND RESPONSIBILITIES OF DEANS
    - Each dean is appointed by the chancellor as a senior line officer and is responsible to the vice chancellor. The dean is responsible for communicating to the college's faculty information and directives from the Board of Regents, System Administration, the chancellor, and the vice chancellor.

    - The dean is the spokesperson for his/her college.

    - The dean is the chief executive and academic officer of his/her college and is responsible for providing leadership and ensuring quality in the following areas:
      - Curriculum review and development
      - Faculty and academic staff professional development including sabbatical and other leaves, grants, seminars, workshops, and courses
      - Community outreach and public service
      - Evaluation and improvement of instruction, including pursuit and maintenance of accreditations
      - Recruitment, hiring, and evaluation of all College personnel
        - Assignment of personnel resources
        - Meeting Affirmative Action and Equal Opportunities in Employment goals
        - Establishing and maintaining faculty, student, and alumni records
          - Personnel files and credentials
          - Sick leave and colleague coverage reports
        - Academic advising
        - Providing leadership in external fund raising for scholarships and other non-state funded College activities or equipment.

    - The Chancellor or Vice Chancellor may delegate authority and responsibility to the Dean(s) in the following areas:
      - Budget development and the administration of allocated resources
      - Implementation and administration of federal, state, system, and campus laws, rules, regulations, and policies
      - Supervision of security and maintenance of facilities and equipment assigned to the College
      - Administration of academic regulations and maintenance of academic standards
      - Other administrative responsibilities

    - The Dean makes recommendations to the vice chancellor concerning the budget and hiring, retention, promotion, tenure, and salaries of faculty and academic staff members.

- Department Chairs
  - AUTHORITY AND RESPONSIBILITIES OF DEPARTMENT CHAIRS
    - THE DEPARTMENT FACULTY:
      - the dean of the college,
• the appropriate College Rank,
• Salary and Tenure Commission (CRST), and
• the provost and vice chancellor evaluate each department chair.

○ LINE OF AUTHORITY
  ▪ The chair is responsible to the dean, and the unclassified (faculty and academic staff) and classified personnel assigned to the department are responsible to the chair. The chair acts as a liaison between departmental personnel and the dean.

○ CURRICULA
  ▪ The chair is responsible for development and evaluation of the departmental curricula in cooperation with the faculty of the department. The chair maintains syllabi for all courses taught by the department and initiates periodic evaluation of all courses. Proposals for curricular change must be approved by the faculty members of the department before they are forwarded to the College Curriculum Committee.

○ FACULTY AND ACADEMIC STAFF
  ▪ The chair, with the aid of department faculty members, recommends new appointments to the dean. The chair is responsible for orienting new faculty and academic staff to the aims and procedures of the department, for aiding faculty members to improve their teaching skills, and for maintaining harmony and cooperation among the faculty and classified personnel in the department. The chair is responsible for the assignment of faculty and academic staff to their teaching responsibilities, schedules and presides at departmental meetings, is responsible for departmental committees, provides approval for all absence requests of members of the department, maintains a file of each faculty member's academic qualifications including transcripts, and recommends department faculty members for tenure and promotion in rank to the CRST Commission.

○ BUDGET
  ▪ The chair serves as the fiscal agent for the department and, in cooperation with the faculty, proposes an annual budget to the dean. The chair approves all expenditures for the department and is responsible for the administration of the department's allocations as approved by the University Budget Committee. The chair maintains an inventory of the department's equipment and is responsible for its security.

○ STUDENTS
  ▪ The chair maintains an active recruitment program for high quality students to enroll in the university and the major(s) of the department, as well as a roster of all students majoring or minoring in department programs. The chair provides systematic procedures for obtaining student opinions and suggestions for improvement of department offerings. The chair assigns advisors and supervises their counseling of graduate and undergraduate students and provides personal guidance and counsel concerning departmental offerings and preparation for professional study and graduate programs at other institutions.

○ UNIVERSITY RESPONSIBILITIES
- The chair serves on the council of the college, the Administrative Assembly, and university committees as assigned by the Faculty Senate and chancellor. The chair prepares class schedules for the department and submits materials for university publications to the dean.

- **OFF-CAMPUS RELATIONS**
  - The chair is responsible for relationships with appropriate community, state, national, and international educational agencies relative to the objectives of the department. The chair promotes programs of interest to the needs and aspirations of the public served by the university.

- **TEACHING**
  - The chair is expected to set an example of effectiveness in teaching and familiarity with new developments in the academic fields of the department. The chair's teaching load per semester is determined by the following formula:

<table>
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<th>Faculty Members</th>
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<td>one (1) to eight (8)</td>
<td>nine (9)</td>
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<tr>
<td>nine (9) to eighteen (18)</td>
<td>six (6)</td>
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<tr>
<td>over eighteen (18)</td>
<td>three (3)</td>
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- Deviations from this policy must be approved by the dean and the vice chancellor.

- **MISCELLANEOUS DUTIES**
  - **Summer Session**
    - If warranted by enrollment, the chair will have at least a part-time appointment for the Summer Session, during which he/she will serve in the same capacity as during the academic year.
  - **Registration**
    - The chair is in charge of registration for classes in the department and recommends regulations concerning enrollment to the dean and/or vice chancellor.
  - **Library**
    - The chair shall designate a bibliographer to monitor library holdings and proposes acquisition of materials appropriate to the missions of the department and university.
  - **Accreditation**
    - The chair seeks approval by those professional organizations which provide for regional or national accreditation of department offerings.

- **Faculty and Academic Staff**
  - **RESPONSIBILITIES OF FACULTY AND ACADEMIC STAFF**
    - **OFFICE HOURS**
      - All full-time instructional staff must allocate 10 hours per week outside of class for student engagement with at least five (5) hours reserved for meeting students in the instructor's office. All part-time instructional staff must allocate a proportionate number of hours based on the percentage of their appointments. Instructors may also count student engagement
activities such as faculty-led undergraduate research, service-learning activities, mentoring academic student organizations and competitive teams, on-line office hours, or other activities that engage faculty with students in the learning process for the remaining five (5) hours. Individual instructors are encouraged to use their own professional judgment in consultation with their Department Chair or Director to find appropriate ways to engage and assist students. In order to insure uniformity within academic units, departments or schools may wish to set their own guidelines for student engagement hours.

- **CHECKOUT FOR TERMINATING PERSONNEL**
  - Every member of the faculty or academic staff whose employment with the university is terminating must obtain a termination form from the assistant chancellor for Business Affairs and file the completed form with the appropriate dean or program director. Failure to comply with the termination procedures may result in the withholding of an employee’s final pay check.

- **CLASS ATTENDANCE AND GRADES**
  - The Faculty Senate has adopted the following statement concerning class attendance by students:

    The course work for which each student is responsible normally includes lectures, discussions, and other classroom activities as well as texts and outside readings, assignments, and examinations. Excessive absence from class should and does adversely affect learning and performance. Consequently, regular class attendance is expected of all UW-Platteville students.

    Within the first two weeks of class, each faculty member will distribute a Course of Study to each student in the class. This Course of Study will include a course description, a list of texts, an explanation of grading procedures, and a clear statement of attendance policy.

    Limits on the number of unexcused absences, their effect on grades, and policies concerning makeup work should be explained.

    While instructors are expected to make reasonable allowances for absences caused by illness and other circumstances beyond a student’s control as well as field trips and co-curricular activities, making up missed work is solely the student’s responsibility.

    In the case of unanticipated absence (personal or family illness or emergency), the student should inform the staff of the assistant chancellor for Student Affairs and ask that instructors be notified. Upon returning to class, the student should consult the instructor(s) to obtain assignments, etc., for makeup work and deadline(s) for its completion.
In the case of a field trip or other anticipated absence, the student should as far in advance as possible, obtain approval from the instructors of all classes which will be missed. The instructor is expected to inform the student what will be missed, what makeup work will be required/accepted and when it will be due, and possible consequences of missing class activity which cannot be made up. An instructor is in no way obligated to seek out a student who has been absent for any reason nor to place other students or him or herself at a disadvantage in order to facilitate making up work.

Mid-term D/F Grades - At the end of the first eight (8) weeks of each semester, faculty members are required to report to the registrar the names of students doing D or F work. The faculty member should counsel such students or refer them to appropriate sources for academic help.

- **FINAL EXAMINATIONS/FINAL WEEK**
  - The Faculty Senate has approved the following policy concerning final examinations:
    - All faculty members giving comprehensive final examinations must do so at the designated time during Finals Week.
    - All faculty members giving last or unit tests (but no "final examination") must do so during the assigned Finals Week time.
    - All other teaching faculty must schedule and carry out a meaningful/significant learning activity with students during the time assigned for their courses during Finals Week.

- **FIELD TRIPS**
  - General
    - Faculty members may conduct as many field trips or other outside class period activities for classes as can be arranged, provided they do not interfere with students' other classes. Field trips or other activities which require students to be absent from classes are open only to students who are excused by the instructors of those classes. Students are expected to contact instructors to be excused for participation in a field trip.
  - Student Responsibilities
    - To inform instructor(s) of anticipated absence from class for university-sanctioned activities.
    - To assume full responsibility for arrangements to make up work missed because of such activity.
    - To make up work within established parameters.
  - Faculty Responsibilities
    - To provide reasonable opportunity for students to make up work missed because of a university-sanctioned activity.
    - To inform students of requirements for making up work missed and counsel them concerning the consequences of missing classes to participate in such activities.

- **OUTSIDE ACTIVITIES**
Although the primary responsibilities of faculty and academic staff members are teaching, research activities, and other assigned institutional duties, the university does encourage participation in public service and other endeavors related to fields of interest and expertise.

- **Definition**
  - Outside activities are those which are of an extensive, recurring, or continuing nature and are outside institutional responsibilities assigned during employment by UW-Platteville.

- **Reporting**
  - Each member of the faculty or academic staff who engages in outside activity shall report that activity in writing to the appropriate chair or supervisor. The report should include the nature of the activity and time involved. The chair reports outside activities of all department members to the dean at intervals specified by the dean. Supervisors report outside activities to the appropriate assistant chancellor.

- **Improper or Excessive Outside Activities**
  - The dean or assistant chancellor shall notify in writing any member of the faculty or academic staff whose outside activities are judged, in consultation with the chair or program director, to be excessive or improper. A faculty or academic staff member whose outside activities have been judged excessive or improper may appeal to the Faculty Appeals Committee.

- **Use of University Facilities/Materials/Personnel**
  - The use of university facilities is regulated by UWS 21 and the institutional procedures to implement it. University facilities may be used by unclassified employees for certain outside activities which support the mission of the university, their college, or department. These activities should not conflict with regularly scheduled university activities. Rooms, equipment, and other university resources may be used only with the approval of the appropriate dean or supervisor.
  - The technical equipment or other resources of the university shall not be used by an unclassified employee for personal use without notice to and consent of the appropriate supervisor. Payment of a fee to recover costs to the university may be required.
  - University employees engaging in outside activities shall not use the official stationery of the university or give as a business address the university, its buildings, its departments, or the Office of the Chancellor.
  - University personnel shall not be used by unclassified employees for outside activities without notice to and
consent of the appropriate supervisor. Payment of a fee to recover the university's cost for personnel may be required.

- Absences
  - When faculty or academic staff members anticipate being absent from regular duties for outside activities, permission must be obtained from the appropriate chair or director.

- Service As an Expert Witness or Consultant
  - Anticipated service by a faculty or academic staff member as an expert witness in legal proceedings, or as staff, advisor, or consultant to granting agencies shall be subject to the absence reporting procedure included in this handbook.

### SICK LEAVE POLICY FOR FACULTY AND INSTRUCTIONAL ACADEMIC STAFF

- Each dean informs all unclassified employees in the college that absence from assigned duties because of illness or injury must be declared as sick leave to be charged or colleague coverage provided. Request for Absence forms must be used to report all absences from assigned duties. All unclassified employees use the five day week, 40 hour standard. Any deviations or alternate schedules must be discussed with the department chair.
- Each dean's office will maintain a file specifying the work week of each unclassified employee in the college.
- Each unclassified employee must file a report at least once each contract month detailing sick leave used and/or colleague coverage provided. The report will be completed on a form developed by the personnel director and distributed by the department chair (or designee). It will be signed by the employee and the chair, and will be returned to the dean (or designee).
- At least once each year, each dean will file with the campus record keeper (personnel director), a summary of sick leave used and colleague coverage provided. The summary must be signed by the chair or supervisor.

### COMMENCEMENT

- All faculty and instructional academic staff members are expected to participate in at least one commencement ceremony, December or May, per year. Those not wishing or unable to attend must contact their dean or supervisor.
- Although not required, administrative and non-instructional academic staff are encouraged and welcome to attend any of the four commencement ceremonies per year.

### FACULTY AND ACADEMIC STAFF PRIVILEGES

- Employment Stipulations
Employment for the regular academic year is for nine months or 39 weeks, including days of registration, final examinations, and commencement. A limited number of faculty and teaching academic staff, on a rotating basis when practicable, will also be employed for summer teaching. Summer employment is contingent upon enrollment, departmental needs, and the individual's preparation for the assignments available, and cannot be guaranteed.

The normal teaching load per semester is twelve credit hours for faculty and fifteen credit hours for teaching academic staff. Faculty are also expected to engage in scholarly and professional activities, university and community service, and student advising.

- **Leave of Absence**
  - A sabbatical can be for one semester at full pay, or for one year at half salary. A faculty committee submits proposals for sabbaticals to the chancellor. The Board of Regents awards sabbatical leaves based on the chancellor's recommendations. The chancellor may grant unpaid leaves of absence in cases other than sabbatical or sick leave.
  - Staff Request for Absence forms must be filed for all time missed from normal duties (including vacation and sick leave).

- **Absence for Personal Reasons**
  - All absences of faculty or academic staff members for illness or emergency shall be reported to the department chair, dean, or program director as early as possible. The individual should obtain from and file with the department chair/office, a Request for Absence form as soon as possible. The department chair forwards the form to the dean of the college or supervisor, who sends it to the Human Resources Office.

- **Sick Leave**
  - **SICK LEAVE**
    - Sick leave refers to absences of faculty, academic staff, and limited appointees of the University of Wisconsin System due to personal illness, injury, disability, or pregnancy, as well as attendance on a member of the immediate family of the employee whose condition or death requires the employee's direct care, if such absences are being charged against the employee’s accumulated sick leave credits. When the employee is eligible to be charged sick leave, it will be on the basis of five days per week (Monday through Friday) for the 39-week period of an academic year. The policy governing sick leave during the Summer Session follows at #11.
    - The policies are applicable, without regard to extent of appointment, to all faculty and academic staff other than graduate assistants or visiting faculty who are covered by sick leave provisions at their home institutions.
  - **ACCUMULATION OF LEAVE**
    - Eligibility for sick leave is contingent upon eligibility for Wisconsin Retirement (see Part E). Full-time employees whose initial appointments are for nine months or more are granted 22 working days (i.e., Monday through Friday, exclusive of holidays) of leave which they may draw upon as required by illness, injury, disability, or pregnancy. After 12 years of service, additional, non-lapsing leave is
earned by such members at the rate of 1 day per month for persons holding annual appointments or 6 days per semester for persons who hold academic year appointments with a maximum annual accumulation limited to not more than 12 days. Unused sick leave accumulates from year to year in the employee’s account.

- When an employee takes sick leave, the rate of sick leave compensation is the rate of salary which the individual would have normally received. Other than the 22 days of sick leave granted to the faculty or academic staff member upon appointment, sick leave may be taken only after it has been earned (i.e., it may not be anticipated). An employee utilizing paid sick leave continues to accumulate sick leave during the period of absence. However, sick leave cannot accumulate during an unpaid leave of absence. Previously accumulated sick leave shall not be affected by unpaid leaves of absence. Upon retirement supplemental sick leave credits will be added to an employee’s account who has completed fifteen full years of continuous service. These credits may only be used to pay health insurance premiums.

- **PRORATION OF ACCUMULATED SICK LEAVE**
  - Initial entitlement and accumulation of sick leave as specified in the preceding section assume full-time appointment for 9 months or more. Part-time appointees having an initial entitlement earn and are charged sick leave in proportion to the extent of their appointments.

- **ALLOWANCE FOR PAST SERVICE**
  - On the effective date of this policy, University of Wisconsin System faculty and academic staff members whose appointments were normally for 9 months or more were credited with an initial accumulation of sick leave totaling the amount the individual would have accrued during previous years of service if the sick leave plan had been in effect for previous years, less a debit of 2 days per year of service.

- **CANCELLATION AND REINSTATEMENT**
  - If an individual leaves employment within the University of Wisconsin System, unused sick leave will be terminated but will be reinstated if the employee is reappointed to any position in the system within three years.

- **RELATION OF SICK LEAVE TO INCOME CONTINUATION INSURANCE**
  - When an employee becomes eligible to receive compensation under income continuation insurance, sick leave benefits are no longer applicable to that illness.

- **USE OF SICK LEAVE FOR ANTICIPATED MEDICAL ABSENCE**
  - A member of the faculty or academic staff with teaching responsibilities who expects to be absent during an upcoming semester may, with two months' advance notice, elect to use a combination of paid and unpaid leave for the entire semester. Such leave is taken solely at the option of the individual, but the university may, at the time advance notice is given, require proof that the absence cannot be arranged so as to avoid interruption of teaching duties. The employee using this type of leave may receive the sick leave benefits for which he or she would have been eligible had the individual remained on duty up to the
time of disability. Other portions of the semester not covered by sick leave are on leave without pay.

○ **USE OF ACCUMULATED SICK LEAVE TO PAY FOR HEALTH INSURANCE PREMIUMS**
  - State group health insurance shall be continued after retirement for any eligible employee who has not elected to discontinue such coverage, and the full premium therefore shall be deducted from credits earned from the conversion of unused sick leave and the supplemental credit account. These credits, converted to current value, can be used to pay health insurance premiums as follows:
    - For an employee and any eligible dependents, at the employee’s retirement; or
    - For the spouse and any eligible dependents, after the employee’s death.
    - Deductions continue until the deaths of both the employee and spouse or until the credit is exhausted.
    - Sick leave credits can be used only to pay the premiums for continuing the group health insurance. If a retiring employee does not participate in the state group health insurance plan, sick leave credits lapse.

○ **MATERNITY LEAVE**
  - Provisions governing maternity leave are the same as those governing other temporary disabilities. A teaching or non-teaching staff member may choose to continue normal duties through pregnancy and use accumulated sick leave as needed for prenatal, delivery, and post-delivery care while physically unable to perform her duties. Thereafter, she may take additional consecutive days or the remainder of the semester as unpaid leave at her option.
  - Alternatively, an employee with teaching responsibilities may choose a combination of paid and unpaid leave as described in #7. In such cases, it shall be understood that the timing of pregnancy cannot be "arranged" under the meaning of this policy.
  - In the semester after the one in which delivery occurs, the employee shall be granted, upon her request, leave without pay for the semester. In the case of a probationary faculty member, such leave will not be counted in the calculation of probationary time. An employee who anticipates taking maternity leave should so inform her department chair or supervisor as early as possible.
  - Either parent may receive leave in the semester following the birth of a child. However, if both parents are employed by the University, only one may receive such leave for child care.

○ **WISCONSIN FAMILY MEDICAL LEAVE ACT AND FEDERAL FAMILY MEDICAL LEAVE ACT**
  - In addition to the rights for leave that have been explained in the above section of this document, leave is available under WFMLA and FMLA. The legislated leave runs concurrently with the leave provided by the University. However, additional unpaid leave is available as explained:
    - WFMLA - Unpaid leave [that can be substituted for with paid leave (sick leave, vacation, holiday, etc.) to the extent to which the employee has accrued the leave.] University policy for absences due to illness of the employee or family member are more generous than what the employee
receives under the WFMLA guidelines.

- While parental leave of absence policies vary by institution, they generally allow leaves without pay longer than the mandatory 6 weeks for family leave as stated above. WFMLA, however, allows flexibility in that 6 weeks of leave may be taken intermittently and/or on a part-time basis substituting any paid leave that has accrued to the employee.
- 2 weeks per year for personal illness/injury.
- 2 weeks per year to care for a child, spouse or parent with a serious health condition.
- 6 weeks family leave for the birth of a child, adoption or preplacement of a child as a condition for adoption. (This leave must be commenced not earlier than 16 weeks prior to and not later than 16 weeks after the qualifying event.) Note: The period immediately following the birth of a child when the biological mother is physically unable to work, is not considered to be family leave.

- FMLA - 12 weeks of unpaid leave on a full, part-time or intermittent basis for the following reasons:
  - For the serious health condition of the employee that makes the employee unable to perform the functions of the employee's position.
  - To care for the employee's child, spouse, or parent with a serious health condition.
  - For the birth, adoption or placement of a child for foster care.

- SICK LEAVE DURING SUMMER SESSION
  - Individuals whose basic appointments are for nine months and who teach in the Summer Session may qualify for sick leave in the Summer Session, provided inception of the illness occurs on the first or subsequent day of the Summer Session. Exceptions to this policy may be made, only on behalf of members of the permanent faculty, at the discretion of the chancellor.

- RECORDS
  - Reporting and record keeping procedures and requirements for faculty and academic staff members’ absences are in the FACULTY AND ACADEMIC STAFF RESPONSIBILITIES section of this Handbook, pages 2.1-2.7. Each department or equivalent unit shall maintain records of sick leave entitlement for its faculty and academic staff members and shall, on a timely basis, forward completed Staff Request for Absence forms to the Human Resources Office.

- Wisconsin Retirement System
  - WISCONSIN RETIREMENT SYSTEM
    - The Wisconsin Retirement System includes all teachers in Wisconsin tax-supported schools and other agencies. The new participation requirements differ from previous ones in that the employer is required to review a person’s eligibility for WRS at the end of each year of employment rather than at the end of two...
years. The new law provides that, except for specific exclusions listed in Section 40.22(2), Stats., the following factors determine when an employee becomes a participating employee under the retirement system:

- Act 13 provides that for teachers employed on or after July 1, 1989 and for all others employed on or after January 1, 1991—whether a continuing employee or a new hire—the employer must immediately include the employee under the WRS if the employee is EXPECTED TO WORK at least one-third of what is considered full-time employment (440 hours for teachers or 600 hours for non-teachers) for at least one year. (One year is 365 consecutive days, 366 in leap year, from date of hire.)
- Employees who first become covered by WRS on or after January 1, 1990 (this includes persons who close their WRS accounts by taking a benefit and then are employed in covered positions) must have service in at least 5 years to be eligible for retirement benefits. Those who do not meet the 5-year requirement are eligible for separation benefits and comparable death benefits regardless of age.

- Legislation was enacted in 1984 to substantially improve retirement benefits for career public employees in the WRS. To help pay for the benefit improvements a mandatory "Benefit Adjustment Contribution" was instituted. The Benefit Adjustment Contribution is a mandatory employee contribution that is not credited to your individual account but is used to fund overall system benefit liabilities.

<table>
<thead>
<tr>
<th>Employment Category</th>
<th>Mandatory Employee Contribution Rates Effective 1/1/96</th>
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<tbody>
<tr>
<td>o General Employees and Teachers</td>
<td>o 6.5% (includes 5% refundable Employee Required Contribution and 1.5% non-refundable Benefit Adjustment Contribution)</td>
</tr>
<tr>
<td>o Protectives with Social Security</td>
<td>o 6.1% (includes 6% refundable Employee Required Contribution and 0.1% non-refundable Benefit Adjustment Contribution)</td>
</tr>
<tr>
<td>o Protective without Social Security</td>
<td>o 6.8%</td>
</tr>
<tr>
<td>o Elected Officials and State Executive Retirement Plan Employees</td>
<td>o 4.6%</td>
</tr>
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- DEATH BENEFITS BEFORE RETIREMENT
• The benefit will always include the full amount of required and additional contributions you made (or employee-required contributions which were paid for you by your employer), plus accumulated interest.

• The amount of the death benefit payable from your retirement account will vary depending on your age at the time of death, your creditable service, the amount of accumulated contributions in your account, and the relationship of your beneficiary(ies).

• If your covered employment began before 1966, the death benefit may also include employer contributions made to your account prior to 1966, plus interest credited to date of payment.

• If you die as an active employee past the age of 60 (55 for protective occupations), and your beneficiary is your spouse and/or dependent child(ren), the death benefit includes matching employer contributions. The amount of the benefit is determined as though you retired on the date of death and selected a joint survivorship annuity continued in full to your spouse or dependent child(ren).

### AFTER RETIREMENT

• If your death occurs after retirement, benefits are determined according to the annuity option you chose at the time you retired. If you chose the option AFor Annuitant's Life Only, the benefit will be paid to you for as long as you live and will end at your death. Other options are available, such as life annuities with a guaranteed number of payments, and joint survivor options, that do provide a death benefit. Generally, joint survivor options provide better death benefit protection to a surviving spouse than the other options.

### DISABILITY

• The program provides for disability benefits which are the same benefits to which the member would have been entitled if the member had been at retirement age. In order to qualify for the disability benefit the member:
  - Must have been covered for five out of eight recent years;
  - Must not be employed after becoming disabled; and
  - Must sustain a 100% total and permanent disability.

### THE RETIREMENT FORMULA

• The formula method of computing the monthly annuity benefit is based on the following four factors:
  - The age of the annuitant if under the age of 65;
  - The number of years of service credit, a year of service credit being 120 days within a normal fiscal (not academic) year;
  - The final average salary, computed on the highest three years' total yearly earnings (the years used are those in which reported earnings were highest and need not be consecutive); and
  - A fixed factor of .016.

• The "normal retirement age" for the different employment categories are:
  - Age 57 - general employees/teachers with at least 30 years of creditable service, including creditable military service.
- Age 65 - general employees/teachers with less than 30 years of creditable service.
- Actuarial reduction of .4% per month of age under the normal retirement age is decreased by .001111% for each month of creditable service, with a maximum of 360 months used to give an unreduced benefit at age 57. The full .4% per month reduction applies for months between ages 55 and 57.
- Creditable military service - An employee who has 5 to 20 years of creditable service under the Wisconsin Retirement System may be granted credit for military service (maximum of 1 year for each 5 years of creditable service up to a total of 4 years) provided:
  - previous credit has not been granted;
  - such military service was performed prior to 1974;
  - such military service time is not used for federal retirement benefit purposes; and
  - discharge was under conditions other than dishonorable.
- To receive credit an employee should submit military discharge papers after the 20 year requirement has been satisfied, or at the time of retirement, whichever occurs first.
- Annuitants who return to covered employment will have an earnings limit of 7.2 times the final average monthly earnings at retirement. Earning limits will be provided to the annuitant and employer from Wisconsin Retirement.

- Benefits Summary
  - BENEFITS SUMMARY
    - STATE SELF-FUNDED LIABILITY PROGRAM (SSLP)
      - Provisions
        - Limit of liability is $2,000,000 for each occurrence.
        - SSLP agrees to pay up to the Statutory limit of liability sums which a faculty or academic staff member becomes legally obligated to pay provided the faculty or academic staff is acting within the scope of their employment.
        - The SSLP further agrees to defend the employee who was acting within the scope of their employment
      - Exclusions
        - Protection is not extended to one's personal vehicle. (One's personal automobile liability policy grants this type of protection.)
        - The policy does not apply when injury, death, or destruction is caused intentionally.
    - STATE OF WISCONSIN AUTO FLEET POLICY
Provisions
State-owned vehicles have the following automobile bodily injury liability and property damage coverage:
- Limits on bodily injury: $250,000 per person
- Limits on property damage: $250,000 per accident
University vehicles being driven by students are covered if the driver is authorized by university authorities.

Privately owned vehicles are not covered by the state's property and liability programs. However, if one is using their personal vehicle on university/state business, your personal automobile coverage is primary and the SSLP is excess.
- A summary of benefits available to university of Wisconsin faculty and staff are listed on the pages 2.17-2.20.

Payroll Deductions
- Payroll deductions for health insurance, life insurance, social security, retirement, etc., are made in the Payroll Office, 2308 Ullsvik Hall.
- Faculty and academic staff members may participate in Tax Sheltered Annuities with vendors whose products are acceptable for offer to University of Wisconsin System employees. For more information, contact the Human Resources Office, 2300 Ullsvik Hall.

Payroll Procedures
- Faculty and academic staff payroll checks are delivered through departmental and administrative offices on the first day of each month. If the first day of the month falls on a weekend or holiday, payroll checks will be delivered on the preceding Friday. Arrangements for direct deposit of payroll checks to accounts in local banks or savings and loans can be made with the Payroll Office. Payment for Summer Session appointments is one-half on August 1 and the balance on September 1.
- Salaries for academic year appointments are paid in nine equal installments beginning October 1 and ending June 1. Continuing employees who have been on the ten month plan may remain on that plan or go to the nine month plan.
- The basis of the twelve payment deduction plan for academic appointment personnel is that the employee authorizes voluntary payroll deductions to be taken during the academic year. The deductions are deposited to an interest earning escrow account at a selected financial institution. During the summer months, the financial institution will pay the employee equal installments (three installments for those on a nine pay basis and two for those on a ten pay basis) which liquidate the principal and interest. Early withdrawal is possible only due to financial hardship and any such request must be approved by the Assistant Chancellor for Business Affairs.
- New employees and Leave of Absence returnees who may qualify are eligible to receive a salary advance in September. The salary advance distribution date is based on the contract start date.
- Contact the Payroll Office, 2308 Ullsvik Hall, if you wish to initiate any of the above plans.
• Notary Public
  o Staff members in the Cashier’s Office and University Mailroom are Notary Publics.

• Reimbursement of Tuition & Fees for Job-Related Coursework & Training
  o *THE UNIVERSITY-WIDE PROGRAM HAS BEEN SUSPENDED DUE TO BUDGET CONSTRAINTS. EMPLOYEES ARE ENCOURAGED TO SPEAK WITH THEIR DIRECT SUPERVISOR REGARDING THE POSSIBILITY OF DEPARTMENT/DIVISION SUPPORT.*
    ▪ Applications for tuition reimbursement must be submitted through the appropriate administrative review and approval process and must be received in the Office of the Provost at least two weeks prior to the term the course will be taken. Under no circumstances will a tuition/fee reimbursement request be honored in a retroactive manner. Application forms are available in the vice chancellor’s office.
    ▪ Applications are evaluated for appropriateness under the criteria of GAPP #25.
    ▪ Employee or employer requests which meet the applicable criteria are funded at up to 100% of the academic fees. Costs of textbooks, segregated fees, and class material are not normally reimbursed. A receipt verifying payment of academic fees and evidence of course completion (usually a copy of the grade report) must be submitted to the vice chancellor’s office within 30 days of the end of the term. Submissions after the deadline will not be reimbursed. Reimbursement is contingent upon satisfactory completion of the coursework.
    ▪ The program is available only to employees who hold half-time or greater appointments.
    ▪ Normally, no more than one course (up to 5 credits) may be authorized for reimbursement for an academic term (semester).
    ▪ Tuition reimbursement for coursework must be reported as taxable income.

• Wisconsin Statutes Concerning Political Activities of Employees
  o 11.36 Political solicitation involving public officials and employees restricted.
    ▪ No person may solicit or receive from any state officer or employee any contribution or service for any political purpose while the officer or employee is on state time or is engaged in his or her official duties, except that an elected state official may solicit and receive services not constituting a contribution from a state officer or employee with respect to a referendum only. Agreement to perform services authorized under this subsection may not be a condition of employment for any state officer or employee.
    ▪ No person may solicit or receive from any officer or employee of a political subdivision of this state any contribution or service for any political purpose during established hours of employment while the officer or employee is engaged in his or her official duties.
    ▪ Every person who has charge or control in a building, office or room occupied for any purpose by this state or any political subdivision thereof shall prohibit the entry of any person into that building, office or room for the purpose of making or receiving a contribution.
- No person may enter or remain in any building, office or room occupied for any purpose by the state or any political subdivision thereof or send or direct a letter or other notice thereto for the purpose of requesting or collecting a contribution.
  - 11.37 Use of state-owned vehicles and aircraft restricted.
  - No person may use any state-owned vehicle or aircraft primarily for the purpose of campaigning in support of or in opposition to any candidate for national, state or local office, unless the person pays to the state a fee prescribed by the secretary of administration which is comparable to the commercial market rate for a vehicle or aircraft of similar design.

- Policy for Employees Engaging in Political Activity, Seeking Elective Office, and Serving as Elected or Appointed Officials
  - Board of Regents Policy Document #800 states:
    - No political campaigning activities shall be engaged in during hours when an employee is expected to be performing his or her regularly scheduled university duties. Further, as provided in recent State legislation, no officer or employee may solicit or receive or be involved in soliciting or receiving any contribution or service for any political purpose from any officer or employee of this state while on state time or engaged in his official duties as an officer or employee.

    - If a staff member chooses to enter a primary campaign, he or she, in consultation with the department chair and dean should determine whether or not this activity will impair or encroach on performance of university duties. If it is determined that it will, a reduced-time appointment should be arranged for the period of the primary campaign.

    - If a staff member is a candidate in a regular election, Step 2 should be followed with the expectation that a reduced-time appointment would be in order.

    - If a staff member is elected, he or she may be granted a leave of absence for the initial term of office where the time demands of the office would not allow continuance of full- or part-time performance of university duties. If the individual is elected to a second term, it would be the normal expectation that the individual would sever his or her relationship with the University. If a campus wishes to extend the leave of absence in this instance, justification should be advanced to the President of the System and the extension must receive the specific approval of the Board of Regents.

    - If a staff member accepts appointive local, state or national office, political or educational in nature, he or she may be granted a leave of absence for the initial appointment term where the time demands of the office would not allow continuance of full- or part-time performance of University duties. Extension of leave beyond the initial term shall require justification and approval as outlined in #4 above.
Service as an elected or appointed official on off-hour demand activities (e.g., school boards, city councils, county boards, or local, state, or national commissions) would not normally require a reduced appointment or leave of absence. Each case should be reviewed.
POLICY STATEMENTS (By Topic)

- Affirmative Action and Equal Opportunity
  - It is the policy of the University of Wisconsin-Platteville to provide equal employment opportunity to all individuals regardless of race, color, creed, sex, sexual orientation, age, national origin, ancestry, disability, marital status, pregnancy, political affiliation, arrest or conviction record, identity as a veteran, disabled veteran, Vietnam era veteran, membership in the national guard, state defense force or any other reserve component of the military forces of the United States or this state. Sexual harassment is illegal and will not be tolerated. Co-workers and supervisors may not retaliate against any employee, student, or job applicant because he or she filed a complaint, assisted in an investigation or participated in any proceeding alleging discrimination on the foregoing basis.
  - The University ensures physical accessibility to work environments for persons with disabilities and will provided reasonable accommodations to ensure equal access to employment. Upon request, the University will provide reasonable accommodations for religious observances and practices. The University is committed to a program of affirmative action for women, racial minorities, persons with disabilities, disabled veterans and veterans of the Vietnam era. While the Chancellor assumes overall responsibility for the success of the program, university administrators and supervisors are responsible and accountable for implementation. Authority for monitoring the program is delegated to the Director of Human Resources.
  - As Chancellor of the University of Wisconsin-Platteville, I call upon each individual associated with the University to join me in pledging a new and revitalized commitment to build and maintain a campus environment free of harassment and discrimination that fosters mutual respect, recognizes the dignity and worth of all people, and promotes to the fullest, equal employment opportunity through affirmative action.

- Sexist, Racist, and Other Discriminatory Conduct
  - I. POLICY STATEMENT
    - The University of Wisconsin-Platteville will not tolerate discrimination or harassment by or toward students, employees, and guests on the basis of sex, race, religion, color, creed, disability, sexual orientation, national origin, ancestry, age or any other prohibited basis defined by federal or state law or University of Wisconsin System policy. Discrimination and harassment are inconsistent with UW-Platteville’s efforts to foster an environment of respect for all members of the university community. Incidents of discriminatory conduct are detrimental to the individuals directly involved and diminish the university community as a whole. It is, therefore, the policy of the University of Wisconsin-Platteville that such behavior will not be tolerated and will be dealt with according to the procedures outlined below. Retaliation for filing a complaint of discrimination or harassment is also a form of harassment and is therefore prohibited.
  - II. PROHIBITED CONDUCT
    - A. Discrimination against Students
In accordance with state and federal laws and University of Wisconsin System policy, no student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility of the University of Wisconsin-Platteville because of the student’s race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

- **B. Employment Discrimination**
  - In accordance with federal and state laws and UW System policy, no employee or prospective employee of UW-Platteville may be discriminated against on the basis of age, race, color, creed, religion, disability, sex, sexual orientation, marital status, relationship to other employees, ancestry, national origin, arrest or conviction record, political affiliation, membership in the national guard or military reserve, or use or nonuse of lawful products off university premises during nonworking hours. Employment policies, practices, and procedures that are covered include but are not limited to recruiting, interviewing, testing, screening, selection, placement, classification, evaluation, transfer, promotion, training, compensation, fringe benefits, layoffs, and termination.

- **C. Harassment**
  - Harassment based on sex, race, religion, color, creed, disability, sexual orientation, national origin, ancestry, age or any other prohibited basis defined by federal or state law or University of Wisconsin System policy is a form of discrimination.

- **D. Sexual Harassment**
  - Sexual harassment is a form of sex discrimination prohibited under federal and state laws as well as UW System policy. Unsolicited and unwarranted sexually discriminatory remarks, sexually derogatory statements or gestures and/or verbal sexual advances; attempts to engage a nonconsenting person in sexual activities or physical contact of a sexual nature; and unsolicited and unwanted physical contact of a sexual nature constitute sexual harassment when
    - participation in such conduct becomes a condition of an individual's employment or education; or
    - the submission or rejection or participation in such conduct becomes a basis for academic or employment decisions affecting that individual; or
    - the conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive education, employment or living environment.

- **III. PROCEDURES**
  - Any member of the university community who has been either a target of or a witness to discrimination or harassment has a right to take action either by confronting those involved directly or by reporting the incident to a university official (see III A Intake for list). While every effort will be made to respect both
the confidentiality and the wishes of the complainant, university officials have an ethical and legal obligation to take action to prevent and stop illegal harassment or discrimination and may therefore be compelled to take some action even if the complainant is unsure of what action is desired. Incidents reported to university officials will be handled in a manner that protects the privacy and due process rights of everyone involved. The following procedures have been established to provide a framework for handling such concerns.

- **A. Intake**
  - University officials prepared to deal with concerns about discrimination and harassment include: Assistant Chancellor for Student Affairs; Chief Diversity Officer; Dean of Students; Director of Residence Life; and line supervisors, such as Department Chairs, Directors, and Deans.
  - When someone raises a concern about discrimination or harassment, the university official will:
    - listen and help clarify both the concern and the desired outcome
    - explain the options available
    - attempt a resolution if desired by the individual with the concern, and
    - submit a report to the Affirmative Action Office

- **B. Informal Resolution**
  - Informal resolution has the goal of ending offensive behavior and resolving the concern rather than assessing blame and exacting a penalty. If a concern can't be resolved informally, or if the behavior is so flagrant or repetitious as to warrant disciplinary action, it should be handled through formal procedures.
  - If an informal resolution is to be attempted by a university official, the official will meet with the individual accused of the offending behavior to explain the concern and get a response. The person who has raised the concern may or may not be present, and that individual's identity will be revealed only with his or her consent. The meeting may involve a negotiation of outcomes, such as an apology or some mutually agreed upon course of action to be taken, but any action is purely voluntary at this point and will not be viewed as an admission of guilt.

- **C. Formal Procedures**
  - The purpose of formal action is to determine if the UW-Platteville Policy on Discrimination and Harassment has been violated and, if so, to invoke disciplinary sanctions and/or prescribe a course of action that will resolve the situation. Disciplinary sanctions may include but are not limited to a written reprimand, probation, suspension, dismissal or expulsion.
  - Formal procedures are set in motion when a signed written complaint is filed with a university official. The complaint must contain the name and signature of the complainant, details of the
situation precipitating the complaint, and a statement of desired outcome. When a signed complaint has been received, the person receiving the complaint will notify the Chancellor, who will set in motion the appropriate process and notify the individual or group against whom the complaint has been made.

- The process for investigating and hearing complaints and grievances against individuals depends upon the status of the accused (faculty, academic staff, classified staff, or student):
  - Faculty - If the accused is faculty, procedures of the Complaints and Grievances Commission apply (Faculty Bylaws, Part II, Article III, Part 7).
  - Academic Staff - For academic staff, the Academic Staff Personnel Commission is the hearing body (Academic Staff Bylaws, Part II, Article III).
  - Classified Staff - Complaints against classified staff will be handled in accordance with the collective bargaining agreement (Agreement Between the State of Wisconsin and AFSCME Council 24, Article IV) or the Non-Contractual Employee Grievance Procedure (Administrative Practices Manual, Department of Administration, revised October 1, 1974).
  - Students - Student conduct is governed by UWS 14 and UWS 17. Harassment and discrimination which meet the definition of conduct proscribed by those chapters may also result in disciplinary action. The procedures outlined in those chapters will be followed.

- In determining whether impermissible discrimination or harassment has occurred, the investigator or hearing body will apply state and federal statutes, regulations, and case law relevant to the basis of discrimination being alleged, including but not limited to such legal materials and precedents as Title VI and Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act; s. 101.223, Wisconsin Statutes; s. 36.12, Wisconsin Statutes; the United States Constitution, and related regulations and case law. In any case where there is a question as to whether the action or conduct constitutes impermissible discrimination or harassment, UW System legal counsel will be consulted.

- **D. Record Keeping/Timeliness**
  - Any university official to whom a report of discrimination or harassment has been made will file a report with the Affirmative Action Office. A record identifying a specific individual will be kept only if the person has been notified of the existence of the report and been given an opportunity to attach a counter statement; in that case...
case, the record will be kept for six years and destroyed if no further reports have been filed.

- All reports of discrimination and harassment must be handled in a timely fashion. Intake and the beginning of informal resolution must take place within three hundred days of the incident, and formal procedures must be started within three hundred days following either the incident itself or the termination of attempts at informal resolution. Other timeliness are determined by the procedures that apply to the status of the accused (faculty, academic staff, classified staff, or student).
- Use of these procedures does not prevent the complainant from seeking legal redress. It should be noted that time limits for filing complaints under the various laws differ.

- **IV. DISSEMINATION**
  - A copy of this policy and the procedures for implementing it will be distributed annually to all University of Wisconsin-Platteville students, faculty, academic staff, and classified staff. In addition, educational programs will be conducted regularly to sensitize members of the university community to the issues covered by this policy.
    - Approved by the Academic Staff Senate (10/18/93)
    - Approved by the Faculty Senate (10/26/93)
    - Approved by Student Senate (11/8/93)

- **UNIVERSITY OF WISCONSIN-PLATTEVILLE STATEMENT OF CONSENSUAL RELATIONSHIPS**
  - It is in the interest of the UW-Platteville to provide clear direction and educational opportunities to the university community about the professional risks associated with consensual romantic and/or sexual relationships where a definite power differential between parties exists. These relationships are of concern for two primary reasons.
    - **Conflict of Interest**
    - Conflicts of interest may arise in connection with consensual romantic and/or sexual relationships between faculty or other instructional staff and students, or between supervisors and subordinates. University policy and more general ethical principles preclude individuals from evaluating the work or academic performance of others with whom they have intimate familial relationships, or from making hiring, salary or similar financial decisions concerning such persons. The same principles apply to consensual romantic and/or sexual relationships, and require, at a minimum, that appropriate arrangements be made for objective decision-making with regard to the student, subordinate or prospective employee.
    - **Abuse of Power Differential**
    - Although conflict of interest issues can be resolved, in consensual romantic and/or sexual relationships involving a power differential, the
potential for serious consequences remains. Individuals entering into such relationships must recognize that:
  o the reasons for entering such a relationship may be a function of the power differential;
  o where power differentials exist, even in a seemingly consensual relationship, there are limited after-the-fact defenses against charges of sexual harassment; and
  o the individual with the power in the relationship will bear the burden of accountability.

○ Implementation:
  ▪ To make it clear that romantic and/or sexual relationships involving conflict of interest are unacceptable at the UW-Platteville and to ensure that members of the university community are alerted to the potential for abuse in power differential relationships even where conflict of interest issues are resolved:
    • the above statement shall be published in the Handbook for Faculty and Academic Staff and in the Student Handbook; and
    • information about this statement will be incorporated into awareness programs held concerning the UW-Platteville Discrimination and Harassment Policy and Procedures.

• Consensual Relationships Statement
  ○ It is in the interest of the UW-Platteville to provide clear direction and educational opportunities to the university community about the professional risks associated with consensual romantic and/or sexual relationships where a definite power differential between parties exists. These relationships are of concern for two primary reasons.
    ▪ Conflict of Interest
      • Conflicts of interest may arise in connection with consensual romantic and/or sexual relationships between faculty or other instructional staff and students, or between supervisors and subordinates. University policy and more general ethical principles preclude individuals from evaluating the work or academic performance of others with whom they have intimate familial relationships, or from making hiring, salary or similar financial decisions concerning such persons. The same principles apply to consensual romantic and/or sexual relationships, and require, at a minimum, that appropriate arrangements be made for objective decision-making with regard to the student, subordinate or prospective employee.
    ▪ Abuse of Power Differential
      • Although conflict of interest issues can be resolved, in consensual romantic and/or sexual relationships involving a power differential, the potential for serious consequences remains. Individuals entering into such relationships must recognize that:
        o the reasons for entering such a relationship may be a function of the power differential;
        o where power differentials exist, even in a seemingly consensual relationship, there are limited after-the-fact defenses against charges of sexual harassment; and

(Table of Contents) Page 34
• the individual with the power in the relationship will bear the burden of accountability.

• Implementation:
  ▪ To make it clear that romantic and/or sexual relationships involving conflict of interest are unacceptable at the UW-Platteville and to ensure that members of the university community are alerted to the potential for abuse in power differential relationships even where conflict of interest issues are resolved:
    • the above statement shall be published in the Handbook for Faculty and Academic Staff and in the Student Handbook; and
    • information about this statement will be incorporated into awareness programs held concerning the UW-Platteville Discrimination and Harassment Policy and Procedures.

• Reasonable Accommodations for Disabilities
  • I. POLICY STATEMENT
    ▪ It is the policy of The University of Wisconsin-Platteville to provide reasonable accommodations for qualified disabled individuals who are employees or applicants for employment. UW-Platteville will adhere to all applicable federal and state laws, regulations and guidelines with respect to providing reasonable accommodations as required to afford equal employment opportunity to qualified disabled individuals. Reasonable accommodations will be provided in a timely and cost-effective manner. Employment opportunities shall not be denied because of the need to make reasonable accommodations to an individual's disability. Responsibility for implementation of this policy rests with the Affirmative Action Officer. If you have questions regarding this policy, contact the Affirmative Action Office, Brigham Hall 302, 342-1773.
  • II. DEFINITIONS
    ▪ Disabled individual. NOTE: Both state and federal law provide definitions of "handicapped" individuals. Since these laws were written, "disabled individuals" or "persons with a disability" has become the preferred term. For the purposes of this policy the term "disability" is used with the understanding that it has the same meaning as "handicap" in state and federal law.
    ▪ State Fair Employment Act (s. 111.32): "Handicapped individual" means an individual who:
      • has a physical or mental impairment which makes achievement unusually difficult or limits the capacity to work;
      • has a record of such an impairment; or
      • is perceived as having such an impairment.
    ▪ Federal Rehabilitation Action (section 504): A person is "handicapped" within the meaning of section 504 (85.3) if he or she:
      • has a mental or physical impairment which substantially limits one or more of such person's major life activities;
      • has a record of such impairment; or
      • is regarded as having such an impairment.
"Major life activities" include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Qualified disabled individual. A disabled individual whose experience, education, and/or training enable the person, with reasonable accommodation, to perform the essential functions of the job.

Reasonable accommodation. The effort made to make adjustments for the impairment of an employee or applicant by structuring the job or the work environment in a manner that will enable the disabled individual to perform the essential functions of the job. Reasonable accommodation includes, but is not limited to, making facilities accessible, adjusting work schedules, restructuring jobs, providing assisting devices or equipment, providing readers or interpreters and modifying work sites. (See Appendix A for specific impairments and possible accommodations.)

III. PROCEDURES TO REQUEST ACCOMMODATIONS

A. Applicants for Employment

- All applicants who are invited for interviews will be informed of the University of Wisconsin-Platteville policy to provide reasonable accommodations for applicants and employees with disabilities. They will be informed of their right to request accommodations for interviews and the method used to make these requests. The following paragraph will be added if a letter is used as part of the interview scheduling process:

  "It is the policy of UW-Platteville to provide reasonable accommodations for qualified persons with disabilities who are employees or applicants for employment. If you need assistance or accommodations to interview because of a disability, please contact me at (phone number of person signing letter). Employment opportunities will not be denied to anyone because of the need to make reasonable accommodations to a person's disability."

- If all interview arrangements are made by telephone, this information will be given as part of the phone conversation.

- If applicants are asked questions regarding their ability to perform required job duties, all applicants will be asked the same questions. Before such questions are asked, the applicant will be informed regarding UW-Platteville's willingness to provide reasonable accommodations. Applicants may not be asked whether or not they have a disability.

- If an applicant voluntarily indicates the presence of a disability, follow-up questions regarding possible accommodations may be pursued.

- Qualified applicants cannot be denied employment solely on the basis of a need to provide a reasonable accommodation. However, if an applicant who receives a tentative job offer cannot be reasonably accommodated, the offer must be rescinded.

B. Employees
Employees will be told about their right to request reasonable accommodations:

- During the orientation process for new employees.
- At the time of the biennial survey to allow employees to self-identify as persons with disabilities.
- In the Faculty and Academic Staff Handbook, in the Classified Staff Handbook, and in the Student Handbook.

2. All requests for reasonable accommodations must be in writing using the Disability Accommodation Request Form, which can be obtained from the Affirmative Action Office, Brigham 302.

IV. DECISION MAKING PROCESS

A. The Process

- An employee who wants to request an accommodation fills out the Disability Accommodation Request Form and gives it to his or her supervisor.

- The supervisor reviews the request and discusses it with the Affirmative Action Officer (AAO). If the request is straightforward and does not involve significant issues or expenses, the AAO approves the request. If the request involves issues which are not straightforward, the AAO may do any or all of the following:
  - Meet with the employee and the supervisor to get more information concerning the request.
  - Consult with the supervisor and the Human Resources Director to determine the essential functions of the job.
  - Consult with UW-Platteville budget and purchasing specialists.
  - Consult with the reasonable accommodations specialist in the State Division of Affirmative Action.
  - With the employee's permission, consult with any medical or rehabilitation specialists who may be working with the individual.

- The employee will be informed of the agency decision regarding the accommodation request within 20 working days. If the 20-day limit cannot be met, the AAO will meet with the employee to agree on a reasonable time limit. The employee will be informed in writing of the decision regarding the accommodation, using the Disability Accommodation Request Form.

- Distribution of the request form is:
  - Original - employee
  - Copy 1 - employee personnel
  - Copy 2 - Affirmative Action
  - Copy 3 - Department of Employment Relations Division of Affirmative Action (for classified staff only)
Employees may be asked to provide verification of their disability, in which case the verification must be provided by an appropriate medical or rehabilitation professional. The employee must bear the initial cost of verification, which will usually be covered by health insurance. If UW-Platteville requests additional verification of the disability, or the disability's impact on job requirements, the University will bear the cost. Factors to be considered when deciding whether or not to request initial or further verification include:

- Is the employee known to have a disability?
- Does the applicant or employee have an observable disability?
- Does the request expand on an existing accommodation or previously approved accommodation for which a verification was required?
- Does the request for accommodation appear appropriate?
- Factors which should be considered when determining reasonableness include:
  - Are the job functions for which the accommodation is required essential to the overall performance of the job?
  - Is the applicant or employee otherwise qualified to perform the essential job functions?
  - Does the accommodation accomplish the desired result, i.e., allowing the individual to effectively perform the functions of the job?
  - Is the cost of the accommodation feasible within the budget of the University? If not, can approval be obtained from the Department of Administration (DOA) to use funds which are statutorily reserved for reasonable accommodations?
  - Are there other more cost-effective options which will allow the individual to perform the essential functions of the job?
- As a general rule, UW-Platteville will purchase equipment only if it is determined that the use of the equipment is necessary in the transaction of the official business of the agency. The equipment may not be of a personal nature (e.g., eyeglasses, hearing aids, etc.) which the employee can reasonably be expected to provide. In determining whether the purchase of a device should be authorized, consideration will be given to how well the employee could perform the job without the equipment and whether the principal benefit will be better job performance by the employee.

NOTE: Devices may also be available from other sources. The State Division of Vocational Rehabilitation can provide funds or equipment in some instances. Community organizations and service clubs also sponsor the purchase of equipment, as do some
foundations and insurance companies working with individuals disabled as a result of an on-the-job injury or personal injury.

- The employee or applicant will always be the primary person consulted with when determining the most appropriate accommodation. Employees will be given an opportunity to provide or arrange for their own accommodations; for example, using volunteer drivers or readers, or providing their own adaptive equipment. However, the procedures in these policies must be followed (written request, approval, etc.), even if employees provide or arrange their own accommodations. This gives documentation of accommodations and ensures that the accommodations are not disruptive to the workplace.

- If an employee of UW-Platteville acquires a disability and the University is not able to make reasonable accommodations which will allow the individual to continue his or her current position, the University will explore possibilities for placement in other positions at UWP. The movement to another position may be a transfer, a demotion, or change to part-time employment, and must be made in accordance with applicable collective bargaining agreements, Chapter 230 of state statutes, and Administrative Rules for Chapter 230.

While no legal responsibility exists for alternative placement outside UW-Platteville, classified employees will be counseled regarding their rights to other positions in state employment. The Human Resources Director and Affirmative Action Officer are resources for employees as they seek other opportunities.

NOTE: Under the Federal Rehabilitation Act, accommodation is only required to permit an individual to perform his or her particular job. Recent court decisions indicate that under the Wisconsin Fair Employment Act there is some responsibility to explore transfer possibilities. The extent of the responsibility has yet to be clearly developed by the courts, but the responsibility to look for alternative positions is clear in s. 230.37(2), Stats.:

- “When an employee becomes physically or mentally incapable of or unfit for the efficient and effective performance of the duties of his position by reason of infirmities due to age, disabilities, or otherwise, the appointing authority shall either transfer the employee to a position which requires less arduous duties, if necessary demote the employee, place the employee on a part-time basis and at a part-time rate of pay or, as a last resort, dismiss the employee from service. The appointing authority may require the employee to submit a medical or physical examination to determine fitness to continue in service....”

- After accommodations are provided, the employee and his/her supervisor need to evaluate the effectiveness of the accommodation. The Affirmative Action Officer should also be involved in this process. If modifications to the accommodations are needed, they should be requested using the procedures outlined in this policy.
A list of resources for technical assistance in identifying the most appropriate accommodations is available from the Affirmative Action Office.

V. THE APPEAL PROCESS

If an employee disagrees with a decision regarding an accommodation request, s/he has a right to appeal the decision using the following procedure. An Applicant does not have access to this procedure, although s/he has the option to follow the usual discrimination complaint procedure (State Personnel Commission, EEOC, etc.)

When an accommodation request is denied, an employee may, within 30 calendar days, appeal the decision to the Affirmative Action Officer. The appeal must be in writing, stating the reason for the disagreement. The Affirmative Action Officer will reevaluate the decision, considering any additional information from medical or vocational rehabilitation experts. The Affirmative Action Officer may consult with staff from outside agencies (e.g., DER/DAA, DHSS/DVR, or DOA 504 Coordinator) in the appeal process--taking care to provide confidentiality for the employee. The Affirmative Action Officer then discusses all information regarding the appeal with the Chancellor. The Chancellor makes the final decision regarding the appeal. The employee receives in writing the final decision regarding the appeal within 30 calendar days after the appeal was filed.

APPENDIX A

SPECIFIC IMPAIRMENTS AND POSSIBLE ACCOMMODATIONS

- Impairment Possible Accommodations
  - Physical
    People with physical disabilities will generally have physical mobility or agility problems. Accommodations could extend from simple rearrangements of work area to some control of environmental conditions.
  - Amputation
    Environmental control of heat, cold, and humidity may be necessary. Rearrangement of work area to compensate for missing upper limb. Modification of work site to allow for crutches or cane or for persons who, because of lower limb amputation, may not have standing or walking stability of an individual with two legs.
  - Arthritis/Rheumatism
    Environmental control of heat, cold, and humidity may be necessary, depending upon the severity and how active the condition is. Job modifications may include electric lift (if heavy carrying/lifting is part of the job) and/or enlarged handles on tools to compensate for grip weakness.
  - Muscular Dystrophy
    Job modifications similar to above. Extent of modifications will be dependent upon the severity of the disease process. In addition, the job problems will be caused by muscle weakness rather than joint problems.
  - Multiple Sclerosis
    Job modifications will depend upon how active the MS is. Modifying the work station by raising the desk for a person in a wheelchair or rearranging of the work area to compensate for general weakness--limited

(Table of Contents) Page 40
range of motion occasionally or problems with speech, etc.--may be necessary.

- Paraplegia/Quadriplegia
  - Job modifications will depend upon the extent of the paralysis. They may include modifying work stations for wheelchairs, providing electrical devices to aid work--such as electric typewriter, dictaphone, speaker phone, computer, writing aids, etc.

- Polio
  - Job modifications would be similar to other disorders which reduce strength and muscle nerve enervation. Other modifications may include modifying work area for wheelchairs and/or crutches.

- Sensorial Disabilities
  - Visual
    - Job modification would depend upon residual vision and field discrimination and Impairment the type of job the individual is doing. Reasonable accommodations may include a reader for interview and job performance. If the job calls for extensive deter-mination modifications, electronic devices to turn visual material into tactile material may be necessary. Employee orientation to physical surroundings is a most important accommodation.
  - Hearing
    - Modification may be minimal, e.g., arranging meetings so that the employee is Impairment facing those who are talking. Environmental control of noise may be necessary. Reasonable accommodation may include a sign language interpreter during the job interview situation.

- Mental Disabilities - Organic
  - Mental
    - Accommodations may include modification of job training time or initial Retardation additional supervisory attention. Modifications should be minimal.
  - Stroke/Brain
    - Accommodations would depend upon the severity and focal point of the disorder. Tumor Modifications could be necessary to compensate for extreme physical/speech/ visual deficits. Otherwise accommodations would be minimal.

- Mental Disabilities - Behavioral
  - Alcoholism/Drug Dependency/Psychosis/Emotional Disorders
  - Accommodations would include supportive counseling and long-term commitment to such services.

- Other Disabilities

  The following handicaps may require accommodations for both physical and psychological aspects of the disabling condition.
  - Asthma/Cardiovascular and Chronic Digestive Disorders/Epilepsy/Diabetes/Tuberculosis
  - Accommodation/modifications may be environmental (i.e., stress situations, dust control), physical (i.e., problems such as a place to lie down), or supportive services (i.e., counseling) may also be necessary.
Drugs and Alcohol

- The Drug Free Schools and Communities Act Amendments of 1989, Public Law 101-226, requires that each institution of higher education shall annually distribute to each student and employee information that clearly sets forth university policy regarding the prohibition of illicit drugs and alcohol. UW-Platteville subscribes to the goals of the Drug Free Schools and Communities Act and takes this opportunity to alert students and employees to our expectations.

- The University of Wisconsin System and University of Wisconsin-Platteville prohibit the unlawful possession, use, distribution, manufacture, or dispensing of illicit drugs and alcohol by students and employees on university property or as part of university activities.

- The use or possession of alcoholic beverages is prohibited on university premises, except in faculty and staff housing and as expressly permitted by the chief administrative officer or under institutional regulations, in accordance with s. UWS 18.06(13)(a), Wis. Adm. Code. Without exception, alcohol consumption is governed by Wisconsin statutory age restrictions under s. UWS 18.06(13)(b), Wis. Adm. Code.

- The unlawful use, possession, distribution, manufacture, or dispensing of illicit drugs ("controlled substances" as defined in ch. 161, Wis. Stats.) is prohibited in accordance with s. UWS 18.10, Wis. Adm. Code.

- Violation of these provisions by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion, under s. UWS 17.06(1)(c), Wis. Adm. Code. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on university property or the work site or during work time, up to and including termination from employment. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, faculty and academic staff policies, and collective bargaining agreements. Referral for prosecution under criminal law is also possible. Further, violations of ss. 18.06(13) and 18.10, Wis. Adm. Code may result in additional penalties as allowed under ch. UWS 18, Wis. Adm. Code.

- Employees who are convicted of any criminal drug statute violation occurring in the workplace must notify their dean, director, or department chair within 5 days of the conviction if the employees are employed by the university at the time of the conviction.

**STATE OF WISCONSIN AND FEDERAL LEGAL SANCTIONS**

- **Wisconsin**
  - The laws of Wisconsin prohibit drug possession and delivery through the Uniform Controlled Substances Act, Wis. Stat. 161, and mandate stiff penalties that include up to 15 years of prison and fines up to $500,000. A person with a first-time conviction for possession of a controlled substance can be sentenced to up to one year in prison and fined up to $5,000, under Wis. Stat. 161.41(2r)(b). The penalties vary according to the amount of drug confiscated, the type of drug found, the number of previous offenses by the individual, and whether the individual intended to manufacture the drug, sell the drug, or use the drug. See Wis. Stat. 161.41. In addition to the stringent penalties for possession or delivery, the sentences can be doubled when exacerbating factors are present, such as when a person distributes a controlled substance to a minor, Wis. Stat. 161.46(1).
Substantial restrictions against alcohol abuse also exist in Wisconsin. It is against the law to sell alcohol to anyone who has not reached the legal drinking age of 21, and there is a concurrent duty on the part of an adult to prevent the illegal consumption of alcohol on his premises, Wis. Stat. 125.07 (1)(a)(1). Violation of this statute can result in a $500 fine. It is against the law for an underage person to attempt to buy an alcoholic beverage, falsely represent his age, or enter a licensed premises, and that person can be fined $500, ordered to participate in a supervised work program, and have his/her drivers license suspended, Wis. Stat. 125.07(4)(3). Harsher penalties exist for the retailers of alcoholic beverages, including up to 90 days in jail and revocation of the retail liquor permit.

**Federal**

The federal government has recently revised the penalties against drug possession and trafficking through its Federal Sentencing Guidelines which reduce the discretion that federal judges may use in sentencing offenders of federal drug statutes. Under these guidelines, courts can sentence a person to up to 6 years for unlawful possession of a controlled substance, including the distribution of a small amount (less than 250 grams) of marijuana. A sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury. Possession of more than 5 grams of cocaine can trigger an intent to distribute penalty of 10-16 years in prison, U.S.S.G. s. 2D2.1(b)(1).

**SUMMARY OF THE HEALTH EFFECTS OF DRUG AND ALCOHOL ABUSE**

The following is a partial list of drugs, and the consequences of their use. The effect is clear. The use of alcohol and other drugs is detrimental to the health of the user. Further, the use of drugs and alcohol is not conducive to an academic atmosphere. Drugs impede the learning process and can cause disruption for other students and disturb their academic interests. The use of drugs in the workplace may also impede the employee's ability to perform in a safe and effective manner, and may result in injuries to others. Early diagnosis and treatment of drug and alcohol abuse is in the best interests of the student, employee, and university.

- Marijuana and hashish are deleterious to the health and impair the short-term memory and comprehension of the user. Their use alters the sense of time, and reduces the ability of the user to perform tasks requiring concentration and coordination. It increases the heart rate and appetite. Motivation and cognition can be altered, making acquisition and retention of new information difficult. Long-term use may result in psychological dependence and can produce paranoia and psychosis. Because these drugs are inhaled as unfiltered smoke, they are damaging to the lungs and pulmonary system and they have more cancer-causing agents than tobacco.

- Cocaine or crack stimulates the central nervous system and is extremely addictive. It can cause psychological and physical dependency on the drug, which can lead to dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, paranoia, and seizures. It can also cause death by disrupting the brain's control of the heart and respiration.
The use of other stimulants and amphetamines can have the same effect as cocaine use, causing increased heart rate and blood pressure which can result in stroke or heart failure. Symptoms include dizziness, sleeplessness, and anxiety. It can also lead to psychosis, hallucinations, paranoia, and even physical collapse.

Depressants and barbiturates can cause physical and psychological dependence that can lead to respiratory depression, coma, and death, especially when used in concert with alcohol. Withdrawal can lead to restlessness, insomnia, convulsions, and even death.

LSD, PCP, mescaline, and peyote are classified as hallucinogens. Hallucinogens interrupt the brain messages that control the intellect and keep instincts in check. Large doses can produce convulsions and coma, heart and lung failure. Chronic users experience persistent memory problems and speech difficulties for up to a year after their use. Because the drugs stop the brain’s pain sensors, drug experiences may result in severe self-inflicted injuries.

Users of narcotics, such as heroin, codeine, morphine, and opium develop dependence and increase the likelihood of an overdose which can lead to convulsions, coma, and death.

Alcohol is chemically classified as a mind-altering drug because it contains ethanol and has the chemical power to depress the action of the central nervous system. This depression affects motor coordination, speech, and vision. In large amounts, it can affect respiration and heart-rate control. Death can result when the level of blood alcohol exceeds 0.40%. Prolonged abuse of alcohol can lead to alcoholism, malnutrition, and cirrhosis.

RESOURCES FOR DRUG AND ALCOHOL ABUSE TREATMENT

The Wisconsin Department of Health and Social Services, through its Division of Community Services, provides an on-point summary of the numerous facilities that provide treatment for drug and alcohol addiction. Their Alcohol and Other Drug Abuse Office will send a pamphlet detailing the statewide and local resources for drug and alcohol abuse treatment. You can request a pamphlet by calling 608.266.2717 or writing:

Wisconsin Clearinghouse
315 North Henry Street
Madison, WI 53703

Employees who have problems with alcohol or controlled substances are encouraged voluntarily to contact their Employee Assistance Program (EAP) Coordinator for referral to counseling or treatment programs. Voluntary contacts with the EAP Coordinator may remain confidential.

The UW-Platteville EAP Coordinator is Richard Voelz 608.342.1530.

Communicable Diseases

I. BACKGROUND

The State of Wisconsin is committed to employment practices which encourage people with disabilities, regardless of the nature of the disability, to maintain productive status in the state workforce.
The State of Wisconsin recognizes that it is important for employees with life-threatening medical conditions including but not limited to cancer, heart disease, hepatitis and AIDS/HIV to continue to participate in as many of their normal activities as their condition will allow, including work.

The State of Wisconsin recognizes that employment may be therapeutically important in the remission or recovery process and may help to prolong and improve the quality of the employees’ lives. As long as employees meet acceptable performance standards, and medical evidence indicates their conditions pose no risk to themselves or others in the workplace, managers shall be sensitive to their conditions and ensure that they are treated with dignity and respect consistent with the treatment of other state employees.

The State of Wisconsin is obligated to provide a safe work environment for its employees and the public it serves. The State of Wisconsin will ensure to the best of its ability that an employee's health condition does not present a significant health and/or safety risk to other employees or the public.

The State of Wisconsin recognizes the need to maintain an open and informed environment for its employees, and employees shall have access to education resources on health issues to eliminate prejudice and unwarranted fear about diseases in the workplace.

The State of Wisconsin further recognizes that an employee's medical condition is personal and confidential and not subject to disclosure to others without the affected employee's consent unless otherwise provided by law. It assures employees of complete confidentiality when seeking counseling or medical referral assistance.

Employees' rights to confidentiality are subject to the employer's responsibility to protect other employees and the public from contracting or being exposed to a contagious disease.

State law prohibits AIDS testing as a condition of employment.

The Secretary of the Department of Employment Relations, pursuant to Sec. 230.04, Stats., is charged with the responsibility of ensuring that employees who have communicable diseases and/or life-threatening medical conditions do not suffer discrimination in employment.

II. POLICY

It is the University of Wisconsin-Platteville's policy to continue the employment of employees and to provide employment opportunities to qualified applicants who have communicable diseases and/or life-threatening medical conditions so long as such persons remain able to perform their assigned duties safely and efficiently and the employee’s health condition does not present a significant health and/or safety risk to other employees, clients served, or the public.

The University recognizes that extreme care is needed in educating and protecting the University community from infection with HIV (Human Immunodeficiency Virus), the virus that causes AIDS. All employees as well as students with AIDS or HIV infection must be dealt with in a non-discriminatory and sensitive manner. Current, accurate information and education is essential to avoid needless anxiety over this disease.
The University shall provide reasonable accommodation in accordance with Federal and State laws and policies. Discussions of accommodation requests must include the Agency Affirmative Action Officer.

Supervisors must consider employees' requests for accommodation. Employees who recognize a need for accommodation are encouraged to report their medical conditions to their supervisors so that their requests for accommodations can be appropriately considered.

Supervisors must counsel employees who feel threatened by a co-worker’s illness concerning matters involving their employment. There is no requirement to provide alternate accommodations.

All complaints alleging violation of this policy will be referred to the Affirmative Action Officer and will be investigated in accordance with University complaint policies.

APPENDIX: GUIDELINES FOR IMPLEMENTATION

EMPLOYMENT

- Employment decisions must be non-discriminatory, that is, made on the basis of job-related criteria. These criteria include education, training, experience, and mental and physical ability to perform the responsibilities of the position being filled.
- Wisconsin Fair Employment Law (Ch. 111.31 - 111.395, Wisconsin Statutes) prohibits employment discrimination against properly qualified individuals by reason of their age, race, creed, color, handicap, marital status, sex, national origin, ancestry, sexual orientation, arrest record, or conviction record.
- Discrimination is prohibited in hiring, promotion, compensation, and/or in the terms, conditions, or privileges of employment. Additionally, communicable diseases and/or life threatening medical conditions may also be a handicapping condition entitling the affected individual to the legal protections afforded the handicapped, such as reasonable accommodation.
- The University does not require a pre-employment blood test for the AIDS antibody, nor will the results of such a test be used in an employment decision.

PROBATIONARY PERIOD

- Employees with communicable diseases and/or life threatening medical conditions who are in probationary status will be treated as any other employee on probation. Time off work during probation may extend the probationary period, depending upon the length of the absence and the applicable rules or bargaining contract provisions.

SICK LEAVE AND LEAVES OF ABSENCE FOR ILLNESS

- Requests for sick leave and leaves of absence for illnes will be submitted to the immediate supervisor and/or administrative director or Dean. Sick leave benefits and leaves of absence for illness, including communicable diseases and/or life threatening medical conditions, will be administered in a confidential and non-
discriminatory manner according to the applicable personnel rules or the appropriate bargaining contract. However, requests for medical leaves of absence and applications for income continuation benefits both require a physician’s statement justifying the request or application. Care will be taken to preserve the confidentiality of such information.

o ACCOMMODATION/REHABILITATION

- When a supervisor is informed or becomes aware that other employees believe that an employee has a communicable disease and/or life threatening medical condition, the affected employee should be informed and consulted regarding steps to be taken.
- The University will provide information about rehabilitation services and will make reasonable accommodation for persons with handicapping conditions, including communicable diseases and life threatening medical conditions. Decisions on accommodation requests will be made by the supervisor and employment relations representative in consultation with the Employee Assistance Coordinator and Affirmative Action Officer. Such accommodation may include work schedule changes such as Flextime. If an employee requests reasonable accommodation under the State Fair Employment Act or the Federal Rehabilitation Act of 1973, the employee must disclose his/her condition.

o PERSONNEL RECORDS

- At present, certain communicable diseases and life threatening medical conditions are stigmatizing conditions which may lead to needless fear among employees, resulting in rejection of or discriminatory action against an employee who has a communicable disease or life threatening medical condition. Therefore, only authorized employees shall process or have access to any employee personnel file or medical records. Precautions will be taken to prevent unwarranted disclosure of information concerning an employee’s status with regard to communicable diseases or life threatening medical conditions.
- Supervisors will not discuss an employee’s condition without his/her written authorization except as required to administer this policy.

o MEDICAL SEPARATION

- Employees infected with a communicable disease or life threatening medical condition will be allowed to work as long as they can maintain acceptable performance and not pose a health threat to themselves or others. Termination or resignation for medical reasons will be considered on a case by case basis in consultation with the Affirmative Action Officer and Employee Assistance Coordinator. If an employee can no longer perform the essential functions of the job, and has exhausted sick leave, annual and personal leave, and any mandated leave of absence without pay, consideration may be given to a separation which protects that person’s rights to disability benefits from Income Continuation Insurance, Wisconsin Retirement System and Social Security. In no case will employees disabled by a communicable disease or life threatening medical condition be treated differently from employees with other disabling illnesses.

o WORKPLACE SAFETY
It is the policy of the University to provide a safe work environment. To accomplish this, the University provides its employees with two types of educational programs:

- Programs designed to help employees understand the nature and transmission patterns of certain communicable diseases.
- Programs designed to train employees who may be at risk for contracting a communicable disease at work, and their supervisors, in the proper procedures for performing their jobs.

Employees must understand that refusal to work with a person with life threatening medical conditions is not a valid excuse for failing to fulfill assigned responsibilities. Employees with such concerns will be referred to health experts where the concerns can be fully addressed. The supervisor and Employment Relations Representative in consultation with the Employee Assistance Coordinator and Affirmative Action Officer will determine if a health risk for co-workers exists.

INCIDENT REPORTS

- All incidents of accidental contamination involving employees MUST be reported to Human Resources within 24 hours on Form AD-85, Occupational Accident and Illness Report, available from supervisors or from Human Resources.
- Educational Programs on Life Threatening Medical Conditions and/or Communicable Diseases
- Informational brochures will be distributed to all employees. All current employees will be encouraged to attend a training session conducted during working hours on campus by a health care professional.
- New employees will receive the informational brochure with their orientation packets.

Training and Guidelines for At-Risk Employees and Their Supervisors

- Certain employees may be at risk of contracting certain communicable diseases because their jobs involve the potential for contact with blood or bodily fluids through which communicable diseases are known to be transmitted. These employees require more intensive, job-specific training, along with specific guidelines for dealing with potentially hazardous situations encountered on the job. Direct exposure at work may occur through:
  - Needlestick injuries
  - Cuts with sharp instruments
  - Exposure through the mucus membrane (splashes in the eyes or mouth)
  - Contamination of open skin lesions with potentially infective bodily fluids

- Workers possibly at risk for this type of exposure include:
  - Cleaning/housekeeping/custodial staff (BMH 2’s and 3’s)
  - Laundry workers [soiled linens and concealed needles or other sharp objects] (Laundry Workers and BMH 2’s)
  - Incinerator attendants (BMH 2’s)
  - Police
  - Sewage workers/plumbers (Facilities Repair Workers, Maintenance Mechanics, Plumbers, BMH 2’s)
- Building repair staff (Facilities Repair Workers)
- Nursing/laboratory staff
- Laboratory staff

**TRAINING**
- Specialized training will be provided to current at-risk employees and their supervisors, by a health care professional. This training will be held on campus during working hours. Refresher training sessions will be conducted annually by the respective work units. New employees will receive training by their supervisors upon being hired.

**GUIDELINES**
- Guidelines specific to each category of at-risk employee will be provided to those employees. Copies of the guidelines may be obtained from the supervisors and from Human Resources.

**Hazardous Materials and Hazardous Waste**

**APPLICABLE REGULATIONS:**
- SARA TITLE III
  - Community Right to Know - DILHR 101.58
  - Employee Right to Know - RCRA NR 181
- In order to promote a safe environment for employees and students, facilitate compliance with the law, and mitigate liability, The University of Wisconsin-Platteville has established the following policies and procedures. These are believed to be in compliance with the stated and inherent responsibilities contained in the Federal Superfund and Reauthorization Act of 1986 (SARA), Title III; the Department of Industry, Labor, and Human Relations, Section 101.58; The Resource Conservation and Recovery Act of 1980 & Amendments (RCRA, codified in NR1 81); and UW System Policy.

**I. MATERIAL SAFETY DATA SHEET MANAGEMENT**
- A Material Safety Data Sheet (MSDS) should be provided to the campus by the vendor for each product that requires an MSDS per OSHA regulation.
  - The vendor shall supply a copy of the MSDS attached to the invoice and sent directly to Accounts Payable. Accounts Payable will record the purchase order number on the MSDS and forward it to the Hazardous Materials Coordinator.
  - The Vendor shall also include a copy of the MSDS with the product being shipped. This copy will remain with the shipment until it reaches the designated person in the ordering department.

  The central Material Safety Data Sheet (MSDS) file is established in the office of the Hazardous Materials Coordinator.
  - The Hazardous Materials Coordinator shall maintain a file of all MSDS copies forwarded to him/her by the various departments on the University campus and farm.
  - The Hazardous Materials Coordinator shall work with the departments to assure the completeness and accuracy of the file.
- Each new Material Safety Data Sheet received by the Hazardous Materials Coordinator shall be assigned a master number, copied, and sent to the ordering department.
- The Hazardous Materials Coordinator is designated the responsibility of submitting reports and MSDS's to the State Emergency Response Board, the Local Emergency Planning Committee, and the local Fire Department as specified by SARA Title III.
- The Hazardous Materials Coordinator is the person designated to be the contact person at the University for these agencies. S/He will also work with the Local Emergency Planning Committee in developing any necessary plans.
- The Hazardous Materials Coordinator shall, in cooperation with the Safety Director, develop and exercise Emergency Response Plans for the facility in accordance with RCRA and SARA Title III.
- The Hazardous Materials Coordinator is designated by the campus to maintain the MSDS's for substances for thirty (30) years following the last use of the product, following notification by the department using the material.

- Each Department shall maintain a complete MSDS file for the materials they purchase, store, and use.
  - The Department is responsible for obtaining the MSDS for each product or chemical currently in inventory so far as is possible.
  - The Department should request on the purchase order the MSDS for each new product ordered for which OSHA requires an MSDS.
  - The Department is responsible for storing the MSDS during the period of use and for notifying the Hazardous Materials Office when the product/chemical is discontinued in use and inventory.
  - The Department is responsible for cross referencing the MSDS with the product, including subsequent dilutions or combinations of the product. This may be done using a numbered index system or other concise, simple system.
  - When the Department receives an MSDS directly, the Department is responsible for providing a dated copy of the MSDS to the Hazardous Materials Coordinator.

- Each department should designate a faculty or staff member who will be responsible for the administration of the Material Safety Data Sheet program, the training of employees and students (Paragraph II), the employee/student right-to-know program (Paragraph III), the annual inventory of stocks (Paragraph IV), and meeting the hazardous waste management responsibilities of the Resource Conservation and Recovery Act (Paragraph V).

II. TRAINING OF EMPLOYEES AND STUDENTS
- Each Department shall provide training for its employees and students who use or come in contact with the various hazardous products/chemicals.
This training shall be documented and in accordance with DILHR 101.58 which states in part:

"...prior to an employe's initial assignment to a workplace where the employe may routinely be exposed to any toxic substance, infectious agent, or pesticide, an employer shall provide the employe with an education or training program. ... Additional instruction (shall be provided) whenever the employe may be routinely exposed to any additional toxic substance or infectious agent."

Where a large number of chemicals in very small order quantities (1 kg per order, 10 x per year) are involved, a general education/training program may be acceptable.

The training shall include advisement of the risks and proper handling techniques for the product/chemical using the MSDS as one source of information.

Training shall also include location of the toxic substance or infectious agent, personal protective equipment to be used, emergency measures, symptoms of acute or chronic over exposure, and proper cleanup and waste management procedures.

Oversight of training and assurance of adequacy of training shall be monitored by the Hazardous Materials Coordinator in cooperation with the Departments.

III. EMPLOYEE RIGHT TO KNOW/STUDENT RIGHT TO KNOW

- Each Department shall provide MSDS information for a specific product/chemical if requested in writing by an employee or student.

  - Employee Right to Know
    - The employee should make the request for the MSDS to his/her immediate supervisor or department chairperson. The request should be in writing to maintain rights for the employee and liability protection for the university.
    - The employee must be provided with a copy of the MSDS in accordance with DILHR 101.58 which specifies the following time frames:
      - Toxic Substances (present at facility at time of request): 15 working days
      - Infectious Agents (present at facility within last 30 days): 72 hours
      - Pesticides (label information): 72 hours

Time frames exclude weekends and legal holidays. If the employer does not have the information on hand, the information must be provided within 30 working days of the request. If the employer requests and cannot obtain the information from the supplier, and does not otherwise have it, the employer is not required to provide it but shall notify the employee of that fact.
If the supervisor is not responsive, the request can be made of the following offices in succession: Department Chairperson, Hazardous Materials Coordinator, Chancellor’s Office.

An employee includes faculty, academic staff, classified staff, LTE’s, student employees, and subcontractors.

### Student Right to Know
- A student may request MSDS information for a particular product/chemical s/he is exposed to by expressing that request in writing to the faculty/staff person in charge of the class, lab, or research project.
- The faculty/staff person receiving the request must make a reference copy available to the student within the time frames listed above in 1.b.
- If the faculty/staff person is not responsive to the request, then a request may be made to the following offices in succession: Department Chairperson, Hazardous Materials Coordinator, Chancellor’s Office.

Record of the MSDS requests and replies/provision of the MSDS should be kept on file to verify compliance with DILHR requirements.

## IV. ANNUAL INVENTORY OF STOCKS

Each Department shall maintain an Annual Inventory which is adequate to provide for the following purposes (including but not limited to):
- Departmental Management of Stocks and MSDS’s
- Inter-departmental transfer of surplus
- University-wide cataloging of stock on hand including location information for the purpose of SARA compliance, conservation, waste management, and MSDS management.

The inventory format (including electronic format) shall be compatible with the format required for the university-wide cataloging system.

The departments are responsible for conducting the inventory and updating the inventory annually and upon receipt of shipments.

The Annual Inventory for the calendar year must be provided to the Hazardous Materials Coordinator by February 1 of the following year.

The Hazardous Materials Coordinator is responsible for coordinating the chemical/ product inventory at the University, and maintaining the university-wide inventory.

All stocks will be labeled with the Material Safety Data Sheet reference key and the NFPA Hazard Diamond in addition to other labeling on the container. If the NFPA diamond is not on the manufacturer’s label, the Department will be responsible for placing the NFPA Diamond on the container.

## V. HAZARDOUS WASTE MANAGEMENT AND RESPONSIBILITIES

The Resource Conservation and Recovery Act of 1980 (RCRA), NR 181, and the US EPA have established a criteria for and a list of chemicals, products, and by-products that pose a serious threat to the environment and/or its inhabitants. These materials, when they become waste, must be managed and disposed of properly in accordance with the regulatory requirements. Wastes with any one or
more of the following characteristics must be managed by the Hazardous Waste Program at the University of Wisconsin-Platteville.

- Ignitability: Liquid with a closed cup flash point of less than 140 F and other. *
- Corrosive: pH of greater than 12.5 or less than 2.0 and other. *
- Reactivity: Unstable and readily undergoes violent change without detonation, reacts violently with water, and other. *
- Tclp Toxic Waste: Waste containing certain levels of specified materials. *
- Listed Wastes: Wastes or waste products containing specifically listed chemicals/compounds. Lists are found in NR 181.16.

* Criteria and characteristics are fully described in NR 181.14 and 181.15. These should be consulted to obtain the full information regarding waste determination. Questions may be directed to the Hazardous Materials Coordinator.

- Generator Responsibility
  - The person in charge of the activity which results in production of hazardous waste is responsible to see that the properly contained material is picked up by the Hazardous Materials Coordinator or Representative for proper disposal.
  - Prior to removal of the waste by the Coordinator or Representative, the generator shall complete a written form indicating the contents and characteristics of the waste. The generator shall also indicate the MSDS sheet number(s) which correspond to the waste or are components of the waste. The generator shall also identify any special or unusual hazards regarding the waste prior to the removal of the waste from his/her possession.
  - The Hazardous Materials Coordinator or Representative is responsible for receiving and transporting the waste from the generator's possession to the Hazardous Waste Storage Facility.
  - Upon receipt, the Hazardous Materials Coordinator is responsible for coordinating the proper storage and disposal of the waste.
  - When an instructor conducts a laboratory experiment, the waste by-products should be assessed for their hazardous waste characteristics. The hazardous waste should be collected and managed under the University's Hazardous Waste Program. Instructors are permitted to include, as a part of their laboratory instruction, elementary neutralization procedures and applications in order to provide students with a better understanding of methods to protect the environment and reduce hazardous waste. If this instructional activity is employed, the amount of waste from the primary experiment, the neutralization procedure used in the secondary experiment, the date, and the outcome should be recorded and forwarded to the Hazardous Materials Coordinator.

- Clean Indoor Air
o BACKGROUND
  ▪ The Wisconsin Legislature has adopted the Clean Indoor Air Act, s. 101.123 Wis. Stats., which describes areas of public buildings where smoking is prohibited and where smoking can be regulated. Areas not described as either smoking prohibited or smoking regulated are treated as outside the scope of the Clean Indoor Air Policy.

o GENERAL PRINCIPLE
  ▪ All persons who choose not to smoke have a right to clean indoor air. It is therefore the policy of The University of Wisconsin-Platteville that smoking is prohibited in all spaces of all University buildings, unless a sign specifically indicates that smoking is permitted, e.g., “Smoking Permitted,” in that space.

o SMOKING PROHIBITED
  ▪ In accord with actions taken by University governance bodies, The university of Wisconsin-Platteville prohibits smoking in any academic or administrative building. Smoking within 25 feet of any entrance or exit, or within 25 feet of any external air handling unit will be a violation of this policy.

o GRIEVANCE PURSUANT TO THIS POLICY
  ▪ An employee or student may grieve either enforcement of this policy or failure to enforce this policy. The grievance shall be brought either pursuant to existing university of Wisconsin grievance procedures or pursuant to a collective bargaining agreement in force for the position occupied by an employee.
  ▪ For additional information on outdoor policy, please visit the University of Wisconsin-Platteville policy on Clean Air and Smoking.

• Misconduct in Scholarly Research
  o Recognizing that honesty in the conduct of academic research is fundamental to its integrity and credibility, and to the maintenance of public trust in the university, UW-Platteville has adopted policies and procedures for reviewing and investigating allegations of misconduct in scholarly research. These policies and accompanying procedures can be obtained in detail in the Vice Chancellor's office upon request. For the purposes of these policies and procedures, "misconduct in scholarly research" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the academic community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data. Retaliation of any kind against a person who reports or provides information about suspected or alleged misconduct and who has acted in good faith is also considered misconduct.
  o Misconduct in scholarly research is prohibited at the UW-Platteville, and may be cause for discipline or dismissal. The complete policy and procedures statement on this topic is available in the Vice Chancellor's office.

• Lobbying Activities
  o REPORTING REQUIREMENTS AND LOBBYING LIMITATIONS
    ▪ The enactment of 1989 Wisconsin Act 338 made some substantive changes in the way that the University of Wisconsin System communicates with elected state officials and their staffs. The act became fully effective on January 1, 1991.
The following provisions of the law apply to administrative, faculty, academic staff, and classified employees.

- Any UW System employee who attempts to influence legislation on behalf and at the request of the university should be included on a semi-annual report submitted by the Chancellor of each UW institution to UW System Administration, which in turn files a single report with the Wisconsin Ethics Board under s. 13.695 of the statutes.

- The retrospective reporting periods are twice per year, covering the period from January 1 to June 30 and that from July 1 to December 31.

- The report includes the names of employees, the proportion of their time spent trying to influence legislation and their salaries. The state Ethics Board suggests percentages be used, i.e., 0%, 5%, or less, etc.

- The percentage of time should "account for time spent developing, drafting, modifying, or attempting to affect administrative rules before the Legislature or any pending or proposed legislation with elected officials or legislative employees" as well as time spent on research and preparation in connection with legislative action.

- The report also asks UW institutions to identify (check a box) the employees "whose normal duties include influencing legislation." This identification is used primarily for directory purposes to identify University officers and legislative liaisons, who are routinely representing the institution.

- If a UW institution or the UW System requests that a UW employee testify for informational purposes at a legislative hearing, he/she should be listed on the report submitted by each chancellor to the UW System Vice President for University Relations. However, if a UW employee is answering a question from a legislator, or is a member of an advisory or rules committee, or a legislative council committee, he/she does not have to be listed.

- The so-called "gag rule" still applies since recent attempts to have it repealed have been vetoed by the Governor. The law prohibits a state employee from lobbying the legislature for an appropriation in support of his or her agency if such an appropriation is greater than (or not included in) that agency's initial budget request. For example, once the UW System Board of Regents has officially approved a biennial budget and submitted it to the Governor, a UW System employee (as an institutional representative) may not legally lobby the legislature for funding that goes beyond the Regents' requests.
• Nothing in the law prohibits a UW System employee from expressing his or her personal views on any subject to his or her own legislator.

• Legislators may accept food or beverages at a University function if the person is presenting a talk or participating in a meeting on government processes and on state-related issues.

• Faculty, staff, and administrators can accept employment from organizations that hire lobbyists. They may also serve on the corporate boards of such organizations.
  ▪ Questions about lobbying may be directed to the UW-Platteville Legislative Liaison.

• Class Cancellation and Campus Closure Policy
  ▪ CLASS CANCELLATION AND CAMPUS CLOSURE POLICY
    ▪ UPDATED OCTOBER 2014
  ▪ In the event that class cancellation or campus closure becomes necessary due to campus emergencies or other events, including inclement weather, that jeopardize the health, personal safety, travel safety, or security of the students and/or employees at UW-Platteville, the following policy and procedures shall be followed by all members of the university community (Administration, Faculty, Academic Staff, Classified Staff, LTEs, and Students).
    ▪ 1. AUTHORITY
    ▪ 1.1 Class Cancellation or Campus Closure:
      ▪ The State of Wisconsin has delegated authority to the UW-System for decisions concerning the cancellation of classes or the closure of campuses to the public due to inclement weather. At UW-Platteville, the Chancellor’s office shall determine whether or not to cancel classes. In the absence of the Chancellor, the next authority in the university’s chain of command shall have the responsibility for taking this action. The Chancellor’s office also determines, in consultation with UW-System Administration, whether or not to close the campus to the public. Only the Governor has the authority to close state offices, including university offices.
      ▪ There are three types of cancellations: 1. classes are cancelled; 2. classes are cancelled and the institution is closed to the public; and 3. classes are cancelled, and the campus is closed to the public and employees. In the first two types of cancellations and closures, all employees are expected to report to work as scheduled, while using discretion about whether or not they can make it safely to work. If classes are cancelled and the campus is closed to the public and employees, only essential personnel (see 3.2 and 3.3) are required to report.
    ▪ 1.2 Pioneer Farm:
      ▪ Special consideration must be given to the off campus status of the Pioneer Farm. Hazardous conditions (i.e. travel safety) at the Pioneer
farm may require on-site classes, labs, or other activities to be cancelled while the main campus (within the City of Platteville) remains in full operation. The academic department and/or program heads, in consultation with the farm faculty and staff, will be responsible for the decision to postpone and reschedule activities at the farm. If activities are postponed at the farm, the Chancellor’s office will be notified via email with a copy to the Provost, Vice Chancellor for Administrative Services, and Assistant Vice Chancellor for Student Affairs.

2. NOTIFICATION

2.1. Announcement:
- The Chancellor will promptly notify the Public Information Officer (PIO) and the chief of University Police once a decision is made to cancel classes or close the campus to the public. Once the directive from the Chancellor’s office is issued, the following methods will be used to notify the campus and Platteville communities:

2.2. UW-Platteville outlets:
- UW-Platteville all-campus e-mail
- UW-Platteville Website (all [www.uwplatt.edu](http://www.uwplatt.edu) pages)
- Pioneer Text Alerts
- Facebook
- Twitter
- Building PAs (if cancellation happens during class time)

2.3. Media Outlets:
- Queen B Radio (WPVL, WGLR, KIYX) Platteville & Lancaster;
- KDTH/KATF Radio, Dubuque;
- WEKZ Radio (FM 93.7 & 102.1, AM 1260), Monroe;
- WSUP-FM, UW-Platteville;
- TV-5, UW-Platteville
- WKOW TV 27, Madison;
- WMTV 15, Madison;
- WISC TV 3, Madison

2.4. University of Wisconsin System:
- Senior Vice President for Administration and Fiscal Affairs

3. UNIVERSITY OPERATIONS

3.1 Employee Responsibilities
- If classes are cancelled, or if the campus is closed to the public, employees are nonetheless expected to report for work as usual. Unclassified personnel policies govern the treatment of faculty and academic staff in the event severe weather causes the disruption or cancellation of work. The effect of closure on classified staff is governed by applicable regulations and labor agreements.

3.2 Essential Operations
- Specific areas of campus operation will need to continue even in the event of class cancellation, campus closure, or other campus emergency. The areas of operation and the personnel needed to ensure continued service
necessary for critical university functions include the following areas, with “A” for all emergencies and “B” depending on the type of emergency:

- **3.2A All Emergencies**
  - Information Technology Services
  - Dining Services
  - Physical Plant
  - Pioneer Farm
  - Public Information Office
  - Residence Life
  - University Police sworn staff

- **3.2B Dependent on Emergency**
  - Children’s Center (when children are present)
  - Library
  - Pioneer Activity Center
  - Registrar’s Office
  - Student Health—Health Services, Athletic Training

Additional essential areas may be needed, depending on the nature of the emergency. Those additional areas may be requested by the EOC or department/program directors.

### 3.3 Essential Personnel
- Positions and personnel required to perform the duties and operations under 3.2 shall be identified and defined by each department or program area, depending on those areas’ Continuity of Operation Plan. Additional personnel may be needed, depending on the nature of the emergency. Those additional personnel may be requested by the EOC or department/program directors.

### 3.4 Activity and Event Cancellation
- In the event of class cancellation, campus closure or other campus emergency, all events and activities of an academic, extra-curricular, or non-essential nature may be cancelled, postponed, and rescheduled by the sponsoring program. Sponsoring programs will e-mail the Public Information Officer and Chief of University Police to notify them of activities and events that are cancelled, postponed, rescheduled, or taking place.

### 3.5 Programs, Activities, and Personnel
- Departments may wish to continue to hold open gym hours, recreational activities for students, residence hall meetings, senior recital practice or faculty group practice in the CFA. Departments will e-mail the Public Information Officer and Chief of University Policy to notify them of such activities.

### 4. TRAVEL
- In the event that hazardous or unsafe travel conditions in the surrounding area or region contributes to the cancellation of classes or campus closure, all university-related travel involving faculty, staff, or students may be cancelled, postponed, and re-scheduled by the sponsoring program.
CALENDARS AND COMMITTEES:

- **Calendars**
  - Official Holidays

- **Committee Structure (Memberships, Functions, and Duties)**
  - **FACULTY GOVERNANCE COUNCILS AND COMMISSIONS**
    - Academic Information Technology Commission
    - Academic Planning Council
    - Appeals Commission
    - Complaints and Grievances Commission
    - Faculty Senate
    - University Academic Budget Commission
    - University Rank, Salary and Tenure Policy Commission
    - University Undergraduate Curriculum Commission
  - **FACULTY GOVERNANCE COMMITTEES**
    - Academic and Institutional Research Committee
    - Academic Standards Committee
    - Admissions and Academic Appeals Committee
    - Appointments and Elections Committee
    - Bylaws Committee
    - Ethics Committee
    - Improvement of Learning Committee
    - Student Discipline Appeal Tribunal
    - Student Discipline Committee
    - University International Education Committee
  - **ACADEMIC STAFF GOVERNANCE**
    - Academic Staff Senate
    - Committee for Elections and Appointments
    - Personnel Commission
    - Professional Development Committee
  - **ADMINISTRATIVE AND STUDENT COMMITTEES**
    - Student Activities Board (SAB)
    - Student Organizations Committee (Committee of Student Senate)
  - **UNIVERSITY COUNCILS AND COMMISSIONS**
    - Campus Planning Commission
    - Sexual Assault Awareness Council
    - University Women's Council
  - **UNIVERSITY COMMITTEES**
    - Affirmative Action and Equal Opportunity Committee
    - Alcohol and Drug Advisory Committee
    - Animal Care and Use Committee
    - Assessment Oversight Committee
    - Commencement Committee
    - Environmental Sustainability Committee
    - Hazardous Wastes and Hazardous Materials Committee

(Table of Contents) Page 59
- Institutional Review Board For Human Subject Research
- Intercollegiate Athletics Committee
- Legislative and Regents Relations Committee
- Library Committee
- Registration Committee
- Student Health Care Committee
- United Way Committee
- University-Community Business Competition Review Committee

○ GLOBAL GUIDELINES
  - No faculty member may serve on more than two of the following:
    - Academic Planning Council
    - Campus Planning Commission
    - Student Affairs Council
    - Summer Session Commission
    - University Academic Budget Commission
    - University Rank, Salary, and Tenure Policy Commission
    - University Undergraduate Curriculum Commission

- FACULTY GOVERNANCE COUNCILS AND COMMISSIONS
  - Academic Information Technology Commission
  - Academic Planning Council
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  o University-Community Business Competition Review Committee
BYLAWS:

FACULTY SENATE AND ACADEMIC STAFF SENATE

- FACULTY HANDBOOK
  - Faculty Handbook Spring 2016

- ACADEMIC STAFF CONSTITUTION
  - We, the academic staff of the University of Wisconsin-Platteville, to support the mission of this university, adopt this Constitution of the Academic Staff.
    - Article I: Authority
      - As authorized by State of Wisconsin statute [36.09 (4m)] and subject to the authority of the University of Wisconsin System Board of Regents, the President of the UW System, and the Chancellor of the University of Wisconsin-Platteville, the academic staff members through their elected governance body organize for the purposes of participation in the governance of this university and to represent the interests of the academic staff of this university.
      - This authority is derived from Act 29 of the Laws of 1985 for the State of Wisconsin, which states: "The academic staff members of each institution, subject to the responsibilities and powers of the board, the president and the chancellor and the faculty of the institution, shall be active participants in the immediate governance of and policy development for the institution... (They) have primary responsibility for the formulation and review, and shall be represented in the development of all policies and procedures concerning academic staff members, including academic staff personnel matters. The academic staff members of each institution shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance."
    - Article II: Name and Membership
      - SECTION 1: NAME
        - The academic staff of the University of Wisconsin-Platteville organize and associate themselves under the name "Academic Staff of the University of Wisconsin-Platteville."
      - SECTION 2: DEFINITION
        - Academic staff members are those persons designated in UW-Platteville 1.03: "Academic staff members are professional and administrative personnel (other than faculty and classified staff) with duties and types of appointments that are primarily associated
with higher education institutions and who are designated as academic staff by the Chancellor."

- **SECTION 3: EXCEPTION TO PRIVILEGES OF ACADEMIC STAFF MEMBERSHIP**
  - Academic staff members who are granted faculty status by the faculty of the University of Wisconsin-Platteville and who choose to participate in faculty governance shall be ineligible to serve as a member of the Academic Staff Senate or of any of its committees, councils or commissions, or to serve as an academic staff representative on any other committees. Neither shall these academic staff members be eligible to vote in elections nor referendums of the academic staff, except in personnel matters. This restriction does not apply to those instructional academic staff members elected as representatives to the Faculty Senate, as detailed in Part III of the Academic Staff Bylaws.

- **Article III: Meetings**
  - General meetings of the academic staff may be called by the Chancellor, the chair of the Academic Staff Senate, or by a petition of twenty percent of the academic staff. The meeting notice shall be communicated to all members of the academic staff in a timely manner. A quorum is defined as forty percent of the academic staff eligible for voting privileges (see Part I, Article II of the Academic Staff Bylaws for voting eligibility requirements) at the time of the meeting.

- **Article IV: Academic Staff Senate**
  - There shall be an Academic Staff Senate that acts as the governance body for the academic staff and that is representative of, and responsible to, the academic staff.

- **Article V: Amendments**
  - This Constitution may be amended by a two-thirds majority of the votes cast by eligible voting members of the academic staff (see Part I, Article II of the Academic Staff Bylaws for voting eligibility requirements). Amendments may be initiated by one of two methods:
    - Through the recommendation of the Academic Staff Senate; or,
    - Through a petition containing signatures of twenty percent of the total membership of the academic staff eligible for voting privileges. This petition shall be submitted to the Academic Staff Senate.

- **ACADEMIC STAFF BYLAWS**
  - **Part I: Academic Staff Membership and Privileges**
    - **Article I: Service Areas of the Academic Staff**
      - **SECTION 1: SERVICE AREAS**
      - The five service areas for the academic staff and the units represented in each area are as follows:
        - **AREA I:** Academic department advising, Distance Education, Continuing Education, Education Office of Special Programs (EOSP), Highway Technician Certification Program (HTCP), Institutional Effectiveness & Assessment, Karrmann Library,
Pioneer Farm, Small Business Development Center, Technical Support [Lab managers, academic department program managers, instrumentation specialists], College of EMS Student Success Programs

- **AREA II:** Administrative Services, Affirmative Action, Auxiliary Accounting, Auxiliary Services Facility Operations, Children's Center, Dining Services, Financial Services, Human Resources, Information Technology Services, Internal Audit, Media Technology Services, External Relations [Foundation, Alumni Services, University Information and Communications, Pioneer Printing and Postal Services], Office of Research & Sponsored Programs, Physical Plant/Facilities Management, Markee Pioneer Student Center Administration, Project Management Center for Excellence (PMCOE), Registrar's Office, Safety and Risk Management, Teaching & Technology Center, University Police

- **AREA III:** Athletics, Campus Life, Center for the Arts/Nohr Gallery, Counseling Services, Intramurals/Pioneer Activity Center (PAC), Pioneer Involvement Center (PIC), Office of Multicultural Student Affairs, Student Affairs, Student Health Services, Residence Life

- **AREA IV:** Admission and Enrollment Services, Academic and Career Advising Center (ACAC), Financial Aid, Pioneer Academic and Transitional Help (PATH), Education Abroad, Services for Students with Disabilities, Student Support Services, Patricia A. Doyle Center for Gender and Sexuality, Robert and James Center for Non-Traditional and Veteran Students, Writing and Tutoring Resources (WATR)

- **AREA V:** Instructional Academic Staff

**SECTION 2: ASSIGNMENT TO SERVICE AREAS**

- All academic staff members holding appointments in only one area shall be assigned to that area only.
- All academic staff members holding split appointments in more than one service area shall be assigned to only one of those service areas. The Committee for Elections and Appointments, in consultation with the individual staff member, shall designate the specific service area for these staff members. Once an individual academic staff member with a split appointment has been designated to a particular service area by the Committee for Elections and Appointments, that designation may not be changed unless the appointment of the individual is revised.
Article II: Eligibility to Vote in Elections and Referenda

- ARTICLE II: ELIGIBILITY TO VOTE IN ELECTIONS AND REFERENDA
  - In order to be eligible to vote in an Academic Staff Senate election or referendum during the academic year, an individual must hold at least a half-time academic staff appointment at the time of the election or referendum. Academic staff members employed for at least a half-time appointment during the spring semester and holding a continuing appointment for at least half-time employment during the fall semester are eligible to vote in elections or referenda held during the summer session even if the staff member does not hold a summer session appointment. A member of the academic staff who is appointed only to the summer session is ineligible to vote in elections or referenda held during the summer session.
  - Academic staff members with appointments split among service areas may vote in an Academic Staff Senate election or referendum within only one service area, with that service area designated by the Committee for Elections and Appointments (see Part II, Article IV, Section 5 of these Bylaws).

Article III: Eligibility to Serve as an Academic Staff Representative

- SECTION 1: ELIGIBILITY TO SERVE ON THE ACADEMIC STAFF SENATE
  - To be eligible to be elected to serve on the Academic Staff Senate, an academic staff member must hold at least a half-time academic staff appointment for the entire academic year and must not fall under the exception noted in Article II, Section 3 of the Academic Staff Constitution. Academic staff members shall be ineligible for election during their first semester of employment at UW-Platteville.

- SECTION 2: ELIGIBILITY TO SERVE ON STANDING BODIES AND AD HOC COMMITTEES OF THE ACADEMIC STAFF SENATE
  - All academic staff members, except those noted in Article II, Section 3 of the Academic Staff Constitution, are eligible to be appointed to serve as academic staff representatives on standing bodies and ad hoc committees of the Academic Staff Senate.

- SECTION 3: ELIGIBILITY TO SERVE ON OTHER COMMITTEES
  - All academic staff members, except those noted in Article II, Section 3 of the Academic Staff Constitution, are eligible to be appointed to serve as academic staff representatives on any other committees with academic staff representation.

Part II: The Academic Staff Senate

- Article I: Name
  - This organization of academic staff shall be known as the Academic Staff Senate of the University of Wisconsin-Platteville.

- Article II: Purpose
  - The Academic Staff Senate shall represent and be responsible to the general academic staff and shall serve as the highest campus forum for
the articulation of academic staff views concerning university, administrative, fiscal, and academic staff matters. The Academic Staff Senate shall represent the academic staff to the administration, the Faculty Senate, and the Student Senate of the University of Wisconsin-Platteville.

- Article III: Academic Staff Senate Year
  - The operating year for the Academic Staff Senate is defined as August 1 through July 31 of the following year.

- Article IV: Composition of Academic Staff Senate
  - **SECTION 1: ACADEMIC STAFF REPRESENTATIVES**
    - The Academic Staff Senate shall have a total of nine academic staff representatives. One member will be elected from each of the five service areas (see Part I, Article I of the Academic Staff Bylaws for service area designations). The four remaining positions will be elected as at-large representatives.
  
  - **SECTION 2: LIMIT ON NUMBER OF REPRESENTATIVES**
    - No service area will be permitted to have more than two representatives serving at one time.
  
  - **SECTION 3: TERMS OF OFFICE**
    - Each representative of the Academic Staff Senate shall be elected to a two-year term of office, with terms commencing at the beginning August 1 following a regular election. (See Part II, Article V, Section 7 of these Bylaws for rules concerning special elections.) Four representatives will be elected in odd numbered years, one from Service Area I, one from Service Area II, and two at-large representatives. Five representatives will be elected in even numbered years, one from Service Area III, one from Service Area IV, one from Service Area V, and two at-large representatives.

  - **SECTION 4: CONSECUTIVE TERMS**
    - An academic staff member is limited to no more than two full consecutive terms on the Academic Staff Senate. A full term is defined as twenty-four months.

  - **SECTION 5: ACADEMIC STAFF WITH SPLIT APPOINTMENTS**
    - An academic staff member holding an appointment in two or more designated service areas may only stand for election in one of those service areas or for election to an at-large seat in one of those service areas on the Academic Staff Senate. The Committee for Elections and Appointments, in consultation with the individual staff member, shall designate the specific service area for a staff member holding appointments in more than one service area. Once an individual academic staff member with a split appointment has been designated to a specific service area by the Committee for Elections and Appointments, that designation may not be changed unless the appointment of the individual is revised.

  - **SECTION 6: LIAISONS AND EX-OFFICIO MEMBERS**
All liaisons and ex-officio members appointed to Academic Staff Senate to represent other organizations or interests are non-voting unless otherwise specifically stated in these Bylaws.

SECTION 7: ADMINISTRATIVE LIAISON
- The Chancellor may appoint an administrative officer as a non-voting liaison to the Academic Staff Senate and to any of its standing bodies.

SECTION 8: FACULTY SENATE LIAISON
- The Faculty Senate may appoint a faculty member as a non-voting liaison to the Academic Staff Senate and also to any of its standing bodies.

SECTION 9: STUDENT SENATE LIAISON
- The Student Senate may appoint a student member as a non-voting liaison to the Academic Staff Senate and to any of its standing bodies.

Article V: Elections

SECTION 1: TIME OF ELECTIONS
- Elections for all open seats of the Academic Staff Senate shall be held each year during the spring semester and shall be completed by the last day of regular classes for that semester.

SECTION 2: REVIEW OF SERVICE AREAS
- Prior to each Academic Staff Senate election, the Committee for Elections and Appointments shall review the service areas and the units within each service area and recommend any revisions to the Academic Staff Senate for review and submission to the membership of the academic staff for action.

SECTION 3: ELIGIBILITY FOR ELECTION TO THE ACADEMIC STAFF SENATE
- To be eligible for election to the Academic Staff Senate, an academic staff member must hold at least a half-time academic staff appointment for the entire academic year. Academic staff members shall be ineligible for election during their first semester of employment at UW-Platteville. An individual academic staff member may stand for election to one seat only in any given election.

SECTION 4: STANDING FOR ELECTION TO THE ACADEMIC STAFF SENATE
- To stand for election to the Academic Staff Senate, an eligible academic staff member must indicate candidacy to the Committee for Elections and Appointments or be nominated for election by the Committee for Elections and Appointments.
- The Committee for Elections and Appointments will only nominate an individual for election in the event that no member of the academic staff has filed to run for a specific Senate seat. Furthermore, the committee will not nominate any individual unless
it is clear that there are no nominations forthcoming from the eligible academic staff members.

- **SECTION 5: CRITERIA FOR ELECTION FROM A DESIGNATED SERVICE AREA**
  - For an academic staff member to be elected as a representative from a designated service area, that candidate must be an academic staff member of that service area and must receive a simple majority of the ballots cast by academic staff members within that service area. Only academic staff members within a specific area may vote for the representative from that service area. If no candidate should receive a simple majority of the votes cast within a service area, a run-off election will be conducted between the persons receiving the two highest vote counts.

- **SECTION 6: CRITERIA FOR ELECTION TO AN AT-LARGE SEAT**
  - For an academic staff member to be elected as a representative to an at-large seat, that candidate must receive a simple majority of the ballots cast by academic staff members. Academic staff members from any area may vote for at-large seats. If no candidate should receive a simple majority of the votes cast, a run-off election will be conducted between the persons receiving the two highest vote counts.

- **SECTION 7: FILLING OF VACANCIES ON THE ACADEMIC STAFF SENATE**
  - In the event that a vacancy occurs in a senate seat when more than half of the elected term remains to be served prior to the next regular election for the Academic Staff Senate, a special election shall be held to fill the vacant seat. A vacancy is created when any sitting senator resigns, is recalled, or changes from one service area to another. If a vacancy occurs in a senate seat when less than half of the elected term remains to be served prior to the next regular election for the Academic Staff Senate, the seat will be filled by an appointment from the Committee for Elections and Appointments, subject to a majority vote of approval by the Academic Staff Senate.
  - A senator filling out a partial term as the result of a special election or through appointment by the Committee for Elections and Appointments shall be eligible to run for, to be elected to, and to serve two full consecutive terms at the end of that partial term, assuming that he or she remains eligible to serve on the Academic Staff Senate under all other bylaws.

- **SECTION 8: ELECTION QUESTIONS OR DISPUTES**
  - The Committee for Elections and Appointments is empowered to determine the methods by which election questions or disputes shall be resolved.
• The officers of the Academic Staff Senate shall consist of a Chair, a Vice-Chair, and a Secretary. These officers shall constitute the Executive Committee of the Senate.

• SECTION 1: DUTIES OF THE CHAIR
  o The Chair shall set the agenda and preside at meetings of the Academic Staff Senate, represent the academic staff to other constituencies, and perform any other duties prescribed to this position within these Bylaws. It is also recommended that the Chair assume the role of the State Representative to UW System.

• SECTION 2: DUTIES OF THE VICE-CHAIR
  o The Vice-Chair shall serve in the absence of the Chair and shall perform other duties as prescribed within these Bylaws. If necessary, the Vice-Chair shall also serve as liaison to the Faculty Senate, as specified in Part I, Article IX, Section 1 of these Bylaws.

• SECTION 3: DUTIES OF THE SECRETARY
  o The Secretary shall work with the Recording Secretary, who will record and distribute the meeting minutes, distribute election results, process communications of and for the Academic Staff Senate, and perform other duties as prescribed within these Bylaws.

• SECTION 4: DUTIES OF THE EXECUTIVE COMMITTEE
  o The Executive Committee is authorized to consult with appropriate administrators and other persons, to establish meeting times and dates for the Senate, to establish the agenda for the meetings; to call special meetings of the academic staff as needed, and to communicate electronically in the interest of time when necessary.

• SECTION 5: ELECTION OF THE OFFICERS
  o The election of officers will occur at the May meeting of the Academic Staff Senate. Officers will serve a term of one-year, beginning August 1.

  ▪ Article VII: Meetings of the Academic Staff Senate

    ▪ SECTION 1: REGULAR MEETINGS
      o The Academic Staff Senate will meet bi-monthly from September through May, with the exception of January. Although bi-monthly meetings shall be scheduled, a Senate meeting may be canceled if there is not enough business to warrant a meeting.

    ▪ SECTION 2: SPECIAL MEETINGS
      o A special meeting of the Academic Staff Senate may be called at any time by one of two methods:
        ▪ By a majority decision of the Executive Committee of the Academic Staff Senate; or
        ▪ By a petition containing signatures of twenty percent of the total membership of the academic staff eligible for voting privileges. This petition shall be submitted to the Academic Staff Senate.
o The meeting shall be set within five working days of receiving a valid petition. The special meeting shall be held at the earliest feasible date.

- SECTION 3: OPEN MEETINGS
  o All meetings of the Senate shall be open. All meetings will be announced in advance.

- SECTION 4: AGENDA FOR ACADEMIC STAFF SENATE MEETINGS
  o The agenda for Academic Staff Senate meetings shall be established by the Chair, in consultation with the Executive Committee, and shall be distributed prior to the meeting. Any member of the academic staff may submit an item to the Executive Committee for consideration for the agenda. Minutes of each meeting of the Senate shall be recorded by the Secretary and distributed.

- Article VIII: Operational Procedures of the Academic Staff Senate
  - The following operational procedures are adopted for the Senate:
    o A quorum of the Senate is defined as five voting members of the Senate.
    o The Senate shall utilize Robert’s Rules of Order - Revised as its definitive source regarding parliamentary procedure.
    o All representatives to the Senate may vote, including the Chair, but excluding the liaisons from other governance bodies.
    o A Senator may appoint an alternate to attend a meeting of the Senate in the event of the Senator’s absence. An alternate must meet the eligibility requirements for election as a Senator from the area represented by the absent Senator. The alternate will have full voting privileges at the Senate meeting.

- Article IX: Duties of Senators
  - SECTION 1: GENERAL DUTIES
    o Represent their appropriate constituency and be a communication link between the Senate and that group.
    o Regularly attend meetings of the Academic Staff Senate.
    o Serve as liaisons on appropriate standing bodies or ad hoc committees of the Academic Staff Senate.
    o In order to facilitate communication between the Academic Staff Senate and the Faculty Senate, a liaison shall be selected to regularly attend meetings of the Faculty Senate. Any Senator may serve in this role, with preference given to Senators from Area V. If there is no other Senator interested in serving, the Vice-Chair shall serve as liaison to Faculty Senate.
  
  - SECTION 2: ABSENCES
    o A Senator may be asked to resign if that Senator misses two consecutive meetings of the Senate without sending a qualified alternate.
  
  - SECTION 3: RECALL OF A SENATOR
A Senator will be recalled from office by a petition to the Academic Staff Senate signed by two-thirds of the academic staff members represented by that Senator.

Part III: Governance Structure
   Article I: Committee for Elections and Appointments
   • It is the responsibility of the Committee for Elections and Appointments to coordinate the election or appointment of academic staff members to the following bodies:
     o Academic Staff Senate
     o Standing bodies of the Academic Staff Senate
     o Ad hoc committees established by the Academic Staff Senate
     o Faculty Senate (see Part III of the Academic Staff Bylaws)
     o University and faculty governance committees that include academic staff representatives
     o Within this charge, specific duties are:
     o To develop and recommend to the Academic Staff Senate the procedures utilized for all elections and appointments within the academic staff.
     o To consult with the Director of Human Resources and the Academic Staff Senate to maintain an accurate listing of all academic staff and to differentiate those eligible to vote in elections and to identify those eligible to hold seats on the Senate or its bodies. Note: Please refer to Part I, Article II of these Bylaws.
     o To hear any charges of election irregularities and to forward its findings to the Academic Staff Senate with a recommendation.
     o To publicize to the members of the academic staff the opportunities for election to the Academic Staff Senate and for service on the other bodies listed above, to promote participation by the members of the academic staff in their governance system, to fill vacancies within the academic staff governance system, and to prepare the ballots for elections.
     o To submit a report to the Senate on a semester basis concerning the activities of the Elections and Appointments Committee. The Elections and Appointments Committee shall present an Annual Report to the Academic Senate at the senate’s last meeting in May.
     o Changes in office names and titles, including changes to punctuation and spelling, appearing anywhere in the Academic Staff Bylaws will be corrected and updated as needed by the Academic Staff Committee for Elections and Appointments. These changes must be submitted to the Academic Staff Senate, which may approve or reject the recommended changes. Approved changes of this type will automatically update the Academic Staff Bylaws without amendment. Note: The power to make and approve these kinds of changes does not include the power to change the makeup of the Academic Staff service areas in Part I,
Article I of these bylaws. Those changes require a vote of the academic staff as a whole.
  o The membership of this committee shall consist of four at-large members of the academic staff and one representative from the Academic Staff Senate. The Academic Senate representative is a voting member of this committee.

- Article II: Personnel Commission
  - The primary purpose of the Personnel Commission is to review general personnel policies or procedures affecting academic staff members and to make recommendations to the Academic Staff Senate.
  - Specifically, the Personnel Commission shall:
    o Review academic staff personnel policies and procedures and make recommendations to the Academic Staff Senate concerning interpretations or revisions.
    o Review implementation of the academic staff titling system decisions to ensure internal equity and application of consistent principles for the maintenance of the UW-System Unclassified Title and Salary Structure.
    o Serve as the first hearing body, following appropriate administrative review, of any academic personnel complaint or grievance.
    o Serve as the academic staff affirmative action committee.
    o Serve as an appeal panel of any academic staff appeal of a denial of a requested retitling or promotion made at the level of the Director of Human Resources or appropriate administrative officer.
  - The membership of this commission shall consist of one representative from each of the five service areas of the academic staff, an academic staff member who is appointed at-large, one member of the Academic Staff Senate, the UW-Platteville Director of Human Resources (ex-officio), and the UW-Platteville Affirmative Action Officer (ex-officio). The Academic Staff Senate representative is a voting member of this committee.

- Article III: Professional Development Committee
  - The Professional Development Committee of the academic staff will be responsible for encouraging the continuing professional development of the academic staff and to make recommendations to the Academic Staff Senate.
  - Specifically, the Professional Development Committee shall:
    o Administer all academic staff professional development programs. This will include:
      ▪ Distribution of proposal information to members of the academic staff, including guidelines for writing proposals, deadlines for submitting proposals, and explanation of funding, objectives, eligibility and evaluation procedures utilized in these programs.
o Evaluation of submitted proposals and submission of recommendations to the Academic Staff Senate.
o Evaluation of these programs as needed.
o The Professional Development Committee will submit an Annual Report concerning its activities to the Academic Senate at the senate's last meeting in May.

- As feasible, arrange for professional development activities on campus for various academic staff areas.
- The membership of this body shall consist of four at-large members of the academic staff plus one representative from the Academic Staff Senate. The Academic Staff Senate representative to this standing body is a voting member.

### Article IV: Academic Staff Award for Excellence Committee

- The UW-Platteville Academic Staff Award for Excellence Committee will annually recognize, through the UW-Platteville Academic Staff Award for Excellence, a non-instructional or instructional academic staff member who has provided essential services to the university while demonstrating excellence of performance, personal interaction, initiative and creativity, and outstanding achievement.
  - Academic staff with split appointments where part is instructional and part is non-instructional, for the purposes of both the UW-Platteville and Regents awards, will fall under whichever appointment is greater than 50%.
- Additionally, the UW-Platteville Academic Staff Award for Excellence Committee shall receive, review and rank of all nominations for the following awards and forward their recommendations to the Academic Staff Senate and Chancellor for approval and forwarding on to the University of Wisconsin System:
  - Regents Academic Staff Excellence Award. The nomination should be for a non-instructional academic staff member who has provided essential services to the university while demonstrating excellence of performance, personal interaction, initiative and creativity, and outstanding achievement. In the event an instructional academic staff member is chosen for the UW-Platteville award, the highest ranking non-instructional staff member will be forwarded for the Regents level award.
  - Regents Academic Staff Program Excellence Award. The nomination should be for a non-instructional Academic Staff program. The program should provide essential services to the university while demonstrating excellence of performance, initiative and creativity, and outstanding achievement.
- The membership of this committee shall consist of one representative from each of the five service areas, an academic staff member who is appointed at-large, and a representative of Academic Staff Senate. The representative of the Academic Staff Senate is a voting member of this committee.
Article V: Ad Hoc Committees
- Ad hoc committees may be established at the request of the Academic Staff Senate, or by petition submitted to the Academic Staff Senate by twenty percent (20%) of the total membership of the academic staff eligible for voting privileges.
- Formation of ad hoc committees would be necessary to address, at great length, issues that may arise and would not be addressed by any of the above stated committees. Membership of any ad hoc committee shall consist from three to seven members of the Academic staff, with the Vice Chair or designated appointee of the Academic Staff Senate serving ex-officio.

Part IV: Instructional Academic Staff Representation on Faculty Senate
- Article I: Representation
  - SECTION 1: SEATS
    - One instructional academic staff member from each college (excluding the Graduate School) shall be elected to serve on the Faculty Senate according to the election procedures in Part III, Article II of the Academic Staff Bylaws. These academic staff members shall have full voting privileges on the Faculty Senate, except that they may not vote on questions involving retention, promotion, or tenure of faculty. Academic staff members elected to the Faculty Senate shall not be eligible to serve as officers on the Faculty Senate.
  - SECTION 2: TERMS
    - Terms for all instructional academic staff member seats on Faculty Senate shall be three years, with the exception of those following the initial election. Terms following the initial election shall be staggered terms of one, two, and three years respectively, with the distribution of these initial terms among the colleges chosen randomly by the Committee for Elections and Appointments.
    - An academic staff member is limited to no more than two full or partial consecutive terms on the Faculty Senate.

- Article II: Elections
  - SECTION 1: ELIGIBILITY FOR ELECTION
    - To be eligible for election to an instructional academic staff seat, an instructional academic staff member must hold at least a half-time academic staff appointment in Area V for the entire academic year. Instructional academic staff members shall be ineligible for election during their first semester of employment at UW-Platteville.
    - If an academic staff member holds appointments in two or more service areas, the portion of the appointment as instructional academic staff (Area V) must be at least half-time, and the staff member must be designated as being in Area V by the Committee on Elections and Appointments for the purposes of election to a seat on the Faculty Senate and for all other purposes. (See Part I, Article I, Section 2 of the Academic Staff Bylaws.)
For an academic staff member to stand for election to a seat on Faculty Senate from a given college, he or she must be a staff member in that college. Academic staff members with split appointments among colleges may stand for election within only one college. The Committee for Elections and Appointments shall determine the college in which a staff member with a split appointment may stand for election in consultation with that individual.

To stand for election to a seat on Faculty Senate, an eligible academic staff member must indicate candidacy to the Committee for Elections and Appointments or be nominated for election by the Committee for Elections and Appointments. The Committee for Elections and Appointments shall only nominate an individual for election in the event that no staff member has filed to stand for election to a given seat. Furthermore, the committee shall not nominate any individual unless it is clear that there are no nominations forthcoming from the eligible staff members.

Prior to each election, the Committee for Elections and Appointments shall review academic staff member appointments to ensure that each candidate in the election meets all of the requirements for serving on the seat for which he or she is standing for election.

- SECTION 2: ELIGIBILITY FOR VOTING IN ELECTIONS
  - Only instructional academic staff members may vote for candidates for instructional academic staff seats on the Faculty Senate. Only instructional academic staff members from a given college may vote for candidates for instructional academic staff representatives on the Faculty Senate from that college.

- SECTION 3: CRITERIA FOR WINNING AN ELECTION
  - For a candidate to win an election for a given instructional academic staff member seat on Faculty Senate, that candidate must receive a simple majority of the ballots cast for that seat by other instructional academic staff members within that staff member’s college. If no candidate receives a simple majority of the votes cast within a college, a run-off election shall be conducted between the persons receiving the two highest vote counts in that college.

- SECTION 4: TIME OF ELECTIONS
  - Elections for open instructional academic staff seats on the Faculty Senate shall be held during the spring semester in conjunction with the elections for open seats on the Academic Staff Senate. These elections shall be completed by the last day of regular classes for that semester.

- SECTION 5: FILLING MID-TERM VACANCIES
  - In the event that one third or more of an elected term remains to be served prior to the next regular election for a vacated instructional
academic staff seat on Faculty Senate, a special election shall be held to fill the vacant seat. If less than one third of an elected term remains to be served prior to the next regular election for a vacated seat, the seat shall be filled by appointment by the Committee for Elections and Appointments, subject to a majority vote of approval by the Academic Staff Senate.

- **Note:** The only exception to this rule shall be with the initial one and two year terms served by staff members following the first election for these seats. In the case that a vacancy occurs for a seat in either of these terms at any time, the seat shall be filled by appointment by the Committee on Elections and Appointments, subject to a majority vote of approval by the Academic Staff Senate.

- **SECTION 6: ELECTION QUESTIONS OR DISPUTES**
  - The Academic Staff Committee for Elections and Appointments is empowered to determine the methods by which election questions or disputes shall be resolved.

- **Part V: Personnel Policies and Procedures**
  - **Chapter I: Coverage, Delegation, and Definition**
    - **1.01 COVERAGE**
      - Pursuant to UWS 9.01, these policies and procedures apply to all academic staff appointments on the University of Wisconsin-Platteville campus.
    - **1.02 DELEGATION**
      - Pursuant to UWS 9.02, the University of Wisconsin-Platteville establishes the Academic Staff Senate to advise the Chancellor on development of policies and procedures relative to the academic staff. The Senate then assists in the implementation of adopted policies and procedures.
      - The University of Wisconsin-Platteville also establishes the Personnel Commission as one of the standing committees for the Academic Staff Senate. The Personnel Commission will advise the Academic Staff Senate and the Chancellor on the development of personnel policies and procedures relative to the academic staff. The Personnel Commission will assist in the implementation of the adopted personnel policies and procedures.
    - **1.03 DEFINITION OF ACADEMIC STAFF MEMBER**
      - Academic staff members are administrative, instructional, and other professional personnel (other than faculty and classified staff) with duties and types of appointments that are primarily associated with higher education institutions and who are designated as academic staff by the Chancellor.

- **Chapter II: Structure of the Academic Staff Personnel Commission**
  - **2.01 PERSONNEL COMMISSION**
    - The Personnel Commission of the Academic Staff Senate is established by the Academic Staff Bylaws in Part II, Article II. The
primary purpose of the Personnel Commission is to review any personnel policies or procedures affecting academic staff members and to make recommendations to the Academic Staff Senate. Specifically, the Personnel Commission shall:

- Review academic staff personnel policies and procedures and make recommendations to the Academic Staff Senate concerning interpretations or revisions.
- Review the implementation of the academic staff titling system decisions to ensure internal equity and application of consistent principles for the maintenance of the UW-System Unclassified Title and Salary structure.
- Serve as the first hearing body, following appropriate administrative review, on any academic staff personnel complaint or grievance.
- Serve as the academic staff affirmative action committee.
- Serve as an appeal panel for any academic staff appeal of a denial of a requested retitling or promotion made at the level of the Director of Human Resources or appropriate administrative officer.

2.02 MEMBERSHIP OF THE PERSONNEL COMMISSION

- The membership of this commission shall consist of one representative from each of the five service areas of the academic staff, an academic staff member who is appointed at-large, one member of the Academic Staff Senate, the UW-Platteville Director of Human Resources (ex-officio), and the UW-Platteville Affirmative Action Officer (ex-officio). The Academic Staff Senate representative is a voting member of this committee. The Commission shall annually select a chairperson, vice-chairperson and secretary from the members of the Commission.

Chapter III: Academic Staff Appointments

3.01 TYPES OF APPOINTMENTS

- Academic staff appointment may be fixed term (including multi-year and rolling horizon), probationary, or indefinite as determined by the Chancellor.

3.02 FIXED TERM APPOINTMENTS

- A fixed term appointment shall be for a definite period of time which is specified in a letter of appointment; shall be renewable solely at the option of the employing institution; and shall carry no expectation of re-employment beyond the stated term, regardless of how many times renewed. The initial fixed term appointment may include a specified period of up to two months during which the appointee may be dismissed without appeal at the discretion of the Chancellor. If such a period of evaluation is used, the letter of appointment must so state. A dismissal during this period is not subject to the provisions of UWS 11. Unless otherwise stated, a
fixed term appointment shall be for a period of one year. Other
types of fixed term appointments are:
  - A multi-year appointment which specifies a fixed number of
    years beyond one (1) year.
  - A rolling horizon appointment which is at least a two (2) year
    appointment that rolls over every year so that the
    appointment continues to maintain itself at the specified
    length until/unless notice is given that it is ending, changing,
    and/or being replaced by another type of appointment.

3.03 PROBATIONARY APPOINTMENTS
  - A probationary academic staff appointment is one which leads to
    review and to a decision of indefinite appointment. The
    probationary period at the University of Wisconsin-Platteville shall
    be not less than one year or greater than seven years. A longer
    maximum probationary period, not to exceed 14 years, may be
    provided for part-time employees. Up to, but not exceeding, three
    years of service at another institution (six year for part-time
    employees) may be counted in the probationary period. The letter
    of appointment must clearly state the amount of prior service to be
    counted. A probationary staff member whose initial salary is paid
    from one fund source subsequently may be paid from other funds
    upon written notification. If such a change in funding occurs,
    previous probationary service shall not be lost and probationary
    status shall continue during alternate funding.

3.04 INDEFINITE APPOINTMENTS
  - An indefinite appointment is an appointment with permanent status,
    for an unlimited term, which is granted by the Chancellor. Only for
    cause under UWS 11 or for reasons of budget or program under
    UWS 12 will such an appointment be terminated. Such an
    appointment may be granted to a member of the academic staff
    who holds or will hold a half-time appointment or more. The
    percentage of time (full-time or part-time) provided for in the
    indefinite appointment may not be decreased or increased without
    the mutual consent of the academic staff member and the
    institution unless the appointment is terminated or decreased under
    UWS 11 or UWS 12.

3.05 OPERATIONAL AREA
  - The operational area of fixed term, probationary, limited, and
    indefinite appointment is in the college, school, division,
    department, service area or specified research or program unit
    indicated in the letter of appointment; the appointment does not
    carry rights beyond that limitation.
  - An academic staff member with an indefinite appointment does not
    lose that status by accepting a limited appointment.

3.06 LETTERS OF APPOINTMENT AND REAPPOINTMENT
Appointment. The terms and conditions of the appointment shall be specified in a written letter of appointment signed by the Chancellor or designee. The appointment letter shall contain details as to the terms and conditions of the appointment, including but not limited to the following:

- Hayes/Hill title and working title of the individual
- Title and name of the person in immediate supervision of the employee
- The percentage of appointment (e.g. full-time 100%, part-time 50%)
- The operational area of the appointment
- Duration of appointment (including starting and ending dates when appropriate)
- Initial evaluation period of section 3.02 of these rules if used
- Amount of prior service counted, if applicable
- Length of probationary period, if applicable
- A statement of salary, as well as, the source of funds from which the salary will be paid
- General position responsibilities
- If the appointment is subject to the advance approval of the Board of Regents, a statement to this effect must be included in the letter. Accompanying this letter shall be the UWS and UW-Platteville regulations, rules, procedures, and benefits relating to academic staff appointments.

Reappointment. Reappointment letters shall be sent to academic staff members by the Chancellor or designee and shall include any changes in points 1-11 in (a) above.

Significant Changes in Appointment. If a significant change in the existing conditions of the appointment occurs during the appointment period, the proposed change in conditions should be reviewed by the Personnel Commission for retitling or promotion prior to implementation.

- 3.07 OFFICIAL PERSONNEL FILE
  - The office of the Chancellor shall maintain the official personnel file for each academic staff member. The contents and uses of such official personnel files are governed by the current University of Wisconsin-Platteville statement on the confidentiality of personnel records.

- 3.08 RECRUITMENT
  - The Chancellor or designee and division head are responsible for initiating an active recruitment procedure for academic staff consistent with board policy and state and federal laws with respect to equal employment opportunities. Copies of recruitment procedures may be obtained from the Vice Chancellor and/or the affirmative action officer.

Chapter IV: Performance Evaluation
4.01 PERFORMANCE REVIEW

- Every academic staff member shall be reviewed annually. Academic staff have a right to be informed at the beginning of the evaluation period regarding the criteria used for evaluation. Academic staff have a right to be informed of the evaluation and salary recommendation at every level of review. An academic staff member who does not concur with any of the evaluations/recommendations may attach a self-evaluation and supporting documentation to the performance evaluation form. Academic staff also must be given a copy of their completed evaluation form.

4.02 ACADEMIC STAFF PERFORMANCE EVALUATION FORM

- Developed by the Personnel Commission and approved by the Academic Staff Senate and the Chancellor, this form will be used to evaluate each staff member. Evaluation forms will be distributed to each supervisor and will also be available through the Human Resources Office. This form requires that goals and objectives be established each year at the beginning of the evaluation period. Once approved by the supervisor, these goals and objectives, along with job duties outlined in the position description, become the basis for the annual review.

4.03 GOAL-SETTING CONFERENCE

- At the beginning of the evaluation period, the academic staff member and supervisor will set goals for the four areas listed as performance criteria on the Academic Staff Performance Evaluation Form: effectiveness in assigned duties, scholarly and professional activity, professional university service, and community service. Each area must be assigned a percentage weight so that the sum total equals 100 percent. The Personnel Commission recommends that 70 percent be the minimum percent weight assigned to effectiveness in assigned duties. The academic staff member and supervisor should sign a statement that they have discussed the goals and the percentage weights. The supervisor will provide the academic staff member with a final copy of the goals and objectives and percentage weights discussed during the goal-setting conference.

4.04 ANNUAL REVIEW CONFERENCE

- An annual evaluation conference is to be held between the academic staff member and the immediate supervisor. Advance notification must be given to the academic staff member to allow time to prepare for the evaluation. A copy of the completed evaluation form is to be given to the academic staff member within ten (10) working days of the review conference. The original form with goals and supporting material attached should be sent to the next level of supervisory review. For instructional academic staff, this should also include the results of student evaluations.
4.05 CHANGES OR ADDITIONS TO THE PERFORMANCE EVALUATION
  o Supervisors at subsequent levels who add comments and/or make changes to the academic staff member’s salary recommendation may do so in the space provided but must send a copy to the academic staff member.

4.06 ACADEMIC STAFF MEMBER’S RIGHT TO DISAGREE WITH EVALUATION
  o Any staff member who does not concur with any of the evaluations/recommendations is encouraged to submit a self-evaluation and supporting documentation to the supervisor within five (5) working days of receipt of the written evaluation. The supervisor’s evaluation and the employee’s response shall be forwarded to the next level of supervisory review within ten (10) working days of receipt of the employee’s response.

4.07 ACADEMIC STAFF EVALUATION FILE
  o After all signatures have been gathered, the Academic Staff Performance Evaluation Form will be placed in the employee’s evaluation file, which is to be housed with the area head or dean, and a copy will be returned to the academic staff member.

Chapter V: Retitling and Promotion

These policies and procedures apply to all changes that do not involve a formal search and screen process.

5.01 RETITLING
  o Retitling involves assignment to a different Unclassified Title Structure due to a documented and ongoing change in defined duties or responsibilities, role, function or scope as measured against the original position description. A retitling may occur when the scope of work performed in the position is either more or less than is contained in the original position description. A retitling may also occur to correct/amend errors in the initial titling of the position. The Director of Human Resources, in consultation with the direct supervisor and the appropriate division head, will determine whether a retitling request is appropriate or a formal search and screen process is required.

  o Initiation of a Request for Retitling

  A request for retitling may be made by either the academic staff member in the position or any line supervisor of the position.

  o Retitling Forms

  The Retitling Request Form and Position Description Questionnaire must be completed for all retitling requests. The request is completed by the academic staff member and/or the immediate supervisor and is submitted, with past and updated position
descriptions and organizational chart, for review and recommendation by the immediate supervisor and dean/director. The Request is then forwarded to the Director of Human Resources for review according to Unclassified Personnel Guideline 4, plus attachments, governing the Unclassified Title and Salary Structure. If recommended by the Director of Human Resources, the retitling request will be forwarded to the appropriate administrative officer for review and recommendation and to the Chancellor for final approval or denial.

- **Evaluation Criteria**

  All retitling decisions must meet the requirements of the Unclassified Title and Salary Structure and will be subject to existing fiscal constraints.

- **Supervisory Action**

  Supervisory staff are to sign the Retitling Request Form indicating positive or negative recommendation, and attach documentation addressing rationale for the recommendation based on the Unclassified Title and Salary Structure. All documents, regardless of positive or negative recommendations, continue to the next level of supervisory review. In either event, the academic staff member will be informed of the supervisor’s recommendation.

- **Appeal Requests**

  If a negative recommendation is given at the level of the Director of Human Resources or the appropriate administrative officer, the academic staff member must be informed and allowed time to appeal the decision to the Academic Staff Personnel Commission as specified in UW-Platteville 5.03.

- **Withdrawal of Request**

  Any person initiating a request for retitling or appeal of denial of a request for retitling may withdraw the request at any time during the process.

- **Denial of Request**

  If a retitling request meets the Unclassified Title and Structure guidelines, but is denied due to institutional priorities or needs, or fiscal constraints, the academic staff member cannot be required to perform the responsibilities of a position for which he/she is not
o Effective Date

The effective date of approved retitlings for annual appointments shall be July 1; the effective date for academic year appointments shall be the beginning of the next academic year contract. Exceptions to these dates must be approved by the Chancellor.

- 5.02 PROMOTION
  o Promotion occurs through advancement to a higher level within one’s current title series for:
    - 1. instructional/academic staff—based on the increased degree of involvement in course and curriculum development, course scheduling, advising, and demonstrable differences in experience and knowledge gained pursuant to Function and Prefix Definitions contained in Unclassified Personnel Guideline (UPG) #1; or
    - 2. professional academic staff—based on progressively greater required experience, professional expertise and knowledge applied to duties and responsibilities expected of the position, pursuant to Function and Prefix Definitions contained in Unclassified Personnel Guideline (UPG) #1.
    - 3. Promotion in the Program Manager Series reflects differences in experience and knowledge gained by a Program Manager as a program grows and develops, increases in size and complexity, and/or requires increased supervisory involvement based on growth and complexity.
  o Promotion will also include a change in title and an increase in salary grade, but will not be subject to section 5.01: Retitling.
    - Initiation of a Request for Promotion
      A request for promotion may be made by either the academic staff member in the position or any line supervisor of the position.

- Promotion Forms and Supporting Documentation

For all promotions the Promotion Request Form is completed by the academic staff member and/or the immediate supervisor and is submitted, with appropriate documentation, including an annual performance review form, for review and recommendation by the immediate supervisor and dean/director.

If the promotion request is for a position in Compensation
Category A, appropriate documentation will also include a completed Position Description Questionnaire.

In the Professional Series of Compensation Category A, also attach letters of support from the immediate supervisor and director demonstrating that the academic staff member is performing at the level outlined in the function and prefix definition for the position.

In the Program Manager Series of Compensation Category A, also attach letters of support from the immediate supervisor and dean/director demonstrating that the program has so increased in size and complexity as to merit a promotion for the incumbent.

If the promotion request is for a position in Compensation Category B, Academic Instructional Staff, and the request is for promotion from Lecturer to Senior Lecturer, the staff member must first have served the University of Wisconsin-Platteville at 50% or greater appointment for a minimum of five (5) years. Appropriate documentation will also include a cover letter of approximately 1000 words from the employee describing how he/she fulfills the criteria for the promotion, a current curriculum vitae, a letter of support from the department chair, and at least two letters of support from peers, demonstrating that the academic staff member is performing at the level outlined in the prefix definition for the position.

The request is then forwarded to the Director of Human Resources for review according to Unclassified Personnel Guideline 4, plus attachments, governing the Unclassified Title and Salary Structure. If recommended by the Director of Human Resources, the promotion request will be forwarded to the appropriate administrative officer for review and recommendation, and to the Chancellor for final approval or denial.

- **Evaluation Criteria**

  All promotion decisions must meet the requirements of the Unclassified Title and Salary Structure and will be subject to existing fiscal constraints.

- **Supervisory Action**
Supervisory staff are to sign the Promotion Request Form indicating positive or negative recommendation, and attach documentation addressing rationale for the recommendation based on the Unclassified Title and Salary Structure. All documents, regardless of positive or negative recommendations, continue to the next level of supervisory review. In either event, the academic staff member will be informed of the supervisor’s recommendation.

### Appeal Requests

If a negative recommendation is given at the level of the Director of Human Resources or the appropriate administrative officer, the academic staff member must be informed and allowed time to appeal the decision to the Academic Staff Personnel Commission as specified in UW-Platteville 5.03.

### Withdrawal of Request

Any person initiating a request for promotion or appeal of denial of a request for promotion may withdraw the request at any time during the process.

### Denial of Request

If a request for promotion meets the Unclassified Title and Structure guidelines, but is denied due to institutional priorities or needs, or fiscal constraints, the academic staff member cannot be required to perform the responsibilities of a position for which he/she is not currently titled.

### Effective Date

The effective date of approved promotions for annual appointments shall be July 1; the effective date for academic year appointments shall be the beginning of the next academic year contract. Exceptions to these dates must be approved by the Chancellor.

- **5.03 APPEAL PROCESS**
  - The Academic Staff Personnel Commission serves as the appeal panel for any academic staff appeal of a denial of a requested retitling or promotion made at the level of the Director of Human Resources or the appropriate administrative officer.
  - The appeal shall be limited to a review of the materials submitted with the retitling or promotion request. The Academic Staff Senate...
Personnel Commission shall submit its findings, citing the bases for such findings, along with its recommendation supporting or denying the appeal, to the appropriate academic officer or the Chancellor. If the appeal is from a negative recommendation by the Director of Human Resources, the recommendation shall be to the appropriate academic officer. If the appeal is from a negative recommendation by the appropriate academic officer, the recommendation shall be to the Chancellor. The decision of the Chancellor shall be final and not subject to further review or appeal.

- NOTE: The Personnel Commission will be providing timelines for the appeal process in a procedural document.

- Chapter VI: Nonreappointment of Fixed Term Employees
  - 6.01 POSITION SECURITY
    - A fixed term staff member who has served for five (5) years or more should not be placed on nonreappointment status for the purpose of providing a position opening for a faculty or classified staff member facing a potential or realized layoff, unless the faculty or classified staff member facing a potential or realized layoff has seniority and clearly demonstrated competency. This does not preclude any provisions of UWS 12.03.
  - 6.02 NOTICE PERIODS
    - Written notice that a fixed term academic staff appointment will not be reappointed shall be given to the appointee in advance of the expiration of the appointment as follows:
      - Fixed term appointments - at least three (3) months before the end of the appointment in the first two (2) years; six (6) months in the third, fourth, and fifth years; and twelve (12) months thereafter.
      - When the letter of offer for a fixed term appointment specifically states that reappointment is not intended, no further notice of nonreappointment is required. A fixed term letter from the Chancellor needs to be sent on an annual basis.
    - If proper notice of nonreappointment is not given in accordance with UWP 6.02 (a), the appointment shall be extended so that the required notice is provided.
  - 6.03 COMMENCEMENT OF THE RECONSIDERATION PROCESS
    - During the third year of service to the university and thereafter, a member of the academic staff with a fixed term appointment who receives a written notice of nonreappointment has the right to receive reasons as specified in UWP 6.04 and reconsideration as specified in UWP 6.05.
  - 6.04 STATEMENT OF REASONS FOR NONREAPPOINTMENT
    - Within five (5) working days of receipt of the nonreappointment notice, the nonreappointed academic staff member may request in writing, the reasons for nonreappointment from his/her supervisor.
The supervisor must inform the academic staff member in writing the reasons for nonreappointment and the procedures for reconsideration under UWP 6.05 within five (5) working days of receipt of this request.

- **6.05 RECONSIDERATION OF NONREAPPOINTMENT**
  - If the academic staff member wishes a reconsideration, a written request to the supervisor shall be made within five (5) working days of the receipt of the reasons for nonreappointment. The meeting with the supervisor for reconsideration shall be held within ten (10) working days of the receipt of the request, and the academic staff member shall be notified a minimum of three (3) working days prior to the meeting. The time limits may be extended by written mutual consent of all parties involved. The reconsideration meeting shall be closed. The purpose of the reconsideration meeting is to allow the academic staff member an opportunity to persuade the supervisor to change his/her recommendation of nonreappointment by challenging the stated reasons and/or by offering additional evidence. Following the reconsideration, the supervisor shall forward his/her recommendations to the Chancellor or designee.

- **6.06 CHANCELLOR OR DESIGNEE ACTION ON RECOMMENDATION FOR NONREAPPOINTMENT**
  - If the supervisor forwards a recommendation of nonreappointment for an academic staff member and the Chancellor or designee accepts that recommendation, then within ten (10) working days of receipt of the recommendation, the Chancellor or designee shall inform the academic staff member that his/her appointment is terminated. If the Chancellor does not agree with the supervisor's recommendation for nonreappointment, he/she will inform all parties involved in writing.

- **Chapter VII: Nonrenewal of Probationary Academic Staff**
  - **7.01 POSITION SECURITY**
    - A probationary employee who has served for five (5) years or more should not be placed on nonrenewal status for the purpose of providing a position opening for a faculty or classified staff member facing a potential or realized layoff, unless the faculty or classified staff member facing a potential or realized layoff has seniority and has clearly demonstrated competency. This does not preclude any provisions in UWS 12.03.
  
  - **7.02 NOTICE**
    - Written notice that a probationary academic staff appointment will not be renewed shall be provided by an authorized university official as outlined in UWS 10.05 (b).

  - **7.03 COMMENCEMENT OF RECONSIDERATION PROCESS**
    - A member of the academic staff who has a probationary appointment and who receives a written notice of nonrenewal has
the right to receive reasons as specified in UWP 7.04 and reconsideration as specified in UWP 7.05.

- **7.04 STATEMENT OF REASONS FOR NONRENEWAL**
  
  o Within five (5) working days of receipt of the nonreappointment notice, the nonreappointed academic staff member may request in writing the reasons for nonreappointment from his/her supervisor. The supervisor must inform the academic staff member in writing the reasons for nonreappointment and the procedures for reconsideration under UWP 7.05 within five (5) working days of receipt of this request.

- **7.05 RECONSIDERATION OF NONRENEWAL**
  
  o If the academic staff member wishes a reconsideration, a written request to the supervisor shall be made within five (5) working days of the receipt of the reasons for nonrenewal. The meeting with the supervisor for reconsideration shall be held within ten (10) working days of the receipt of the request, and the academic staff member shall be notified a minimum of three (3) working days prior to the meeting. The time limits may be extended by mutual consent of all parties involved. The reconsideration meeting shall be closed. Upon the request of either party, the supervisor's supervisor shall be present. The purpose of the reconsideration meeting is to allow the academic staff member an opportunity to persuade the supervisor to change his/her recommendation of nonrenewal by challenging the stated reasons and/or by offering additional evidence. Following the reconsideration, the supervisor forwards his/her recommendation with reasons to the Chancellor or designee.

- **7.06 CHANCELLOR OR DESIGNEE ACTION ON RECOMMENDATION FOR NONRENEWAL**
  
  o If the supervisor forwards a recommendation of nonrenewal for an academic staff member and the Chancellor or designee accepts that recommendation, within ten (10) working days of receipt of the recommendation, the Chancellor or his/her designee shall inform the academic staff member in writing of the date the academic staff member’s appointment is terminated and of his/her rights to written reasons and review. If within five (5) working days of receiving the termination notice, the academic staff member requests written reasons and/or review, the Chancellor or designee must respond to the request for written reasons and/or review. The Chancellor or designee shall respond to the request for written reasons within five (5) days and shall inform the academic staff member of the procedures of review (appeal) in UWP 7.07.

- **7.07 REVIEW OF NONRENEWAL DECISIONS**
  
  o The Academic Staff Personnel Commission shall serve as the hearing body for review on nonrenewal of probationary staff members. The nonrenewed probationary academic staff member
shall have the opportunity to receive a review of the decision of nonrenewal upon written request to the Academic Staff Personnel Commission within 20 days of notice on nonrenewal from the Chancellor or designee. The burden of persuasion in such a review shall be on the academic staff member requesting the review. Such review shall be held not later than 20 days after the request, except that this time limit may be extended by written mutual consent of the parties or by order of the Academic Staff Personnel Commission. The scope and procedures of the hearing on the review shall be limited under UWS 10.04.

- **7.08 DEADLINES**
  - Failure by the academic staff member to meet the deadlines in UWP 7.07 shall be considered a waiver of those procedures, and the supervisor will continue the procedures as outlined, except where the deadlines have been extended by mutual consent of both parties or by order of the Academic Staff Personnel Commission.

- **Chapter VIII: Indefinite, Multi-Year, and Rolling Horizon Appointments**
  - **8.01 DIRECT APPOINTMENT TO INDEFINITE STATUS OR MULTI YEAR STATUS**
    - The Chancellor or designee may at his/her discretion grant an indefinite appointment or multi-year appointment as part of the terms of an initial appointment or may grant same to an academic staff member on a fixed term appointment. The Director of Human Resources shall review all such recommendations for indefinite appointment and shall forward his/her recommendation to the chancellor or designee.

  - **8.02 (1) APPOINTMENT TO INDEFINITE STATUS FROM PROBATIONARY STATUS**
    - A decision on indefinite appointment must be made no later than the end of the sixth year of probationary service. The supervisor must notify a probationary academic staff member in writing at least thirty days prior to the review at which assignment to indefinite appointment will be considered. The academic staff member may review his/her official personnel file and may submit additional written material which would have a direct bearing on job performance evaluation as specified in UWP Academic Staff Performance Review and Salary Recommendation Procedures. A conference between the academic staff member and supervisor will be held at the request of the academic staff member. All probationary appointments to indefinite status appointments must be recommended by the individual's supervisor(s), the administrative area head, the Director of Human Resources, and the assistant chancellor or Provost[S1]. The recommendation shall be forwarded to the Chancellor for final action.
8.02 (2) CHANCELLOR OR DESIGNEE ACTION ON RECOMMENDATION FOR INDEFINITE APPOINTMENT FROM PROBATIONARY STATUS

- Upon receipt of the recommendations from the supervisor, the area head, the Director of Human Resources, and the assistant chancellor or Provost, the chancellor or designee shall review the recommendations with the goal of maintaining the professional nature of the academic staff. If the Chancellor or designee decides not to recommend an indefinite appointment, he/she shall notify the individual of the decision within ten (10) working days. Within five (5) working days of receipt of the decision the academic staff member may request written reasons and/or conference. The Chancellor or designee shall respond within ten (10) working days to the request. In the event the academic staff member is in the sixth year of service, the Chancellor or designee shall follow the procedures beginning in UW-Platteville 7.07.

8.03 (1) APPOINTMENT TO INDEFINITE STATUS FROM FIXED TERM STATUS

- The Chancellor or designee must review annually the appointment of academic staff who hold academic staff appointments of 0.5 FTE or more for at least the academic year, are funded from program revenue or general purpose funds, and have served ten (10) years or more on successive fixed term contracts to determine the feasibility of moving such individuals to indefinite or multi-year appointment(s). Academic Staff with less than ten (10) years may request a review for indefinite appointment. All indefinite and multi-year appointments must be recommended by the individual's supervisor(s), the administrative area head, the Director of Human Resources, and the assistant chancellor or Provost. The recommendation will be forwarded to the Chancellor for final action.

8.03 (2) CHANCELLOR OR DESIGNEE ACTION ON RECOMMENDATION FOR INDEFINITE APPOINTMENT STATUS FROM FIXED TERM STATUS

- Upon receipt of the recommendations from the supervisor(s), the administrative area head, the Director of Human Resources, and the assistant chancellor or Provost, the chancellor shall review the recommendations with the goal of providing increased job security for the academic staff member. A member of the academic staff may appeal in writing any negative recommendation to the next appropriate review level. Only employees with seven (7) or more years of service are eligible to submit appeals. If there is no appeal, the process stops. If the Chancellor decides not to recommend an indefinite appointment or a three (3) year multi-year appointment, the academic staff member with seven (7) to nine (9) years of service must be given the reasons upon request. Academic staff with ten (10) or more years of service must be given written reasons.
8.04 (1) APPOINTMENT TO MULTI-YEAR OR ROLLING HORIZON FIXED TERM STATUS
  o The Chancellor or designee must review annually the appointments of academic staff who hold academic staff appointments of 0.5 FTE or more for at least the academic year, who are funded from program revenue or general purpose funds, and who have served seven (7) years or more on successive fixed term contracts to determine the feasibility of moving such individuals to multi-year appointments. Academic staff members in the fifth or sixth year of service may apply for a two (2) year multi-year appointment and are responsible for initiating the evaluation process and providing all required documentation. All multi-year appointments must be recommended by the individual's supervisor(s), the administrative area head, the Personnel Commission of the Academic Staff Senate, and the assistant chancellor or Provost. The recommendations will be forwarded to the Chancellor for final action.

8.04 (2) CHANCELLOR OR DESIGNEE ACTION ON RECOMMENDATION FOR MULTI-YEAR OR ROLLING HORIZON APPOINTMENT STATUS
  o Upon receipt of the recommendations from the supervisor(s), the administrative area head, the Director of Human Resources, and the assistant chancellor or Provost, the Chancellor shall review the recommendations with the goal of providing increased job security for the academic staff member. A member of the academic staff may appeal in writing any negative recommendation to the next appropriate review level. Only employees with seven (7) or more years of service are eligible to submit appeals. If there is no appeal, the process stops. If the Chancellor decides not to recommend an indefinite appointment or multi-year appointment, the academic staff member shall be given the written reasons upon request.

Chapter IX: Dismissal of Academic Staff for Cause

9.01 DISMISSALS
  o The procedures for dismissal for cause of academic staff are set forth in Wis. Stat. § 36.115(4) and UWS 11. Wis. Stat. § 36.115(4) requires that dismissal for cause grievance procedures include a hearing before an impartial hearing officer. For purposes of academic staff dismissal for cause, the impartial hearing office shall be the Academic Staff Personnel Commission.

9.02 DISMISSAL FOR CAUSE - FIXED TERM OR PROBATIONARY ACADEMIC STAFF
  o A member of the academic staff holding a probationary appointment or a member of the academic staff holding a fixed term appointment, who has served the university for an initial period of up to two (2) months, may be dismissed prior to the end of the contract term only for just cause or for reasons of budget or
program under UWS 12. A nonrenewal of such appointment is not a dismissal under this section. A dismissal shall not become effective until the individual concerned has received a written notification containing specific charges leading to the dismissal and the process that a grievant and employer must follow. Procedures for dismissal for cause for fixed term or probationary academic staff appointments shall be pursuant to UWS 11.11.

- **9.03 DISMISSAL FOR CAUSE - INSTRUCTIONAL ACADEMIC STAFF**
  - Dismissal for cause of a member of the academic staff having 51% or more teaching responsibilities and holding a probationary or fixed term appointment shall be pursuant to UWS 11.11.

- **9.04 BOARD REVIEW**
  - A member of the academic staff holding a probationary appointment or a member of the academic staff holding a fixed term appointment who has been dismissed for cause by the chancellor following a hearing may appeal this action to the Board of Regents pursuant to the procedures contained in UWS 11.10.

### Chapter X: Layoff of Academic Staff for Reasons of Budget or Program

- **10.01 LAYOFF**
  - For the purposes of this chapter, "layoff" is the suspension of an academic staff member’s employment by the University of Wisconsin System during the appointment period for reasons of budget or program suspension.
  - A laid-off academic staff member retains the rights specified in UWS 12.07 through 12.11 inclusive.

- **10.02 UNIVERSITY LAYOFF DECISION**
  - When layoff action is deemed necessary due to budget limitations or program discontinuance, curtailment, modification, or redirection, the Chancellor or designee shall discuss with the Personnel Commission the reasons for the layoff action. The Personnel Commission then shall have a minimum of five (5) working days to review the layoff action and submit written recommendations to the Chancellor or designee.

- **10.03 INDIVIDUAL LAYOFF DECISION**
  - Manner of Layoff Notice. Decisions affecting individuals shall be communicated to the affected person(s) by the Chancellor or designee along with a description of the change in available resources which has required the layoff decision.
  - Notice Periods. The standard notice period shall be as specified in UWP 6.02 (a) for fixed term appointments and as stated in UWS 10.05 (B) for probationary appointments unless there are compelling reasons to the contrary (e.g. immediate cut off of funds). Indefinite appointees shall have 12 months' layoff notice when the reasons are budget or program, unless there are compelling reasons to the contrary.
Seniority. Layoffs normally should follow seniority as specified in UWS 12.03.

10.04 HEARING BODY
- Indefinite Status. Appointees shall be afforded all rights and privileges of review and a hearing as specified in UWS 12.05.
- Probationary and Fixed Term Status Employees. Appointees shall be afforded a full and complete review and a hearing before the Personnel Commission as specified in UWS 12.05.

10.05 LAYOFF STATUS
- The terms of the layoff as well as institutional obligations to help seek alternative employment are as specified in UWS 12.07 and UWS 12.08.
- The Personnel Commission shall continue to monitor the vacated position for a period of three (3) years to ensure compliance with Section 36.21 of Wis. Statutes and UWS 12.09 or until such time as the laid-off academic staff member is allowed reinstatement, whichever comes first. All rights and privileges as described in UWS 12.10 and 12.11 will prevail.
- If at any time the Personnel Commission believes an academic staff member's rights have been violated either at the time the person is subject to being laid off or after the proceedings have taken place, the chairperson shall convene the Personnel Commission as specified in UWP 2.02 to review the allegations and submit the resulting report to the Chancellor. The Chancellor or designee shall respond to the Personnel Commission in ten (10) days regarding further actions.

Chapter XI: Complaints

11.01 DEFINITION
- Complaints are allegations by persons other than the academic staff member’s supervisor (including administrators, students, other academic staff, faculty, classified staff, or members of the public) concerning conduct by an academic staff member which violates university rules or policies, or which adversely affects the staff member's performance or obligation to the university, but which is not serious enough to warrant dismissal proceedings under UWS 11.

11.02 INFORMAL RESOLUTION
- In many cases, complaints can be resolved informally (for example, through direct contact with the academic staff member or through the intervention of the academic staff member’s supervisor). The purpose of informal resolution is to end the offensive behavior and resolve the concern rather than to assess blame and impose disciplinary sanctions. While informal resolution may result in some mutually agreeable action, such as an apology or a behavior contract, no record of a complaint resolved informally will be placed in the academic staff member's official personnel file.

11.03 FORMAL RESOLUTION
If informal resolution of the situation is not possible or if the offense is so serious or persistent as to warrant disciplinary action, then a formal complaint should be filed. The purpose of formal resolution shall be to determine if the complaint has validity and, if so, to enact disciplinary sanctions, such as a written reprimand, disciplinary probation, or suspension. All complaints must be filed in a timely manner; individual policies, such as the UW-Platteville Policy & Procedures Regarding Discrimination and Harassment, may have specific time lines that must be followed. A record of formal resolution, including the written complaint and a statement of the outcome, shall be placed in the academic staff member's official personnel file.

Step One: The Written Complaint. To initiate the formal resolution process, a written complaint must be filed with the Chancellor. The complaint shall contain a clear and concise statement of the alleged incident or violation, the date or period of time during which the situation took place, the issue involved (including the reasons the complainant believes the alleged incident violates university rules or policies or adversely affects the staff member's performance or obligation to the university), and the relief sought. The written complaint must be signed and dated.

Step Two: Chancellor's Initial Action. Upon receipt of a written complaint, the Chancellor may: 1) dismiss the complaint; 2) refer the matter to the appropriate administrator for investigation and/or informal resolution; 3) refer the matter to the Academic Staff Personnel Commission for a formal hearing; or 4) take direct disciplinary action. The Chancellor's initial action shall take place within ten (10) working days of receipt of the complaint.

Step Three: A Formal Hearing. The Chancellor may refer the matter to the Personnel Commission for a formal hearing. Also, the academic staff member may, within five (5) working days of notification of the Chancellor's initial action, appeal the decision to the Personnel Commission. The hearing will be scheduled within 20 working days, and both the academic staff member and the complainant must be given written notice of at least five (5) working days. Every effort should be made to accommodate the schedules of both the staff member and the complainant, and extensions to this time line may be granted by mutual agreement of those involved.

The hearing is subject to the provisions of the Wisconsin Open Meetings Law. Both the academic staff member and the complainant may present witnesses to support their positions. Both parties may also present written documentation. The academic staff member may be represented by a person of his/her choice.
Within ten (10) working days of the hearing, the Personnel Commission will present its findings, along with recommendations for disposition of the situation in writing to the Chancellor.

- Step Four: Final Action. After reviewing all the information and supporting documentation, the Chancellor shall issue a written decision which will be the final determination of the matter.

## Chapter XII: Grievances

- **12.01 DEFINITION**
  - A grievance is a personnel problem involving an employee’s expressed feeling of unfair treatment or dissatisfaction with aspects of working conditions.

- **12.02 INFORMAL RESOLUTION**
  - In many cases, grievances can be resolved informally (for example, through direct contact with the academic staff member or through the intervention of the academic staff member’s supervisor or area head). The purpose of informal resolution is to end the dissatisfaction rather than to assess blame and impose disciplinary sanctions. No record of a grievance resolved informally will be placed in the academic staff member’s official personnel file.

- **12.03 FORMAL RESOLUTION**
  - Academic staff members encountering grievances that cannot be satisfactorily resolved with or by the supervisor or area head (assistant chancellor or dean) shall submit these grievances in writing to the Academic Staff Personnel Commission. The following procedures will be followed:
    - Upon receipt of the grievance, the Personnel Commission will meet to review the grievance, schedule the hearing, and determine what questions to ask and/or written documentation to request of the parties involved.
    - Within 20 working days of receipt of the grievance, the Personnel Commission shall conduct a hearing on the matter. Both the academic staff member and the person(s) against whom the grievance is directed must be given written notice of at least five (5) working days. Every effort should be made to accommodate the schedules of all parties, and time lines may be extended by mutual agreement of those involved.
    - The hearing is subject to the provisions of the Wisconsin Open Meetings Law. The academic staff member with the grievance may present witnesses, and the person(s) against whom the grievance is made shall have the same privilege. Written documentation may also be presented by both parties.
On the basis of the evidence presented, with the burden of proof being on the academic staff member, the Personnel Commission shall either dismiss or concur with the grievance.

If the grievance is dismissed, no further proceedings are necessary.

If it concurs either totally or in part, the Personnel Commission shall forward to the supervisor, within five (5) working days, a recommendation that includes suggestions for settling the grievance.

If dissatisfied with the subsequent actions taken by the supervisor, the academic staff member may present the question to the Chancellor for final adjudication.

Chapter XIII: Outside Activities

13.01 OUTSIDE ACTIVITIES

- Rules and procedures governing outside activities are intended to ensure devotion to service, teaching, research activities, and all normal university responsibilities on the part of members of the academic staff, while permitting their broad participation in public service or endeavors related to their fields of professional interest.

13.02 DEFINITION

- Outside activities are those activities and interests related to their areas of professional responsibility which the staff members are engaged in during their employment by UW-Platteville. Those are reportable under UWS 8.025 on the UWS form entitled Faculty and Academic Staff Report on Outside Activities and Interests.

13.03 REPORTING OF OUTSIDE ACTIVITIES

- A member of the academic staff shall report outside activities in writing to his/her supervisor. This report shall include the nature of the activities and the estimated time required.

13.04 IMPROPER OR EXCESSIVE OUTSIDE ACTIVITIES

- The area head, after consultation with the academic staff member’s supervisor, shall notify in writing any member of the academic staff whose outside activities are deemed excessive or improper.

- A member of the academic staff whose outside activities are judged by the area head to be excessive or improper may appeal the area head’s decision to the Personnel Commission. After reviewing the appeal, the Personnel Commission shall make its recommendation to the Chancellor.

13.05 ABSENCES

- When an academic staff member is absent from regular duties due to outside activities, permission must be obtained from his/her supervisor.

13.06 UNIVERSITY FACILITIES
University facilities may be used by academic staff members under policies approved by the Board of Regents and approved by the appropriate department head, dean, or administrator consistent with UWS 21.

**History**
- 1977 UW-Platteville Personnel Policies and Procedures Governing Academic Staff Approved by the Board of Regents
- 1994 Revisions Approved by the Academic Staff Personnel Commission 2/18/94
- 1994 Revisions Approved by the Academic Staff Senate 3/28/94
- 1994 Revisions Approved by the Chancellor 4/29/94
- 1997 Revisions Approved by the Academic Staff Personnel Commission 2/4/97
- 1997 Revisions Approved by the Academic Staff Senate 3/11/97
- 1997 Revisions Approved by the Chancellor 5/2/97
- 1997 Revisions Approved (with suggestions) by UW-System Legal 11/18/97
- 1998 Revisions Approved by the Academic Staff Personnel Commission 3/31/98
- 1998 Revisions Approved by the Academic Staff Senate 4/8/98
- 1998 Revisions Approved by the Chancellor 5/20/98
- 1998 Revisions Approved (with suggestions) by UW-System Legal 6/29/98
- 1998 Revisions Approved (with suggestions) by Academic Staff Personnel Commission 9/25/98
- 1998 Revisions Approved (with suggestions) by Academic Staff Senate 12/9/98
- 1998 UW-Platteville Personnel Policies and Procedures Governing Academic Staff Approved by the Board of Regents

**Part VI: Amendments to Bylaws**
- The Bylaws of the academic staff may be amended by a simple majority of the votes cast by eligible voting members of the academic staff. Amendments may be initiated by one of two methods:
  - Through the recommendation of the Academic Staff Senate; or
  - Through a petition submitted to the Academic Staff Senate by twenty percent of the total membership of the academic staff eligible for voting privileges.
WISCONSIN ADMINISTRATIVE CODE:

WISCONSIN ADMINISTRATIVE CODES

- The following material consists of the sections of the Wisconsin Administrative Code which are applicable to unclassified personnel (faculty and academic staff) and their relations with students within the University of Wisconsin System. When the code calls for a particular campus implementation, the UWP rule or procedure is in boldface and identified as UWP. Each UW-Platteville rule or procedure is followed by a reference to its source in the Faculty Constitution and Bylaws or Academic Staff Constitution and Bylaws as printed elsewhere in this handbook.

- UWS 1 Definitions of Terms
  - TERMS USED IN UWS 1 TO 6
    - **UWS 1.01 Academic Staff.** "Academic staff" means professional and administrative personnel, other than faculty and classified staff, with duties and types of appointments that are primarily associated with higher education institutions or their administration.
    - **UWS 1.02 Board of Regents or Board.** "Board of regents" or "board" means the board of regents of the university of Wisconsin system.
    - **UWS 1.03 Department.** "Department" means a group of faculty members recognized by the faculty and chancellor of the institution, and the board of regents, as dealing with a common field of knowledge or as having a common or closely related disciplinary or interdisciplinary interest.
    - **UWS 1.04 Faculty.** "Faculty" means persons who hold the rank of professor, associate professor, assistant professor, or instructor in an academic department or its functional equivalent in an institution. The appointment of a member of the academic staff may be converted to a faculty appointment in accordance with s. UWS 3.01(1)(c).
    - **UWS 1.05 Faculty Status.** By action of the appropriate faculty body and chancellor of an institution, members of the academic staff may be designated as having "faculty status." "Faculty status" means a right to participate in faculty governance of an institution in accordance with the rules of the institution. Faculty status does not confer rank or tenure, or convert an academic staff appointment into a faculty appointment.

UWP. The faculty shall be designated as the appropriate body called for in UWS 1.05. See UWP Faculty Constitution, Article II, Section 1.

- **UWS 1.06 Institution.** "Institution" means any university, or an organizational equivalent designated by the board.
- **UWS 1.07 University.** "University" means any baccalaureate or graduate degree granting institution.
- **UWS 1.08 Notice Periods.** (1) When an act is required by these rules to be done within a specified number of days:
  - Day shall mean calendar day,
The first day shall be the day after the event, such as receipt of a notice or conclusion of a hearing,
Each day after the first day shall be counted, except that a Sunday or legal holiday shall not be counted if it would be the final day of the period.

- **UWS 2 Faculty Rules; Coverage and Delegation**
  - **UWS 2.01 Rules.** Rules in chs. UWS 2 and UWS 3 apply to all faculty appointments made on or after the effective date of these rules. Any person who holds a tenure appointment under former chs. 36 and 37, Stats. 1971 and related rules shall continue to hold tenure as defined under those chapters and related rules. Any person who holds a probationary appointment under former chs. 36 and 37, Stats. 1971 and related rules shall continue to enjoy the contractual rights and guarantees as defined under those chapters and related rules, and may elect to be considered for tenure according to the procedures existing under that appointment or under rules and procedures in effect at the time of consideration. The rules in chs. UWS 4 to 8 apply to all appointments to faculty positions regardless of whether the appointment preceded the adoption of these rules.
  - **UWS 2.02 Delegations.** Rules and procedures developed pursuant to chs. UWS 3, 4, 5, 6, and 8 by the faculty of each institution shall be forwarded by the chancellor to the president and by the president to the board for its approval prior to their taking effect. Such policies and procedures, unless disapproved or altered by the regents, shall be in force and effect as rules of the regents.

- **UWS 3 Faculty Appointments**
  - **UWS 3.01 Types of Appointments.** (1) Appointments to the faculty are either tenure or probationary appointments. Faculty appointments carry the following titles: professor, associate professor, assistant professor, and instructor.
    - "Tenure appointment" means an appointment for an unlimited period granted to a ranked faculty member by the board upon the affirmative recommendation of the appropriate academic department, or its functional equivalent, and the chancellor of an institution via the president of the system.
    - "Probationary appointment" means an appointment by the board upon the affirmative recommendation of the appropriate academic department, or its functional equivalent, and the chancellor of an institution and held by a faculty member during the period which may precede a decision on a tenure appointment.
    - In accordance with s. 36.05(8), Stats., academic staff appointments may be converted to faculty appointments by the action of the board upon the recommendation of the appropriate faculty body and the chancellor of an institution. Such faculty appointees shall enjoy all the rights and privileges of faculty.
- **UWP.** The Department Review Body or its functional equivalent shall be designated as the appropriate faculty body called for in UWS 3.01 (c). See Faculty Bylaws, Part II, Article X, Section 1.
  - In accordance with s. UWS 1.05 members of the academic staff may be given faculty status. Members of the academic staff who have been given faculty status have employment rights under the rules and policies concerning academic staff.
  - A person holding a faculty appointment under ss. 36.13 and 36.15, Stats., shall not lose that appointment by accepting a limited appointment for a designated administrative position.

- **UWS 3.02 Recruiting.** The faculty of each institution, after consultation with appropriate students and with the approval of the chancellor, shall develop procedures relating to recruitment of members of the faculty. The procedure shall be consistent with board policy and state and federal laws with respect to nondiscriminatory and affirmative action recruitment. The procedures shall allow maximum flexibility at the departmental, school and college levels to meet particular needs. In all instances the procedures shall provide for departmental peer review and judgment as the operative step in the recruiting process.

- **UWP.** The faculty shall devise and implement a procedure for recruitment and hiring of new members of the faculty. This procedure is to include the following features.
  - The faculty of the department or its functional equivalent shall devise and adopt a statement specifying the competencies required in and responsibilities to be assigned to the person filling the vacancy.
  - The faculty of the department or its functional equivalent shall determine the specific procedures to be used in the search for applicants within the broad departmental search and screen guidelines established by the Faculty Senate.
  - The faculty of the department or its functional equivalent shall determine the manner in which the faculty shall be involved in the selection process. All search and screen procedures shall provide for full departmental faculty review, advice and consent before a contract is offered.
  - All recruitment procedures shall be consistent with board policy and state and federal laws with respect to nondiscriminatory hiring and affirmative action goals. See Faculty Bylaws, Part III, Article III.

- **UWS 3.03 Appointments General.** The faculty of each institution, after consultation with appropriate students and with the approval of the chancellor, shall develop rules relating to faculty appointments. Each person to whom an appointment is offered must receive an appointment letter in which an authorized official of the institution details the terms and conditions of the appointment, including but not limited to, duration of the appointment, salary, starting date, ending date, general position responsibilities, probation, tenure status, and
crediting of prior service. Accompanying this letter shall be an attachment detailing institutional and system rules and procedures relating to faculty appointments. If the appointment is subject to the advance approval of the board, a statement to this effect must be included in the letter.

- **UWP.** Each person to whom an appointment is offered must receive an appointment letter in which the chancellor or his designee of the institution details the terms and conditions of the appointment, including but not limited to, duration of the appointment, salary, starting date, ending date, general position responsibilities, rank, probation status, and the crediting of prior service toward the reduction of the normal probationary period. Accompanying this letter there shall be a copy of Personnel Rules for Faculty and Academic Staff. See Faculty Bylaws, Part III, Article III, Section 5.

- **UWS 3.04 Probationary Appointments.** Each institution's rules for faculty appointments shall provide for a maximum 7 year probationary period in a full time position, and may provide for a longer maximum probationary period in a part time position of at least half time. Such rules may permit appointments with shortened probationary periods or appointments to tenure without a probationary period. Provision shall be made for the appropriate counting of prior service at other institutions and at the institution. A leave of absence, sabbatical leave, or teacher improvement assignment shall not constitute a break in continuous service, nor shall it be included in the probationary period. Tenure is not acquired solely because of years of service.

- **UWP.** The maximum probationary period of a UW-Platteville faculty member whose appointment is full-time shall be seven years. The maximum for a part-time faculty member whose appointment is half-time or more shall be ten years.

Any shortening of the probationary period or counting of prior service must be based upon the recommendation of the department or its functional equivalent and approved by the Chancellor. See Faculty Bylaws, Part III, Article III, Sections 5 and 6.

- **UWS 3.05 Periodic Review.** The faculty and chancellor of each institution, after consultation with appropriate students, shall establish rules providing for periodic review of faculty performance.

- **UWP.** There shall be periodic review of the performance of all UW-Platteville faculty, and academic staff with faculty status, carried out by appropriate review bodies according to criteria and procedures designed by the faculty within guidelines established by the University Rank, Salary and Tenure Commission and with the approval of the Chancellor. Such periodic review shall include student and peer evaluations. See Faculty Bylaws, Part II, Article XV, Section 4

- **UWS 3.06 Renwal of Appointments and Granting of Tenure.** (1)(a) General. Appointments may be granted only upon the affirmative recommendation of the appropriate academic department, or its functional equivalent, and the chancellor of the institution. When specified by the board, the institutional recommendation

(Table of Contents) Page 101
shall be transmitted by the president of the system with his recommendation to the board for action. Tenure appointments may be granted to any ranked faculty member who holds or will hold a half time appointment or more. The proportion of time provided for in the appointment may not be diminished or increased without the mutual consent of the faculty member and the institution, unless the faculty member is dismissed for just cause, pursuant to s. 36.13(5), Stats., or is terminated or laid off pursuant to s. 36.21, Stats.

(b) Criteria. Decisions relating to renewal of appointments or recommending of tenure shall be made in accordance with institutional rules and procedures which shall require an evaluation of teaching, research, and professional and public service and contribution to the institution. The relative importance of these functions in the evaluation process shall be decided by departmental, school, college, and institutional faculties in accordance with the mission and needs of the particular institution and its component parts. Written criteria for these decisions shall be developed by the appropriate institutional faculty bodies.

UWP. Recommendations and decisions concerning the renewal of a probationary appointment and the granting of tenure shall be based upon an evaluation of the faculty member’s performance of those tasks that make up his or her specific assignment.

Recommendations and decisions concerning renewal of a probationary appointment or the granting of tenure shall be made in accordance with university, college and departmental criteria developed at each level by appropriate institutional faculty committees and the Chancellor. The relative importance to be assigned to the functions of teaching and research, service to the institution, and professional and public activities shall also be determined by appropriate faculty committees and the Chancellor. See Faculty Bylaws, Part II, Article X, Article XIV, Sections 3 and 4, and Article XV, Sections 1-4.

(c) Procedures. The faculty and chancellor of each institution, after consultation with appropriate students, shall establish rules governing the procedures for renewal or probationary appointments and for recommending tenure. These rules shall provide for written notice of the department review to the faculty member at least 20 days prior to the date of the departmental review, and an opportunity to present information on the faculty member’s behalf. The probationary faculty member shall be notified in writing within 20 days after each decision at each reviewing level. In the event that a decision is made resulting in nonrenewal, the procedures specified in s. UWS 3.07 shall be followed.

UWP. The personnel review committee (DRB) of each department or its functional equivalent shall develop policies and procedures for recommending renewal of probationary appointments and the granting of tenure within guidelines established by the University Rank, Salary and Tenure Commission. In every case these policies and procedures shall provide for written notice of the department review to the faculty member at least 20 days prior to the date of the departmental review, and an opportunity to present information on his or her behalf. The probationary
faculty member shall be notified in writing within 20 days after each
decision at each reviewing level. In the event that a decision is made
resulting in nonrenewal, the procedures specified in UWS 3.07 shall be
followed. See Faculty Bylaws, Part III, Article IV.

- **UWS 3.07 Nonrenewal of Probationary Appointments.** (1)(a) Rules and
  procedures. The faculty and chancellor of each institution, after consultation with
  appropriate students, shall establish rules and procedures for dealing with
  instances in which probationary faculty appointments are not renewed. These
  rules and procedures shall provide that, upon the timely written request of the
  faculty members concerned, the department or administrative officer making the
decision shall, within a reasonable time, give him or her written reasons for
nonrenewal. Such reasons shall become a part of the personnel file of the
individual. Further, the rules and procedures shall provide for reconsideration of
the initial nonrenewal decision upon timely written request.

- (b) Reconsideration. The purpose of reconsideration of a nonrenewal decision
  shall be to provide an opportunity to a fair and full reconsideration of the
  nonrenewal decision, and to insure that all relevant material is considered.
  Such reconsideration shall be undertaken by the individual or body making the
nonrenewal decision and shall include, but not be limited to, adequate notice of
the time of reconsideration of the decision, an opportunity to respond to the
written reasons and to present any written or oral evidence or arguments relevant
to the decision, and written notification of the decision resulting from the
reconsideration.

- Reconsideration is not a hearing or an appeal, and shall be nonadversary in
  nature.

- In the event that a reconsideration affirms the nonrenewal decision, the
  procedures specified in s. UWS 3.08 shall be followed.

- **UWP.** Upon receiving notice of nonrenewal a probationary faculty member
  may request written reasons for the nonrenewal decision and
  reconsideration of that decision according to the following procedures:

  - Within 5 working days of receipt of the nonrenewal notice the faculty
    member may submit a written request to the review body or administrative
    officer making the nonrenewal decision, asking for a written statement of
    reasons.

  - The body or administrative officer shall reply within 5 days of the receipt of
    such a request. Such a request results in the written reasons becoming a
    part of the personnel file of the individual. In the absence of such a request
    the reasons for nonrenewal shall be confidential and not become part of
    the personnel file.

  - Within 20 days after receipt of the letter giving reasons for nonrenewal the
    probationary faculty member may submit a written request to the review
    body or administrative officer making the decision, asking for
If the affected probationary faculty member requests reconsideration he or she shall receive at least 10 days advance notice of the reconsideration meeting in order to provide opportunity for the faculty member to prepare written or oral evidence and arguments relevant to the adverse decision. This is an informal meeting, not a formal appeal or hearing. It is to be understood that the purpose of the reconsideration shall be to provide an opportunity for a fair and full re-examination of all the relevant factors and circumstances, so that every reasonable effort shall have been made to assure that the decision was a sound one.

The review body or individual conducting the reconsideration meeting shall inform the faculty member of the outcome of the reconsideration, in writing, within 5 days of the decision.

In the event that reconsideration at all appropriate levels affirms the nonrenewal decision the probationary faculty member may request an appeal following the procedures and notification periods specified in UWS 3.08. See Faculty Bylaws, Part III, Article VIII, Section 2.

**UWS 3.08 Appeal of Nonrenewal Decision.** (1) The faculty and chancellor of each institution, after consultation with appropriate students, shall establish rules and procedures for the appeal of a nonrenewal decision. Such rules and procedures shall provide for the review of a nonrenewal decision by an appropriate standing faculty committee upon written appeal by the faculty member concerned within 20 days of notice that the reconsideration has affirmed the nonrenewal decision (25 days if notice is by first class mail and publication). Such review shall be held not later than 20 days after the request, except that this time limit may be enlarged by mutual consent of the parties, or by order of the review committee. The faculty member shall be given at least 10 days notice of such review. The burden of proof in such an appeal shall be on the faculty member, and the scope of the review shall be limited to the question of whether the decision was based in any significant degree upon one or more of the following factors, with material prejudice to the individual:

- Conduct, expressions, or beliefs which are constitutionally protected, or protected by the principles of academic freedom, or
- Factors proscribed by applicable state or federal law regarding fair employment practices, or
- Improper consideration of qualifications for reappointment or renewal. For purposes of this section, "improper consideration" shall be deemed to have been given to the qualifications of a faculty member in question if material prejudice resulted because of any of the following
- The procedures required by rules of the faculty or board were not followed, or

(Table of Contents) Page 104
Available data bearing materially on the quality of performance were not considered, or

Unfounded, arbitrary or irrelevant assumptions of fact were made about work or conduct.

**UWP. The standing faculty committee called for in UWS 3.08 shall be The Appeals Commission.** It shall be the duty of this commission to conduct reviews of appeals on nonrenewal decisions according to UWS 3.08. The Appeals Commission shall report its findings on the validity of the appeal to the body or official making the nonrenewal decision, the appropriate dean, and to the Chancellor. See Faculty Bylaws, Part II, Article XII, Section 3, and Part III, Article VIII.

(2) The appeals committee shall report on the validity of the appeal to the body or official making the nonrenewal decision and to the appropriate dean and the chancellor.

**UWP. If a department cannot satisfactorily justify the denial of tenure to a candidate after the Appeals Commission finds that "impermissible factors" (age, race, sex, disability, etc.) as described in Wisconsin Statutes 3.08, were used in arriving at the decision, an ad hoc committee will be appointed by the Faculty Senate to evaluate the candidate’s qualifications and to present its findings to the Chancellor.** The committee will be constituted as follows:

- 5 or 7 tenured members of the UWP faculty knowledgeable or experienced in the faculty member’s academic discipline or in similar fields who are not members of the faculty member’s academic department(s) or of any committee which has been involved in the nonrenewal appeal process for that faculty member. In the event that UW-Platteville does not have a sufficient number of faculty in an area closely related to the faculty member’s academic discipline, members from peer universities will be appointed.

- With the assistance of the Office of the Provost and the Dean of the College, a non-voting consultant in the probationary faculty member’s academic discipline, but from another comprehensive college or university will be appointed.

**The ad hoc review committee shall conduct its review of the candidate's record with reference to the criteria for tenure contained in the University of Wisconsin-Platteville Handbook for Unclassified Staff and in the probationary faculty member’s RST file.** Both written records and verbal testimony may be used to review the record.

The Chancellor may recommend to the Board of Regents that a tenure appointment be granted without the concurrence of the appropriate department personnel committee or its functional equivalent if the ad hoc committee, following the customary decision rules of the department or its functional equivalent, has recommended that tenure be granted.
If the ad hoc committee’s decision is adverse, the faculty member may request a statement of reasons and a reconsideration by that committee. An adverse decision by the ad hoc committee, following such reconsideration, shall be final.

(3) Such a report may include remedies which may, without limitation because of enumeration, take the form of a reconsideration by the decision maker, a reconsideration by the decision maker under instructions from the committee, or a recommendation to the next higher appointing level. Cases shall be remanded for reconsideration by the decision maker in all instances unless the appeals committee specifically finds that such a remand would serve no useful purpose. The appeals committee shall retain jurisdiction during the pendency of any reconsideration. The decision of the chancellor will be final on such matters.

**UWS 3.09 Notice Periods.** (1) A faculty member who is employed on probationary appointment pursuant to s. 36.13, Stats., shall be given written notice of reappointment or non-reappointment for another academic year in advance of the expiration of the current appointment as follows:

- When the appointment expires at the end of an academic year, not later than March 1 of the first academic year and not later than December 15 of the second consecutive academic year of service;
- If the initial appointment expires during an academic year, at least 3 months prior to its expiration; if a second consecutive appointment terminates during the academic year, at least 6 months prior to its expiration;
- After 2 or more years of continuous service at an institution of the university of Wisconsin system, such notice shall be given at least 12 months before the expiration of the appointment.

**UWS 3.10 Absence of Proper Notification.** If proper notice is not given in accordance with s. UWS 3.09, the aggrieved faculty member shall be entitled to a one year terminal appointment. Such appointments, however, shall not result in the achievement of tenure.

**UWS 3.11 Limitation.** Tenure and probationary appointments are in a particular institution; a tenure appointment is limited to the institution in which the appointment is held, unless another institution has, through normal procedures and explicit agreement, undertaken to share in the appointment. The explicit agreement shall specify both the tenure responsibility and the budget responsibility.

UWS 4 Procedures for Dismissal

**UWS 4.01 Dismissal for Cause.** (1) Any faculty member having tenure may be dismissed only by the board and only for just cause and only after due notice and hearing. Any faculty member having a probationary appointment may be dismissed prior to the end of his/her term of appointment only by the board and only for just cause and only after due notice and hearing. A decision not to renew a probationary appointment or not to grant tenure does not constitute a dismissal.
(2) A faculty member is entitled to enjoy and exercise all the rights and privileges of a United States citizen, and the rights and privileges of academic freedom as they are generally understood in the academic community. This policy shall be observed in determining whether or not just cause for dismissal exists. The burden of proof of the existence of just cause for a dismissal is on the administration.

**UWS 4.02 Responsibility for Charges.** (1) Whenever the chancellor of an institution within the university of Wisconsin system receives a complaint against a faculty member which he/she deems substantial and which, if true, might lead to dismissal under s. UWS 4.01, the chancellor shall within a reasonable time initiate an investigation and shall, prior to reaching a decision on filing charges, offer to discuss the matter informally with the faculty member. A faculty member may be dismissed only after receipt of a written statement of specific charges from the chancellor as the chief administrative officer of the institution and, if a hearing is requested by the faculty member, in accordance with the provisions of this chapter. If the faculty member does not request a hearing, action shall proceed along normal administrative lines but the provisions of ss. UWS 4.02, 4.09, and 4.10 shall still apply.

(2) Any formal statement of specific charges for dismissal sent to a faculty member shall be accompanied by a statement of the appeal procedures available to the faculty member.

(3) The statement of charges shall be served personally or by certified mail, return receipt requested. If such service cannot be made within 20 days, service shall be accomplished by first class mail and by publication as if the statement of charges were a summons and the provisions of s. 262.06(1)(c), Stats., [sic] were applicable. Such service by mailing and publication shall be effective as of the first insertion of the notice of statement of charges in the newspaper.

**UWS 4.03 Standing Faculty Committee.** The faculty of each institution shall provide a standing committee charged with hearing dismissal cases and making recommendations under this chapter. This standing faculty committee shall operate as the hearing agent for the board pursuant to s. 227.12, Stats., and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence and transmit such record and summary along with its recommended findings of law and decision to the board according to s. UWS 4.07.

**UWP.** The standing faculty committee called for in UWS 4.03 shall be the Appeals Commission. See Faculty Bylaws, Part II, Article XII, Section 1.

**UWS 4.04 Hearing.** If the faculty member requests a hearing within 20 days of notice of the statement of charges (25 days if notice is by first class mail and publication), such a hearing shall be held not later than 20 days after the request except that this time limit may be enlarged by mutual written consent of the parties, or by order of the hearing committee. The request for a hearing shall be addressed in writing to the chairperson of the standing faculty committee created under s. UWS 4.03.

**UWS 4.05 Adequate Due Process.** (1) A fair hearing for a faculty member whose dismissal is sought under s. UWS 4.01 shall include the following:
Service of written notice of hearing on the specific charges at least 10 days prior to the hearing;

A right to the names of witnesses and of access to documentary evidence upon the basis of which dismissal is sought;

A right to be heard in his/her defense;

A right to counsel and/or other representatives, and to offer witnesses;

A right to confront and cross examine adverse witnesses;

A verbatim record of all hearings, which might be a sound recording, provided at no cost;

Written findings of fact and decision based on the hearing record;

Admissibility of evidence governed by s. 227.10, Stats.

**UWS 4.06 Procedural Guarantees.** (1) Any hearing held shall comply with the requirements set forth in s. UWS 4.05. The following requirements shall also be observed:

The burden of proof of the existence of just cause is on the administration or its representatives;

No faculty member who participated in the investigation of allegations leading to the filing of a statement of charges, or in the filing of a statement of charges, or who is a material witness shall be qualified to sit on the committee in that case;

The hearing shall be closed unless the faculty member under charges requests an open hearing; in which case it shall be open (see s. 66.77, Stats., Open Meeting Law);

The faculty hearing committee may, on motion of either party, disqualify any one of its members for cause by a majority vote. If one or more of the faculty hearing committee members disqualify themselves or are disqualified, the remaining members may select a number of other members of the faculty equal to the number who have been disqualified to serve, except that alternative methods of replacement may be specified in the rules and procedures adopted by the faculty establishing the standing committee under s. UWS 4.03;

The faculty hearing committee shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value but shall exclude immaterial, irrelevant, or unduly repetitious testimony, and shall give effect to recognized legal privileges;

If the faculty hearing committee requests, the chancellor shall provide legal counsel after consulting with the committee concerning its wishes in this regard. The function of legal counsel shall be to advise the committee, consult with them on legal matters, and such other responsibilities as shall be determined by the committee within the provisions of the rules and procedures adopted by the faculty of the institution in establishing the standing faculty committee under s. UWS 4.03;
• If a proceeding on charges against a faculty member not holding tenure is not concluded before the faculty member’s appointment would expire, he/she may elect that such proceeding be carried to a final decision. Unless he/she so elects in writing, the proceeding shall be discontinued at the expiration of the appointment;

• If a faculty member whose dismissal is sought has requested a hearing, discontinuance of the proceeding by the institution is deemed a withdrawal of charges and a finding that the charges were without merit;

• Nothing in paragraph (h) shall prevent the settlement of cases by mutual agreement between the administration and the faculty member, with board approval, at any time prior to a final decision by the board;

• Adjournment shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.

• **UWS 4.07 Recommendations: To the Chancellor: To the Regents.** (1) The faculty hearing committee shall send to the chancellor and to the faculty member concerned, as soon as practicable after conclusion of the hearing, a verbatim record of the testimony and a copy of its report, findings, and recommendations. The committee may determine that while adequate cause for discipline exists, some sanction less severe than dismissal is more appropriate. Within 20 days after receipt of this material the chancellor shall review it and afford the faculty member an opportunity to discuss it. The chancellor shall prepare a written recommendation within 20 days following the meeting with the faculty member, unless his/her proposed recommendation differs substantially from that of the committee. If the chancellor’s proposed recommendations differ substantially from those of the faculty hearing committee, the chancellor shall promptly consult the faculty hearing committee and provide the committee with a reasonable opportunity for a written response prior to forwarding his/her recommendation. If the recommendation is for dismissal, the recommendation shall be submitted through the president of the system to the board. A copy of the faculty hearing committee’s report and recommendations shall be forwarded through the president of the system to the board along with the chancellor’s recommendation. A copy of the chancellor’s recommendation shall also be sent to the faculty member concerned and to the faculty committee.

• (2) Disciplinary action other than dismissal may be taken by the chancellor, after affording the faculty member an opportunity to be heard on the record, except that, upon written request by the faculty member, such action shall be submitted as a recommendation through the president to the board together with a copy of the faculty hearing committee’s report and recommendation.

• **UWS 4.08 Board Review.** (1) If the chancellor recommends dismissal, the board shall review the record before the faculty hearing committee and provide an opportunity for filing exceptions to the recommendations of the hearing committee or chancellor, and for oral arguments, unless the board decides to drop the charges against the faculty member without a hearing or the faculty
member elects to waive a hearing. This hearing shall be closed unless the faculty member requests an open hearing (see s. 66.77, Stats., Open Meeting Law).

- (2) If, after the hearing, the board decides to take action different from the recommendation of the faculty hearing committee and/or the chancellor, then before taking final action the board shall consult with the faculty hearing committee and/or the chancellor, as appropriate.
- (3) If a faculty member whose dismissal is sought does not request a hearing pursuant to s. UWS 4.04 the board shall take appropriate action upon receipt of the statement of charges and the recommendation of the chancellor.

**UWS 4.09 Suspension from Duties.** Pending the final decision as to his/her dismissal, the faculty member shall not normally be relieved of duties; but if, after consultation with appropriate faculty committees the chancellor finds that substantial harm to the institution may result if the faculty member is continued in his/her position, the faculty member may be relieved immediately of his/her duties, but his/her salary shall continue until the board makes its decision as to dismissal.

**UWP.** The appropriate faculty committee for consultation in cases of suspension from duties shall be the Executive Committee of the Faculty Senate. See Faculty Bylaws, Part I, Article VI, Section 1.

**UWS 4.10 Date of Dismissal.** A decision by the board ordering dismissal shall specify the effective date of the dismissal.

- **UWS 5 Layoff and Termination**
  - **UWS 5.01 General.** Notwithstanding s. 36.13 Stats., the board may lay off or terminate a tenured faculty member, or lay off or terminate a probationary faculty member prior to the end of his or her appointment, in the event of a financial emergency. Such layoffs or terminations may be made only in accord with the provisions of this chapter, and imply the retention of rights indicated herein. A nonrenewal, regardless of reasons, is not a layoff or termination under this section.
  - **UWS 5.02 Financial Emergency.** (1) For the purposes of this chapter, "financial emergency" is a state which may be declared by the board to exist for an institution if and only if the board finds that the following conditions exist:
    - The total general program operations (GPR/fee) budget of the institution, excluding adjustments for salary/wage increases and for inflationary impact on nonsalary budgets, has been reduced;
    - Institutional operation within this reduced budget requires a reduction in the number of faculty positions such that tenured faculty must be laid off, or probationary faculty must be laid off prior to the end of their respective appointments. Such a reduction in faculty positions shall be deemed required only if in the board's judgment it will have an effect substantially less detrimental to the institution's ability to fulfill its mission than would other forms of budgetary curtailment available to the institution; and
    - The procedures described in ss. UWS 5.05 and 5.06 have been followed.
- **UWS 5.03 Layoff and Termination.** For the purposes of this chapter "layoff" is the indefinite suspension or an involuntary reduction in services and compensation of a faculty member’s employment by the university of Wisconsin system. A laid off faculty member retains the rights specified in ss. UWS 5.16 through 5.21, inclusive. For the purposes of this chapter, "termination" is the permanent elimination of a faculty member’s employment by the university of Wisconsin system. A terminated faculty member retains rights specified in ss. UWS 5.18 and 5.19.

- **UWS 5.04 Faculty Consulative Committee.** The faculty of each institution shall, promptly after February 1, 1975, designate or create a standing faculty committee to consult with the chancellor if at any time a declaration of financial emergency is to be considered. The committee shall consist of faculty members of the institution chosen by the faculty in a manner to be determined by the faculty. It is the right and responsibility of this committee to represent the faculty before the board if a declaration of a state of financial emergency for the institution is being considered, and to assure that the procedures of ss. UWS 5.05 and 5.06 are followed.

- **UWP.** The Academic Planning Council shall be the standing faculty consultative committee to consult with the Chancellor if at any time a declaration of financial emergency is to be considered. See Faculty Bylaws, Part II, Art. III, Section 1.

- **UWS 5.05 Consultation.** (1) In the event that a declaration of financial emergency is contemplated, the chancellor of the affected institution shall consult with and seek advice from the faculty committee provided for in s. UWS 5.04 at least 3 months before the matter is taken to the board. The chancellor and committee shall:
  - Consider identifiable alternative methods of budget reduction;
  - Determine whether reductions in faculty positions under the provisions of this chapter can be made with less detriment to the institution’s ability to fulfill its mission than would follow from reasonable alternative courses of action;
  - **UWP.** The Academic Planning Council shall develop criteria consistent with the institution’s mission that shall be used in evaluating academic programs and setting program priorities. See Faculty Bylaws, Part II, Article III.
  - Determine from which colleges, schools, departments, or programs faculty positions should be eliminated;
  - **UWP.** Criteria measures and evaluation procedures developed by the Academic Planning Council for use in a continuous process of program review shall be used to determine from which colleges, departments, or programs faculty positions should be eliminated. See Faculty Bylaws, Part II, Article II.
  - Consult with faculties of colleges, schools, departments and programs potentially involved; and
• Consult with such other individuals and groups as they feel may be able to provide valuable advice.

• (1m) The committee shall prepare a report, with supporting documents, for submission to the chancellor, the faculty senate, or institutional equivalent, and the board.

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

**UWS 5.06 Recommendation to the System President and the Board.** (1) If the Chancellor decides to recommend that the board declare a state of financial emergency for the chancellor's institution, the recommendation to the system president and the board shall be accompanied by a report which shall include the following:

• A statement of the procedures followed in arriving at the recommendation, showing compliance with s. UWS 5.05;

• Data clearly demonstrating the need for a reduction of faculty positions in accord with the provisions of this chapter;

• An identification of the colleges, schools, departments or program areas in which reductions will be made, with data indicating the appropriateness of such choices;

• The report of the faculty committee, expressing its views on these matters; and

• A report of any action of the faculty senate or institutional equivalent on this matter;

(2) The chancellor and the chairman of the faculty committee, or their designees, and representatives of affected colleges, schools, departments and programs, may appear before the board at the time the recommendation is considered. Other interested parties may submit in writing alternative recommendations or challenges to any part of the report.

**UWS 5.07 Individual Designations.** Once the board has declared a state of financial emergency it shall be the primary responsibility of the tenured members of the affected department(s) to recommend which individuals are to be laid off. These recommendations shall follow seniority, as provided in s. UWS 5.08, unless a clear and convincing case is made that program needs dictate other considerations, e.g., the need to maintain diversity of specializations within a department. The department may seek the advice of other groups or individuals in formulating its recommendations. The departmental recommendation shall be forwarded to the chancellor, and the chancellor shall prepare recommendations for the system president and the board, as provided in s. UWS 5.14.
- **UWS 5.08 Seniority.** The faculty of each institution shall promptly after February 1, 1975, determine the form of seniority that is to be considered. Such a determination shall be effective uniformly throughout the institution. Seniority may be, but is not limited to, the following definitions:
  - Without regard to rank, with seniority established by total years of service with the institution;
  - By rank, and within rank according to total years of service in the institution; or
  - By rank, and within rank, according to length of service in the institution at that rank.

- **UWS 5.09 Notification.** Each faculty member whose position is recommended for elimination shall receive prompt written notification from the chancellor. This statement of notification shall include:
  - A summary of the reasons and evidence supporting the declaration of a state of financial emergency and of the reasons and data leading to the choice of the colleges, schools, departments or programs in which reductions are to be made;
  - A statement of the basis on which the individual position was selected for elimination (if on the basis of seniority, the criterion used and data supporting the choice; if on another basis, the data and reasons supporting that choice);
  - A statement of the date on which the layoff is to be effective (this must be consistent with the provisions of s. UWS 5.10); and
  - A copy of these rules and such other information or procedural regulations as the chancellor or faculty hearing committee shall deem appropriate.

- **UWS 5.10 Notification Period.** (1) For an academic year appointment the effective date of layoff must coincide with the end of an academic year. For an annual appointment it shall be June 30. In either case notification must be given at least 12 months in advance of the effective date. The notification referred to here is that specified in s. UWS 5.09 informing the faculty member that his or her position has been recommended for elimination.
  - (2) During this period, and prior to entering layoff status (see s. UWS 5.16), the chancellor may offer as appropriate, and the faculty member may accept:
    - Terminal leave and early retirement
    - Relocation leave accompanied by resignation
  - (3) Acceptance of either of these options will terminate the faculty members association with the university of Wisconsin system at the end of the leave period.

- **UWS 5.11 Faculty Hearing Committee.** The faculty of each institution shall, promptly after February 1, 1975, establish a committee or designate an existing committee to serve as a hearing committee for the purposes of this chapter. The committee shall consist of faculty members of the institution chosen by the faculty in a manner to be determined by the faculty. This standing faculty committee shall operate as the hearing agent for the board pursuant to s. 227.12,
Stats., and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence and transmit such record and summary along with its recommended findings of law and decision to the board according to s. UWS 5.14.

- **UWP. The Appeals Commission shall be the standing faculty committee that shall serve as a hearing committee for the purposes of UWS 5.11. See Faculty Bylaws, Part II, Article XII.**

- **UWS 5.12 Review Hearing.** (1) A faculty member whose position is recommended for elimination is entitled to a hearing before the faculty hearing committee as to the appropriateness of the decision to lay off that particular individual. The existence of a state of financial emergency and the designation of the colleges, schools, departments or programs in which faculty positions are to be eliminated are not subject to review in the hearing.

  (2) A hearing must be requested within 20 days of the receipt by the faculty member of notification of recommended layoff. The request shall state with particularity the grounds to be relied upon in establishing the impropriety of the decision. Relevant information supplementary to that contained in the notification statement may be requested. The question to be considered in the review is whether one or more of the following improper factors entered into the decision to lay off:

  - Conduct, expressions, or beliefs on the faculty member's part which are constitutionally protected, or protected by the principles of academic freedom; or
  - Factors proscribed by applicable state or federal law regarding fair employment practices; or
  - Improper selection of the individual to be laid off. For the purposes of this section, "improper selection" occurs if material prejudice resulted from any of the following:
    - The procedures required by rules of the faculty or board were not followed; or
    - Available data bearing materially on the role of the faculty member in the institution were not considered; or
    - Unfounded or arbitrary assumptions of fact were made; or
    - Immaterial or improper factors other than those specified above entered into the decision.

  (3) The faculty member shall present evidence on whether one or more of the improper factors specified above entered into the decision to lay off. The committee shall then consider whether the evidence presented establishes a prima facie case that such factor or factors did enter significantly into the layoff decision. If the committee finds that a prima facie case has not been established, the layoff decision shall be found to have been proper and the hearing shall be
ended. The committee shall report this finding to the chancellor and faculty member.

- (4) If the committee finds that a prima facie case has been established, the chancellor or designee shall be entitled to present evidence to support the layoff decision, and thereafter, the faculty member may present evidence in rebuttal. On the basis of all the evidence presented, the committee shall make its determination as follows:
  
  - The committee shall first consider whether one or more of the above specified improper factors entered significantly into the decision to lay off. Unless the committee is convinced that such factors did significantly enter into that decision, the committee shall find the decision to have been proper.
  
  - If the committee believes that improper factors may have entered into the decision, but is convinced that the same decision would have been reached had the error(s) not occurred, it shall find the decision to have been proper.
  
  - If the committee is convinced that improper factors entered significantly into and affected the decision, it shall be found to be improper.
  
- (5) The committee shall report its findings and recommendations to the chancellor and the faculty member.

**UWS 5.13 Hearing Procedure.**

- (1) If the faculty hearing committee requests, the chancellor shall provide legal counsel to the committee. The hearing shall be closed unless the faculty member whose position has been recommended for elimination requests an open hearing, in which case it shall be open (see s. 66.77, Stats., Open Meeting Law).

- (2) The faculty hearing committee may, on motion of either party, disqualify any one of its members for cause by a majority vote. If one or more of the faculty hearing committee members disqualify themselves or are disqualified, the remaining members may select a number of other members of the faculty equal to the number who have been disqualified to serve, except that alternative methods of replacement may be specified in the rules and procedures adopted by the faculty establishing the standing committee under s. UWS 5.11. No faculty member who participated in the decision to lay off or who is a material witness may sit in on the hearing committee.

- (3) The faculty member shall be given at least 10 days notice of the hearing; such hearing shall be held not later than 20 days after the request except that this time limit may be extended by mutual consent of the parties or by order of the hearing committee.

- (4) The faculty member shall have access to the evidence on which the administration intends to rely to support the decision to lay off, and shall be guaranteed the following minimal procedural safeguards at the hearing:
  
  - A right to be heard in his or her own behalf;
  
  - A right to counsel and/or other representatives, and to offer witnesses;
A right to confront and cross examine adverse witnesses;

A verbatim record of the hearing, which might be a sound recording, provided at no cost;

Written findings of fact and decision based on the hearing record; and

Admissibility of evidence governed by s. 227.10, Stats.

(5) Adjournments shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.

**UWS 5.14 Recommendations and Review by the Board.** The recommendations of the chancellor and the recommendations, if any, of the faculty hearing committee, shall be transmitted to the president of the university of Wisconsin system and to the board and acted upon as follows:

(1) If the faculty member has not requested a hearing before the faculty hearing committee, the recommendation shall be deemed proper and shall be reported for information to the system president and the board.

(2) If the faculty member has requested a hearing and the faculty hearing committee has found the decision to be proper, the report of the faculty hearing committee shall be forwarded to the system president and board by the chancellor with a recommendation. The faculty member may request a review by the board, and the board review panel may at its option grant a review. Unless the board review panel grants the request for review, the recommended findings of fact and decision of the standing faculty committee shall be the final decision of the board of regents.

(3) If after a hearing, the faculty hearing committee’s recommended findings of fact and decision are that the initial decision was improper, the chancellor shall review the matter and give careful consideration to the committee’s finding. If the chancellor accepts the committee’s findings the chancellor’s decision shall be final. If the chancellor contests the recommended findings that the decision was improper, the verbatim record, a summary of the evidence and the recommended findings of law and decision shall be forwarded to the board review panel (see s. UWS 5.15). The chancellor and the faculty member shall be furnished with copies of this material and shall have a reasonable opportunity to file written exceptions to such summary and proposed findings and decision and to argue with respect to them orally and in writing before the board review panel. The board review panel shall hear and decide the case in accordance with s. 227.12, Stats. The decision of the board review panel shall be final.

**UWS 5.15 Board Review.** A review panel shall be appointed by the president of the board of regents, and shall include 3 members of the board, and 2 nonvoting staff members from the academic affairs office of the university system. The panel shall review the criteria and reasoning of the chancellor and the findings and recommendations of the faculty hearing committee in each case forwarded for its review, and shall reach a decision on the recommendation to be approved. The decision shall be final and binding upon the chancellor and the faculty member affected unless one or more of the regent members of the review panel
request that the decision be reviewed by the full board of regents, in which case the record shall be reviewed and a decision reached by the full board.

- **UWS 5.16 Layoff Status.** (1) A faculty member whose position has been eliminated or reduced in accordance with the provisions of this chapter shall, at the end of the appropriate notice period, be placed on layoff status, unless the layoff notice has been rescinded prior to that time.

  (2) The faculty member whose notice period has expired, and who is placed on layoff status shall remain on layoff status until:

  - For probationary faculty, the probationary appointment would have expired under its own terms;
  - For tenured faculty, one of the following occurs:
    - Reappointment to the position from which laid off. Failure to accept such reappointment would terminate the faculty member's association with the university of Wisconsin system.
    - Acceptance of an alternative continuing position in the university of Wisconsin system. Failure to accept an alternate appointment would not terminate the faculty member's association with the university of Wisconsin system.
    - Resignation.

  - Failure by the affected faculty member to notify the chancellor not later than December 1, of each year while on layoff status as to his/her location, employment status, and desire to remain on layoff status. Failure to provide such notice of desire to remain on layoff status shall terminate the faculty member's association with the university of Wisconsin system.

- **UWS 5.17 Alternative Employment.** Each institution shall devote its best efforts to securing alternative appointments within the institution in positions for which faculty laid off under this chapter are qualified under existing criteria. In addition, the university of Wisconsin system shall provide financial assistance for one year for faculty who are designated for layoff to readapt within the department or within another department of the institution, where such readoption is feasible. Further, the university of Wisconsin system shall devote its best efforts to insure that faculty members laid off or terminated in any institution shall be made aware of openings within the system.

- **UWS 5.18 Reappointment Rights.** Each institution shall establish administrative procedures and policies to insure that where layoff or terminations occur for reasons of financial emergency, no person may be employed at that institution within 3 years to perform reasonably comparable duties to those of the faculty member laid off or terminated without first offering the laid off or terminated faculty member reappointment without loss of tenure, seniority and other rights. The 3 year period shall be computed from the effective date of layoff as specified in the original notice.

- **UWS 5.19 Reappointment Rights.** Any faculty member reappointed within 3 years after layoff or termination shall be reappointed with a rank and salary at
least equivalent to the rank and salary when laid off or terminated, together with such other rights and privileges which may have accrued at that time; any faculty member relocated within an institution or within the university of Wisconsin system shall not have either rank or salary adversely affected except by consent at the time of relocation.

- **UWS 5.20 Rights of Faculty Members on layoff.** A faculty member on layoff status in accord with the provisions of this chapter has the reemployment rights guaranteed by ss. UWS 5.18 and 5.19, and has the following minimal rights:
  
  1. Such participation in fringe benefit programs as is allowed by state regulations governing rights of laid off state employees;
  2. Such continued use of campus facilities as is allowed by policies and procedures established by the department and institution; and
  3. Such participation in departmental and institutional activities as is allowed by guidelines established by the department and institution.

- **UWS 5.21 System wide Tenure.** The commitment to system wide tenure within the former chapter 37 institutions shall be honored by those institutions for those eligible under s. 36.13(4), Stats., 1973 in the event of layoff or termination under the provisions of this chapter.

- **UWS 5.22 Lack of Faculty Action.** If the faculty of an institution is given due notice of its rights and responsibilities under this chapter, and does not act, the chancellor may act as follows in lieu of the faculty action:
  
  1. If a faculty committee provided for in s. UWS 5.04 is not established, the chancellor may consult those members or representatives of the faculty he considers appropriate to satisfy the intent of s. UWS 5.05. All departments potentially involved shall be consulted and representatives of the faculty may dispute the chancellor's recommendation for a state of financial emergency before the board.
  2. If the faculty does not act to determine the form of seniority to be followed, the chancellor may designate the form. Such designation shall be effective campus wide and shall be made prior to the declaration by the board of a state of financial emergency.
  3. If an affected department or program does not recommend individuals for layoff or termination following declaration of a state of financial emergency, the chancellor shall determine the individuals to be affected, using such advice as is deemed of value.
  4. If a faculty hearing committee provided for in s. UWS 5.11 is not established by the faculty, the chancellor may appoint a committee of faculty members to provide this function.

- **UWS 6 Complaints and Grievances**
  
  - **UWS 6.01 Complaints.** The faculty of each institution, with the approval of the chancellor, shall establish rules and procedures to deal with allegations by the administration, students, academic staff members, other faculty members, classified staff members, or members of the public concerning conduct by a faculty member which violates university rules or policies, or which adversely affects the faculty member's performance of his/her obligation to the university but which allegations are not serious enough to warrant dismissal proceedings.

(Table of Contents) Page 118
under ch. UWS 4. Such rules and procedures shall include, but not necessarily be limited to, the following:

- Review of and administrative action on the complaint by the chancellor. Administrative action may include dismissing the complaint, invoking an appropriate disciplinary action, or referring the complaint to the standing faculty committee created under sub.

- Provision for a hearing before a standing faculty committee selected by the faculty of each institution in such manner as they shall determine. Such hearing shall be held at the request of the chancellor or, if the chancellor invokes a disciplinary action, at the request of the faculty member concerned.

**UWP. The standing faculty committee designated to conduct hearings on complaints shall be the Complaints and Grievances Commission. See Faculty Bylaws, Part II, Article XIII.**

- Guarantee of adequate due process to include, but not limited to, written notification of the complaint, fair and complete hearing procedures, written statement of findings, transmittal of findings to the faculty member involved and appropriate administrative officials within a reasonable period of time, and prohibition of further jeopardy for the same alleged misconduct after a final decision.

**UWP. The complainant shall state his or her complaint in writing to the Chancellor, who shall review the complaint and take administrative action. The Chancellor's administrative action may be to dismiss the complaint, invoke appropriate disciplinary action, or refer the complaint to the Complaints and Grievances Commission. A hearing by the commission shall take place at the request of the Chancellor, or, if the Chancellor invokes a disciplinary action, at the request of the faculty member involved.**

The Chancellor and the commission shall insure that the faculty member involved receives:

- a written statement of the complaint,
- at least 10 days to prepare an appropriate response,
- a written statement of the commission's findings within 5 days of its decision, and
- a prohibition of further jeopardy for the same alleged misconduct after a final decision. The Chancellor shall also insure that appropriate university officials are apprised of the commission's findings and the chancellor's decision. See Faculty Bylaws, Part III, Article IX, Section 1.

- Delineation of the powers of the faculty committee to make recommendations to the chancellor concerning disciplinary action, to recommend dismissal of the complaint, or to recommend referral of the complaint to the appropriate department or administrative officer.
UWP. After hearing and investigating a complaint, the commission may make a recommendation to the Chancellor concerning disciplinary action, recommend to the Chancellor that the complaint be dismissed, or recommend referral of the complaint to the appropriate department or administrator. See Faculty Bylaws, Part II, Article XIII, Section 3.

- The decision by the chancellor on the recommendations of the committee, or on the complaint in the absence of committee recommendation, shall be final except that the board at its option might grant a review on the record.

UWP. The Chancellor’s decision on the recommendations of the Commission, or on the complaint in the absence of the commission recommendation, shall be final except that the Board of Regents, at its option, might grant a review on the record. See Faculty Bylaws, Part III, Article IX, Section 1.

- UWS 6.02 Grievances. The faculty of each institution shall designate a committee or other appropriate faculty body to hear faculty grievances under rules and procedures established by the faculty of the institution in conjunction with the chancellor. The committee or faculty body shall have the power to conduct hearings and fact finding related to the grievance and to recommend solutions to the grievance to the chancellor. If the committee or other body makes recommendations to the chancellor, the chancellor shall act on the recommendations within 30 days. The decision by the chancellor on the recommendation of the committee, or on the grievance in the absence of committee recommendation, shall be final except that the board, upon petition of a grievant or the committee or other faculty body, may grant a review on the record.

UWP. A grievance is a personnel problem involving an employee’s expressed feeling of unfair treatment or dissatisfaction with aspects of his/her working conditions within the University which are outside his/her control. Grievants are encouraged to exercise all existing means of informal review within the University.

- The standing faculty committee designated to conduct hearings on grievances shall be the Complaints and Grievances Commission. The following procedure shall be followed:
  - A faculty member with a grievance must submit his or her grievance to the Complaints and Grievances Commission within 300 days of when he/she knew or should have known of the most recent incident or incidents that he or she is grieving. The aggrieved faculty member is entitled to a hearing before the Commission within 20 working days of the written submission of the grievance to the Commission chairman. This deadline may be extended upon the consent of the grievant or by order of the Commission. A colleague named as a party to the grievance is entitled to at least a ten-day (10) notice of all hearings related to the case. The Commission is
authorized to establish its own procedures to investigate a grievance that it is hearing. All parties are due as prompt a resolution of the matter as practicable.

- After hearing and investigating a grievance, the Commission may recommend a way of resolving the matter to the Chancellor, in which case, the Chancellor shall act on the recommendations within thirty (30) days. The Chancellor’s decision on the recommendations shall be final except that the Board of Regents at its option may grant a review on the report upon the petition of the grievant or the Commission. See Faculty Bylaws, Part III, Article XIII, Section 3.

  o UWS 7 Dismissal of Faculty in Special Cases

    - UWS 7.01 Declaration of policy
      - University faculty members are responsible for advancing the university’s missions of teaching, research and public service. The fulfillment of these missions requires public trust in the integrity of the institution and in all members of the university community. The university’s effectiveness, credibility, and ability to maintain public trust are undermined by criminal activity that poses a substantial risk to the safety of others, that seriously impairs the university’s ability to fulfill its missions, or that seriously impairs the faculty member’s fitness or ability to fulfill his or her duties. Situations involving such serious criminal misconduct by faculty members must be addressed and resolved promptly to ensure that public trust is maintained and that the university is able to advance its missions. The board of regents therefore adopts the procedures in this chapter for identifying and responding to those instances in which a faculty member has engaged in serious criminal misconduct.

    - UWS 7.02 Serious criminal misconduct.
      - In this chapter, "serious criminal misconduct" means:
        - Pleading guilty or no contest to, or being convicted of a felony, in state or federal court, where one or more of the conditions in par. (b), (c), (d) or (e) are present, and the felony involves any of the following:
          - Causing serious physical injury to another person.
          - Creating a serious danger to the personal safety of another person.
          - Sexual assault.
          - Theft, fraud or embezzlement.
          - Criminal damage to property.
          - Stalking or harassment.
          - A substantial risk to the safety of members of the university community or others is posed.
          - The university’s ability, or the ability of the faculty member’s colleagues, to fulfill teaching, research or public service missions is seriously impaired.
          - The faculty member’s fitness or ability to fulfill the duties of his or her position is seriously impaired.
          - The opportunity of students to learn, do research, or engage in public service is seriously impaired.
Conduct, expressions, or beliefs which are constitutionally protected, or protected by the principles of academic freedom, shall not constitute serious criminal misconduct.

Except as otherwise expressly provided, a faculty member who has engaged in serious criminal misconduct shall be subject to the procedures set forth in ss. UWS 7.03 to 7.06.

Any act required or permitted by ss. UWS 7.03 to 7.06 to be done by the chancellor may be delegated to the provost or another designee pursuant to institutional policies approved by the board of regents under s. UWS 2.02.

**UWS 7.025 Definition.**

In this chapter, “consulting” means thoroughly reviewing and discussing the relevant facts and discretionary issues.

**UWS 7.03 Dismissal for cause.**

Any faculty member having tenure may be dismissed only by the board and only for just cause and only after due notice and hearing. Any faculty member having a probationary appointment may be dismissed prior to the end of his or her term of appointment only by the board and only for just cause and only after due notice and hearing.

Just cause for dismissal includes, but is not limited to, serious criminal misconduct, as defined in s. UWS 7.02.

**UWS 7.04 Reporting responsibility.**

Any faculty member who is charged with, pleads guilty or no contest to, or is convicted of a felony of a type listed in s. UWS 7.02 (1) (a), in state or federal court, shall immediately report that fact to the chancellor.

**UWS 7.05 Expedited process.**

Whenever the chancellor of an institution within the University of Wisconsin System receives a report under s. UWS 7.04 or other credible information that a faculty member has pleaded guilty or no contest to, or has been convicted of a felony of a type listed in s. UWS 7.02 (1) (a), in state or federal court, the chancellor shall:

- Within 3 working days of receipt of the report or information, inform the faculty member of its receipt and, after consulting with appropriate institutional governance representatives, appoint an investigator to investigate the report or information and to advise the chancellor as to whether to proceed under this section or ch. UWS 4.
- Upon appointing an investigator and notifying the faculty member, afford the faculty member 3 working days in which to request that the investigator be disqualified on grounds of lack of impartiality or other cause. In the event that the chancellor determines that a request for disqualification should be granted, the chancellor shall, within 2 working days of the determination, appoint a different investigator. The faculty member shall have the opportunity to request that any second or subsequent investigators be disqualified on grounds of lack of impartiality or other cause.
- The investigator shall complete and file a report with the chancellor not later than 10 working days following the investigator’s appointment.
Within 3 working days of receipt of the investigator’s report, the chancellor shall consult with appropriate institutional governance representatives and decide whether to seek dismissal of the faculty member pursuant to this chapter, to seek dismissal of the faculty member pursuant to ch. UWS 4, to seek an alternative disciplinary sanction, or to discontinue the proceedings. The charges shall be served on the faculty member in the manner specified in s. UWS 4.02 (3).

If the chancellor decides to seek dismissal of the faculty member pursuant to this chapter, the chancellor shall file charges within 2 working days of reaching the decision.

If the chancellor decides to seek dismissal of the faculty member pursuant to ch. UWS 4, the chancellor shall file charges and proceed in accordance with the provisions of that chapter and implementing institutional policies. If, during the course of such proceedings under ch. UWS 4, the chancellor receives a report under s. UWS 7.04 or other credible information that the faculty member has pleaded guilty or no contest to or has been convicted of a felony of a type listed in s. UWS 7.02 (1) (a), and one or more of the conditions listed in s. UWS 7.02 (1) (b) through (e) are present, the chancellor may, at that point, elect to follow the procedures for dismissal pursuant to this chapter.

If the chancellor decides to seek an alternative disciplinary sanction, the procedures under ch. UWS 6, and implementing institutional policies, shall be followed.

If charges seeking dismissal are filed under sub. (3) (a), the faculty member shall be afforded a hearing before the institutional standing committee charged with hearing dismissal cases and making recommendations under s. UWS 4.03. The hearing shall provide the procedural guarantees enumerated under ss. UWS 4.05 to 4.06, except that the hearing shall be concluded, and written findings and a recommendation to the chancellor shall be prepared, within 15 working days of the filing of charges.

Within 3 working days of receipt of the findings and recommendation of the committee under sub. (4), the chancellor shall prepare a written recommendation on the matter.

If the recommendation is for dismissal, the chancellor shall transmit it to the board for review.

Disciplinary action other than dismissal may be taken by the chancellor, whose decision shall be final, unless the board at its option grants a review on the record at the request of the faculty member.

Upon receipt of the chancellor’s recommendation, the full board shall review the record before the institutional hearing committee, and shall offer an opportunity for filing exceptions to the recommendation, and for oral argument. The full board shall issue its decision on the matter within 15 working days of receipt of the chancellor’s recommendation.

If a faculty member whose dismissal is sought under sub. (3) (a) does not proceed with the hearing before the institutional hearing committee as provided in sub. (4), the board shall take appropriate action within 10 working days of receipt of the statement of charges and the recommendation of the chancellor.
• The burden of proving just cause in this chapter shall be clear and convincing evidence.
• The chair of the faculty hearing body, subject to the approval of the chancellor, may extend the time limits set forth in this section if the parties are unable to obtain, in a timely manner, relevant and material testimony, physical evidence or records, or where due process otherwise requires.

UWS 7.06 Temporary suspension without pay.
• The chancellor, after consulting with appropriate faculty governance representatives, may suspend a faculty member from duties without pay pending the final decision as to his or her dismissal where:
  • The faculty member has been charged with a felony of a type listed in s. UWS 7.02 (1) (a) and the chancellor, after following the provisions of s. UWS 7.05 (1) through (3), finds, in addition, that there is a substantial likelihood 1) that one or more of the conditions listed in s. UWS 7.02 (1) (b) through (e) are present, and 2) that the faculty member has engaged in the conduct as alleged; or
  • The faculty member is unable to report for work due to incarceration, conditions of bail or similar cause; or
  • The faculty member has pleaded guilty or no contest to or been convicted of a felony of a type listed in s. UWS 7.02 (1) (a) and one or more of the conditions listed in s. UWS 7.02 (1) (b) through (e) are present.
• If the chancellor finds that the conditions in sub. (1) are present, he or she shall immediately notify the faculty member, in writing, of the intent to impose a suspension without pay, and shall, within 2 working days, provide the faculty member with an opportunity to be heard with regard to the matter. The faculty member may be represented by counsel or another at this meeting.
• If, after affording the faculty member the opportunity to be heard, the chancellor determines to suspend without pay, the chancellor shall inform the faculty member of the suspension, in writing. The chancellor’s decision to suspend without pay under this section shall be final, except that:
  • If the chancellor later determines that the faculty member should not be dismissed, the chancellor may discontinue the proceedings, or may recommend a lesser penalty to the board, and, except as provided in par. (c), shall order the payment of back pay for any period of the suspension for which the faculty member was willing and able to report for work.
  • If the board later determines that the faculty member should not be dismissed, the board may order a lesser penalty and shall order the payment of back pay for any period of the suspension for which the faculty member was willing and able to report for work.
  • If the chancellor or board later determines, under par. (a) or (b), to recommend or impose as a lesser penalty the suspension of the faculty member without pay, then any period of suspension without pay so recommended or ordered shall be offset by the period of any suspension without pay actually served by the faculty member.
  • If, after affording the faculty member the opportunity to be heard, the chancellor determines that the conditions in sub. (1) are not present or that a suspension
without pay is otherwise not warranted, the provisions of s. UWS 4.09 shall apply.

- **UWS 8 Unclassified Staff Code of Ethics**
  - **UWS 8.01 Declaration of Policy.** In view of the special relationship of the university of Wisconsin system to the state and to affirm as public policy within the system certain common standards to prevent conflicts of interest, the board hereby adopts the following code of ethics for unclassified staff pursuant to ss. 19.45(11)(b) and 36.23, Stats.
  - Every member of the unclassified staff at the time of appointment makes a personal commitment to professional honesty and integrity, to seek knowledge and to share that knowledge freely with others. Such a commitment is essential for the university to perform its proper function in our society and to ensure continued confidence of the people of this state in the university of Wisconsin system and its personnel. It is a violation of this commitment for unclassified staff members to seek financial gain for themselves, their immediate families or organizations with which they are associated through activities that conflict with the interests of the university of Wisconsin system.
  - The board of regents, as a matter of policy, recognizes that:
    - Members of the unclassified staff have personal and economic interests in the decisions and policies of national, state and local government.
    - Members of the unclassified staff retain their rights as citizens to interests of a personal or economic nature.
    - The code of ethics must distinguish between those minor and inconsequential conflicts which are unavoidable in a free society and those conflicts which are substantial and material.
  - In adopting the standards of conduct set forth in this chapter, it is the board's purpose to prohibit only those activities which will result in a conflict between the personal interests of an unclassified staff member and that staff member’s public responsibilities to the university of Wisconsin system. It is not the board's purpose to prohibit an unclassified staff member from freely pursuing those teaching, research, professional and public service activities which will not result in such a conflict, nor to prohibit a staff member from accepting any compensation, fees, honoraria or reimbursement of expenses which may be offered in connection therewith.

Note: This subsection, which is new, should be read in conjunction with new UWS 8.025 concerning outside activities. The approach reflects the view that the major inquiry in regard to the acceptability of outside activities is whether they may or do present conflicts with, or detract from performance of, university duties and responsibilities.

- **UWS 8.02 Definitions.** In this chapter:
  - "Academic staff" means professional and administrative personnel other than faculty with duties, and subject to types of appointments, that are primarily associated with higher education institutions or their administration.
"Anything of value" means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include:

- Any salary, expenses or other compensation received by a member of the unclassified staff from the university for his or her services;
- Any compensation, honoraria or expenses derived from outside activities permitted under this chapter;
- Political contributions which are reported under ch. 11, Stats.; or
- Hospitality extended for a purpose unrelated to university business.

"Associated," when used with reference to an organization, means that a person or a member of a person's immediate family is a director, officer or trustee or owns or controls, directly or indirectly, and severally or in the aggregate, at least 10% of the outstanding equity.

"Board" means the board of regents of the university of Wisconsin system.

"Chancellor" means the chief executive officer of a university, the university of Wisconsin centers or the university extension.

"Confidential university information" means information relating to university financial operations or personnel which is obtained from university records or in the course of official university business and which is not available to the general public upon request.

"Contracting personnel" means those persons who are designated in writing by the chancellor of an institution or the president of the system to negotiate, review, approve, or sign contracts for the purpose of goods and services on behalf of an institution, the university system, or the board. The term does not include persons who do either or both of the following:

- Contract only with outside agencies for research or for services to be performed by the university; or
- Negotiate, review, approve or sign only employment contracts.

"Faculty" means persons who hold the rank of professor, associate professor, assistant professor or instructor in an academic department or its functional equivalent in an institution.

"Immediate family" means:
- An unclassified staff member's spouse; and
- Any person who receives, directly or indirectly, more than one half of his or her support from an unclassified staff member or from whom an unclassified staff member receives, directly or indirectly, more than one half of his or her support.

"Institution" means any university or an organizational equivalent designated by the board.

"Limited appointees" means persons holding special appointments to administrative positions designated in s. 36.17, Stats., and ch. UWS 15, and who serve at the pleasure of the board or of the authorized official making the appointment.

"Organization" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, trust or other legal entity other than an individual or body politic.

"President" means the president of the university of Wisconsin system.
"Secretary" means the secretary of the board.
"Unclassified staff" or "staff members" means faculty, academic staff and limited appointees of the university of Wisconsin system who are not subject to subch. III, ch. 19, Stats.
"Vice President" means system administration officials with the title "Vice President" or other administrative officers with similar duties.

**UWS 8.025 Outside Activities and Interests; Reports.**

OUTSIDE ACTIVITIES. Members of the unclassified staff are free to engage in outside activities, whether or not such activities are remunerative or related to staff members’ fields of academic interest or specialization. However, no member of the unclassified staff may engage in an outside activity if it conflicts with his or her public responsibilities to the university of Wisconsin system or the institution at which the unclassified staff member is employed.

REPORTABLE OUTSIDE ACTIVITIES.
The following outside activities must be reported to a staff member’s dean, director or other appropriate administrator:
- Associations with organizations, as defined in s. UWS 8.02(3) and (12), related to staff members’ fields of academic interest or specialization;
- Private remunerative relationships between staff members and nongovernmental sponsors of university research for which the staff member is a principal investigator; and
- Remunerative outside activities in a staff member's field of academic interest or specialization, including but not limited to consulting, and whether the staff member earns for such activities $5,000 or more in a year from a single source.
- Each unclassified staff member engaging in outside activities reportable under this section shall annually, on or before April 30, file a report of outside activities with his or her dean, director or other appropriate administrator.
- If, during the year, significant changes in a staff member's reportable outside activities occur, the staff member shall immediately inform, in writing, his or her dean, director or other appropriate administrator. This information shall be placed on file with the staff member's annual statement of outside interests.

INSTITUTIONAL POLICIES. The unclassified staff members of each institution, with the approval of the chancellor, shall develop policies and procedures which shall, at a minimum, provide:
- Standards concerning the use of university facilities and personnel in connection with outside activities;
- Standards concerning absence from regular duties for the purpose of engaging in outside activities;
- Guidelines identifying types or categories of outside activities which may result in a material conflict of interest; and
- For such reports of anticipated outside activities as are necessary to insure compliance with s. UWS 8.04.

**UWP. Outside activities are those activities of a member of the faculty which are of extensive, recurring, or continuing nature outside of his or her institutional responsibilities during any period of employment by UW-Platteville.**
A member of the faculty shall report substantial outside activities in writing to his or her department head or director and the department head shall report to the dean of his or her college or service area. Such a report shall include the nature of the activities and the estimated time required.

The department head shall inform the appropriate dean at intervals specified by the dean.

The dean shall notify in writing any member of the faculty whose outside activities are deemed by him or her, after consultation with the appropriate department head or director, to be excessive or improper.

A member of the faculty whose outside activities are judged by the dean to be excessive or improper may appeal the dean's decision to the Faculty Complaints and Grievances Commission.

University facilities may be used by faculty members for certain outside activities on a limited basis but not for private gain and the use of those facilities for outside activities should not conflict with regularly scheduled university activities. Rooms, equipment, etc., may be used only with permission from the department head and the dean.

When faculty members are absent from regular duties due to outside activities, permission must be obtained from the appropriate dean.

Any expected or anticipated service by a member of the faculty as an expert witness in legal proceedings, or as staff, advisor, or consultant to granting agencies shall be subject to the reporting procedures mentioned above.

See UWP Faculty Senate Policy Statement on Outside Activities adopted October 28, 1975.

4. REPORTS PUBLIC. Information required to be reported under this section shall, unless otherwise privileged by law, be a matter of public record.

UWS 8.03 Standards of Conduct.

PERSONAL GAIN FROM UNIVERSITY POSITION.

No member of the unclassified staff may, in a manner contrary to the interests of the university of Wisconsin system, use or attempt to use his or her public position or state property, including property leased by the state, to gain or attempt to gain anything of substantial value for the private benefit of the staff member, his or her immediate family or any organization with which the staff member is associated.

No member of the unclassified staff may solicit or accept from any person or organization anything of value pursuant to an express or implied understanding that his or her conduct of university business would be influenced thereby.

No member of the unclassified staff may intentionally use or disclose confidential university information in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any other person or organization with which the staff member is associated.

CONTRACTING AND LEASING.
No member of the unclassified staff, member of his or her immediate family, nor any organization with which an unclassified member is associated, may enter into any contract or lease involving payments of $3,000 or more within a 12 month period, derived in whole or in part from university funds, if the staff member is in a position to approve or influence, in his or her official capacity, the university's decision to enter into the contract or lease.

If the staff member is not in a position to approve or influence the university's decision, the staff member may enter into a contract or lease described in par. (a) if the staff member first makes written disclosure of the nature and extent of any relationship described in par. (a) to the dean, director, or other appropriate administrator and he or she approves. The dean, director or other appropriate administrator shall approve a staff member's interest in a lease or contract unless he or she determines that the staff member's personal interest in the agreement will conflict substantially and materially with the staff member's discharge of his or her university responsibilities.

This subsection does not affect the application of s. 946.13, Stats.

NEPOTISM.

No member of the unclassified staff may participate, formally or informally, in the decision to hire, retain, grant tenure to, promote or determine the salary of a member of his or her immediate family.

No member of the unclassified staff may, in the supervision or management of another unclassified staff member who is a member of his or her immediate family, give preferential or favored treatment.

STUDENT RESEARCH PROTECTION. A member of the unclassified staff shall inform students engaged in research under his or her supervision of any financial interest which the unclassified staff member has in the research activity, including, but not limited to, financial arrangements involved in the direct support of the activity, agreements made by the unclassified staff member to obtain data for the research, or agreements concerning copyright or patent rights arising from the research.

WAIVER. The board may, upon written request and by action within a reasonable time of receipt thereof, waive any provision of this section whenever its literal application would be adverse to the best interests of the university of Wisconsin system or would work an unreasonable hardship on a member of the unclassified staff.

UWS 8.035 Institutional Ethics Committee. Each institution shall establish a committee, or designate an existing committee, whose function shall be to provide to any member of the unclassified staff consultation and advice on the application of this chapter. Committee deliberations and actions upon requests for consultation or advice shall be in meetings not open to the public. Records obtained in connection with requests for consultation or advice shall be considered confidential university information. However, summaries of advice provided by institutional ethics committees, which do not disclose the identities of persons requesting such advice, shall be made public in an annual report.

UWS 8.04 Action to Avoid Possible Conflict.
When it appears that a material conflict may arise between the personal interests of a staff member and his or her public responsibilities to the university, the staff member shall notify his or her dean, director, or other appropriate administrator by submitting a written statement describing the nature of the possible conflict. Within 15 days after receipt of the statement, the dean, director or other appropriate administrator shall advise the staff member in writing that:

- There is no conflict prohibited by this chapter and the staff member may proceed;
- There may be a conflict and further consultation is necessary prior to reaching a determination; or
- There is a conflict which must be resolved in one of the following ways:
  - The staff member shall not proceed with his or her university duties which result in the conflict, so long as the conflict remains; or
  - The staff member shall not proceed with his or her personal interests which result in the conflict, so long as the conflict remains.

If the staff member is advised that sub. (2)(c) 1 or 2 applies to his or her case, the staff member, within 15 days after notice of the decision of the dean, director, or other appropriate administrator, may appeal the decision under ch. UWS 6 or 13.

**UWS 8.05 Sanctions.**

- Any person may file a written complaint charging a violation of this chapter. The complaint shall state the name of the member of the unclassified staff alleged to have committed a violation and describe the violation.
- A complaint involving a member of the unclassified staff serving within system administration shall be submitted to the president for investigation and disposition in accordance with system administration policies and procedures adopted pursuant to ch. UWS 11 or s. UWS 13.01, as appropriate.
- A complaint involving a member of the faculty or the academic staff serving at an institution of the university of Wisconsin system shall be submitted to the appropriate chancellor.
- Where the complaint is against a faculty member, the chancellor shall proceed under the policies and procedures adopted by his or her institution pursuant to ch. UWS 4 or s. UWS 6.01, as appropriate.
- Where the complaint is against a member of the academic staff, the chancellor shall proceed under the policies and procedures the institution has adopted pursuant to ch. UWS 11 or s. UWS 13.01, as appropriate.
- Complaints involving limited appointees serving at an institution of the university of Wisconsin system shall be submitted to the official who made the appointment and that official shall take appropriate action.
- Notwithstanding the other provisions of this section, the president or a chancellor may investigate possible violations of this chapter whenever the circumstances warrant and proceed in accordance with subs. (1) to (4).

**UWS 8.06 Reports.** The president, vice presidents, chancellors, and all contracting personnel shall annually, on or before April 30, file a statement of economic interest with the secretary. The statement shall be filed on a form
provided by the secretary, and shall be considered matters of public record. The statements shall contain the information required by s. 19.44, Stats.

- UWS 9 Academic Staff Rules: Coverage and Delegation
  - **UWS 9.01 Coverage.** The rules of chs. UWS 8 to 13, and the policies and procedures developed by particular institutions or system administration thereunder, apply to all academic staff appointments within each institution or within the system administration. In chs. UWS 8 through 13, where appropriate, "president" may be substituted for "chancellor" and "system administration" for "institution."
  - **UWS 9.02 Delegation.** Each chancellor shall provide for the establishment of a committee to advise the administration on policies and procedures for academic staff adopted by the institution pursuant to chs. UWS 8 13. At least a majority of the members of this committee shall be members of the academic staff elected by members of the academic staff. Members of the committee shall select the chairperson thereof. Institutions which now have persons with faculty rank holding positions which will become academic staff positions under definitions of faculty and academic staff provided in ch. 36, Stats., may designate such persons as academic staff for purposes of eligibility to participate in the election of members of the committee chosen in this way, and eligibility for election to the committee. Wherever each institution is charged in chs. UWS 8 13 with adopting policies and/or procedures, the chancellor shall develop these policies and procedures in consultation with the committee and, as appropriate, members of the faculty and student body. Policies and procedures developed by each institution for administering the elements of the academic staff personnel policies addressed by these rules shall be in full force and effect when finally approved by the chancellor and forwarded to the board. The board may undertake a review of any or all portions of such policies and procedures but shall complete such review within 90 days of the receipt of the policies and procedures. Should the board within 90 days return to the institution any portion or portions of its policies and procedures as disapproved, that portion or portions shall be suspended until reconsideration and resubmission has taken place.

- UWS 10 Academic Staff Appointments
  - **UWS 10.01 Types of Appointments.** Academic staff appointments may be fixed term, probationary, or indefinite. Several probationary academic staff appointments may precede the granting of an indefinite appointment. Each institution shall develop guidelines concerning the categories of academic staff positions that may be appropriately designated as fixed term, probationary, or indefinite appointments. Appointments may be made in the central administration, an institution, college, department (or its functional equivalent), or a specified research or program unit. An appointment shall be limited to an operational area specified at the time of the appointment and shall not carry rights beyond that limitation.
  - **UWS 10.02 Recruitment and Letter of Appointment.**
Each institution shall develop procedures relating to recruitment of members of the academic staff. The procedures shall be consistent with board policy and state and federal laws with respect to nondiscriminatory and affirmative action recruitment. The procedures shall allow maximum flexibility at the department, school, and college levels to meet particular needs.

The terms and conditions of the appointment shall be specified in a written letter of appointment. The appointment letter shall be signed by an authorized official of the institution and should contain details as to the terms and conditions of the appointment, including but not limited to type of appointment (fixed term, probationary or indefinite), duration of the appointment (starting date, ending date), salary, general position responsibilities, definition of operational area, the length of the probationary period (if appropriate) and recognition of prior service as part of the probationary period (if appropriate). Accompanying this letter shall be an attachment detailing institutional and system regulations, rules, and procedures relating to academic staff appointments. If the appointment is subject to the approval of the board, a statement to this effect must be included in the letter. An amended letter of appointment should be sent in situations where a significant change in position responsibility occurs.

**UWS 10.03 Appointments Policies.**

**FIXED TERM APPOINTMENTS.** Each institution of the system may employ academic staff members on fixed term appointments. Such appointments shall be for a fixed term to be specified in the letter of appointment, are renewable solely at the option of the employing institution, and carry no expectation of reemployment beyond their stated term, regardless of how many times renewed. The initial fixed term appointment may include a specified period of time during which the appointee may be dismissed at the discretion of the authorized official. Such a dismissal is not subject to the provisions of ch. UWS 11. Unless otherwise specified, fixed term appointments shall be for a period of one year. Each institution shall develop policies and procedures for the use of such appointments. The policies and procedures of each institution shall specifically treat the issue of job security including appropriate due process protection in the case of nonreappointment for those fixed term academic staff members who have served the institution for a substantial period of time. Such policies and procedures shall be formulated so as to meet the continuing needs of the institution while at the same time recognizing the employment commitment and contribution to the institution provided by such fixed term academic staff members.

**INDEFINITE AND PROBATIONARY ACADEMIC STAFF APPOINTMENTS.** Indefinite appointments and probationary academic staff appointments shall be authorized by the chancellor or designee.

Probationary academic staff appointments. Each institution of the system may appoint selected members of the academic staff to probationary academic staff appointments leading to review and a decision on an indefinite appointment. Each institution shall adopt procedures to govern such appointments. These procedures shall provide for appropriate counting of prior service, for a maximum probationary period not to exceed 7 years for a full time position, for annual...
appraisal of performance, and for an affirmative review process prior to the end of the probationary period resulting in promotion to an indefinite appointment or termination of the appointment. A longer maximum probationary period may be provided for part time appointees. Unless otherwise specified, probationary appointments shall be for a period of one year. A leave of absence shall not constitute a break in continuous service, nor shall it be included in the probationary period. An indefinite appointment is not acquired solely because of years of service.

- **Indefinite appointment.** An indefinite appointment is an appointment with permanent status and for an unlimited term, granted by the chancellor to a member of the academic staff. Such an appointment is terminable only for cause under ch. UWS 12. Such an appointment may be granted to a member of the academic staff who holds or will hold a half time appointment or more. The proportion of time provided for in the initial indefinite appointment may not be diminished or increased without the mutual consent of the academic staff member and the institution unless the appointment is terminated or diminished under ch. UWS 11 or 12. Each institution shall adopt procedures to govern indefinite appointments including provisions for annual appraisal of performance.

- **UWS 10.04 Nonrenewal of Probationary Academic Staff Appointments.**
  - Each institution shall establish procedures for dealing with instances where probationary academic staff are not renewed. Nonrenewal is not a dismissal under ch. UWS 11. A nonrenewed member of the academic staff shall be provided with an opportunity to request and to receive, in writing, the reasons for nonrenewal and to receive a review of the decision upon written appeal by the academic staff member concerned within 20 days of notice of nonrenewal (25 days if notice is by first class mail and publication). The hearing body may be either an appropriate committee or a hearing examiner as designated in the institutional procedures. Such review shall be held not later than 20 days after the request, except that this time limit may be extended by mutual consent of the parties or by order of the hearing body. The burden of persuasion in such a review shall be on the nonrenewed appointee and the scope of the review shall be limited to the question of whether the decision was based in any significant degree upon one or more of the following factors, with material prejudice to the individual:
    - Conduct, expressions, or beliefs which are constitutionally protected, or actions which are consistent with an appropriate professional code of ethics;
    - Employment practices proscribed by applicable state or federal law; or
    - Improper consideration of qualifications for reappointment or renewal. For purposes of this section, "improper consideration" shall be deemed to have been given to the qualifications of a staff member in question if material prejudice resulted because of any of the following:
      - The procedures required by the chancellor or board were not followed; or
      - Available data bearing materially on the quality of performance were not considered; or
      - Unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.
• Findings as to the validity of the appeal shall be reported to the official making the nonrenewal decision and to the appropriate dean or director and the chancellor.
• Such report may include remedies which may, without limitation because of enumeration, take the form of a reconsideration by the decision maker, a reconsideration by the decision maker under instructions from the hearing body, or a recommendation to the next higher administrative level. Cases shall be remanded for reconsideration by the decision maker in all instances unless the hearing body specifically finds that such a remand would serve no useful purpose. The hearing body shall retain jurisdiction during the pendency of any reconsideration.

**UWS 10.05 Notice.**

Written notice that a fixed term or probationary academic staff appointment will not be renewed shall be given to the appointee in advance of the expiration of the appointment as follows:

• **Fixed term appointments:** At least 3 months before the end of the appointment in the first 2 years and 6 months thereafter. When the letter of offer for a fixed term appointment states that renewal is not intended, no further notice of nonrenewal is required.
• **Probationary appointments:** At least 3 months before the end of the appointment in the first year; 6 months before the end of the appointment in the second year; and 12 months thereafter.
• If proper notice of nonrenewal is not given in accordance with sub. (1), the appointment shall be extended so that at least the required notice is provided.
• The policies and procedures of each institution may provide for longer notice periods for teaching members of the academic staff. Unless specifically enumerated in the institutional policies and procedures, the above provisions shall govern.

**UWS 11 Dismissal of Academic Staff for Cause**

**UWS 11.01 Dismissal for Cause-Indefinite Academic Staff Appointments.**

A member of the academic staff holding an indefinite appointment may be dismissed only for just cause under ss. UWS 11.02 through 11.106 or for reasons of budget or program under ch. UWS 12.

The board's policy is that members of the academic staff are entitled to enjoy and exercise all rights of United States citizens and to perform their duties in accordance with appropriate professional codes of ethics. This policy shall be observed in determining whether or not just cause for dismissal exists. The burden of proof of the existence of just cause for a dismissal is on the administration.

Just cause for dismissal includes, but is not limited to, serious criminal misconduct, as defined in s. UWS 11.102.

**UWS 11.015 Definition.**

In this chapter, “consulting” means thoroughly reviewing and discussing the relevant facts and discretionary issues.

**UWS 11.02 Responsibility for Charges.**
Whenever the chancellor of an institution receives an allegation which concerns an academic staff member holding an indefinite appointment which appears to be substantial and which, if true, might lead to dismissal under s. UWS 11.01, the chancellor shall request within a reasonable time that the appropriate dean or director investigate the allegation, offer to discuss it informally with the individual, and provide information of rights to which members of the academic staff are entitled under this chapter. If such an investigation and discussion does not result in a resolution of the allegation and if the allegation is deemed sufficiently serious to warrant dismissal, the dean or director shall prepare a written statement of specific charges. A member of the academic staff may be dismissed only after receipt of such a statement of specific charges and, if a hearing is requested by the academic staff member, after a hearing held in accordance with the provisions of this chapter and the subsequently adopted procedures of the institution. If the staff member does not request a hearing, dismissal action shall proceed along normal administrative lines but the provisions of ss. UWS 11.02, 11.08, and 11.09 shall apply. In those cases where the immediate supervisor of the academic staff member concerned is a dean or director, the chancellor shall, to avoid potential prejudice, designate an appropriate administrative officer to act for the dean or director under this section.

Any formal statement of specific charges shall be served personally or by certified mail, return receipt requested. If such service cannot be made within 20 days, service shall be accomplished by first class mail and by publication as if the statement of charges were a summons and the provisions of s. 801.11(1)(c), Stats., were applicable. Such service by mailing and publication shall be effective as of the first insertion of the notice of statement of charges in the newspaper.

UWS 11.03 Hearing Body.

The chancellor of each institution shall provide for a hearing body charged with hearing dismissal cases and making a report and recommendations under this chapter. Throughout this chapter, the term "hearing body" is used to indicate either a hearing committee or a hearing examiner as designated in the institutional procedures. This hearing body shall operate as the hearing agent for the chancellor pursuant to s. 227.46 (4), Stats., and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence and transmit such record and summary along with its recommended findings of fact and decision to the chancellor according to s. UWS 11.07.

With the concurrence of the faculty and the academic staff advisory committee of each institution, the chancellor may provide that dismissal for cause of a member of the academic staff having teaching responsibilities may be heard by the hearing body specified in s. UWS 4.03. If so provided, the hearing shall be held pursuant to the provisions of ch. UWS 11.

UWS 11.04 Hearing.

If a staff member requests a hearing within 20 days from the service of the statement of charges (25 days if notice is by first class mail and publication), such hearing shall be held not later than 20 days after the request, except that this time limit may be extended by mutual consent of the parties or by order of the hearing body. The request for a hearing shall be addressed in writing to the
hearing body established pursuant to s. UWS 11.03. Service of written notice of hearing on the specific charges shall be provided at least 10 days prior to the hearing.

- **UWS 11.05 Adequate Due Process.**
  - Each institution shall develop policies and procedures to provide for a fair hearing upon request in the event of dismissal. A fair hearing for an academic staff member whose dismissal is sought under s. UWS 11.01 shall include the following:
    - A right to the names of witnesses and of access to documentary evidence upon the basis of which dismissal is sought;
    - A right to be heard in his or her defense;
    - A right to counsel and/or other representative, and to offer witnesses;
    - A right to confront and cross examine adverse witnesses;
    - A verbatim record of all hearings, which might be a sound recording, provided at no cost;
    - Written findings of fact and decision based on the hearing record;
  - Admissibility of evidence governed by s. 227.45. (1) to (4), Stats.

- **UWS 11.06 Procedural Guarantees.**
  - The following requirements shall also be observed:
    - Any person who participated in the investigation of allegations leading to the filing of a statement of charges, or in the filing of a statement of charges, or who is a material witness shall not be qualified to participate as a member of the hearing body;
    - The hearing shall be closed unless the staff member under charges requests an open hearing, in which case it shall be open (see subch. V of ch 19, Stats., Open Meeting Law);
    - The hearing body shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value but shall exclude immaterial, irrelevant, or unduly repetitious testimony, and shall give effect to recognized legal privileges;
    - The burden of proof of the existence of just cause is on the administration or its representatives;
    - If a staff member whose dismissal is sought has requested a hearing, discontinuance of the proceedings by the institution is deemed a withdrawal of charges and a finding that the charges were without merit;
    - Nothing in par. (e) shall prevent the settlement of cases by mutual agreement between the administration and the staff member, with the chancellor's approval, at any time prior to a final decision by the chancellor; or when appropriate, with the board's approval prior to a final decision by the board;
    - Adjournments shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.
    - If the institutional policies and procedures provide that dismissal cases be heard by a hearing committee, the following requirements shall be observed:
      - The committee may, on motion of either party, disqualify any one of its members for cause by a majority vote. If one or more of the hearing committee members disqualify themselves or are disqualified, the remaining members may select a
number of replacements equal to the number who have been disqualified to serve, except that alternative methods of replacement may be specified in the policies and procedures adopted by the institution;

- If the hearing committee requests, the chancellor shall provide legal counsel after consulting with the committee concerning its wishes in this regard. The function of legal counsel shall be to advise the committee, consult with them on legal matters, and such other responsibilities as shall be determined by the committee within the provisions of the policies and procedures adopted by the institution.

- **UWS 11.07 Recommendations: To The Chancellor.**
  - The hearing body shall send to the chancellor and to the academic staff member concerned, as soon as practicable after conclusion of a hearing, a verbatim record of the testimony and a copy of its report, findings, and recommendations. After reviewing the matter on record and considering arguments if submitted by the parties, the chancellor shall issue a decision. In that decision, the chancellor may order dismissal of the staff member, may impose a lesser disciplinary action, or may find in favor of the staff member. This decision shall be deemed final unless the board, upon request of the academic staff member, grants review based on the record.

- **UWS 11.08 Suspension From Duties.**
  - Pending the final decision as to dismissal, the academic staff member with an indefinite appointment shall not be relieved of duties, except where, after consultation with the appropriate administrative officer, the chancellor finds that substantial harm may result if the staff member is continued in his or her position. Where such determination is made, the staff member may be relieved of his or her position immediately, or be assigned to another administrative unit, but his or her salary shall continue until the chancellor makes a decision as to dismissal, unless the chancellor also makes the determinations set forth in s. UWS 11.105 (1) in which case the suspension from duties may be without pay and the procedures set forth in s. UWS 11.105 shall apply.

- **UWS 11.09 Date of Dismissal.**
  - A decision by the chancellor ordering dismissal shall specify the effective date of the dismissal.

- **UWS 11.10 Board Review.**
  - A member of the academic staff on indefinite appointment who has been dismissed for cause by the chancellor following a hearing may appeal this action to the board. Any appeal must be made within 30 days of the date of the decision of the chancellor to dismiss. Upon receiving an appeal the board shall review the case on the record. Following such review the board may confirm the chancellor’s decision, or direct a different decision, or approve a further hearing before the board with an opportunity for filing exceptions to the hearing body’s recommendations or the chancellor's decision and for oral argument on the record. If further review with opportunity for oral argument on the record is provided, this review shall be closed unless the staff member requests an open hearing. (See subch. V of ch. 19, Stats. Open Meeting Law.) All decisions of the board, whether after review on the record or after oral argument, shall be expressed in writing and shall indicate the basis for such decision.
- **UWS 11.101 Dismissal for cause in special cases - indefinite academic staff appointments.**
  - A member of the academic staff holding an indefinite appointment may be dismissed for serious criminal misconduct, as defined in s. UWS 11.102.
- **UWS 11.102 Serious criminal misconduct.**
  - In this chapter, "serious criminal misconduct" means:
    - Pleading guilty or no contest to, or being convicted of a felony, in state or federal court, where one or more of the conditions in par. (b), (c), (d), or (e) are present, and the felony involves any of the following:
      - Causing serious physical injury to another person.
      - Creating a serious danger to the personal safety of another person.
      - Sexual assault.
      - Theft, fraud or embezzlement.
      - Criminal damage to property.
      - Stalking or harassment.
    - A substantial risk to the safety of members of the university community or others is posed.
    - The university’s ability, or the ability of the academic staff member’s colleagues, to fulfill teaching, research or public service missions is seriously impaired.
    - The academic staff member’s fitness or ability to fulfill the duties of his or her position is seriously impaired.
    - The opportunity of students to learn, do research, or engage in public service is seriously impaired.
    - Conduct, expressions, or beliefs which are constitutionally protected, or protected by the principles of academic freedom, shall not constitute serious criminal misconduct.
  - Except as otherwise expressly provided, an academic staff member who has engaged in serious criminal misconduct shall be subject to the procedures set forth in ss. UWS 11.103 to 11.106.
  - Any act required or permitted by ss. UWS 11.103 to 11.106 to be done by the chancellor may be delegated to the provost or another designee pursuant to institutional policies forwarded to the board of regents under s. UWS 9.02.
- **UWS 11.103 Reporting responsibility.**
  - Any academic staff member who is charged with, pleads guilty or no contest to, or is convicted of a felony of a type listed in s. UWS 11.102 (1) (a), in state or federal court, shall immediately report that fact to the chancellor.
- **UWS 11.104 Expedited process.**
  - Whenever the chancellor of an institution within the University of Wisconsin System receives a report under s. UWS 11.103 or other credible information that an academic staff member holding an indefinite appointment has pleaded guilty or no contest to, or has been convicted of a felony of a type listed in s. UWS 11.102 (1) (a), in state or federal court, the chancellor shall:
    - Within 3 working days of receipt of the report or information, inform the academic staff member of its receipt and, after consulting with appropriate institutional governance representatives, appoint an investigator to investigate the report or
information and advise the chancellor as to whether to proceed under this section or ss. UWS 11.02 to 11.10.

- Upon appointing an investigator and notifying the academic staff member, afford the academic staff member three working days in which to request that the investigator be disqualified on grounds of lack of impartiality or other cause. In the event that the chancellor determines that a request for disqualification should be granted, the chancellor shall, within 2 working days of the determination, appoint a different investigator. The academic staff member shall have the opportunity to request that any second or subsequent investigators be disqualified on grounds of lack of impartiality or other cause.

- The investigator shall be complete and file a report with the chancellor not later than 10 working days following the investigator’s appointment.

- Within 3 working days of receipt of the investigator’s report, the chancellor shall consult with appropriate institutional governance representatives and decide whether to seek dismissal of the academic staff member pursuant to ss. UWS 11.101 to 11.106, to seek dismissal of the academic staff member pursuant to ss. UWS 11.02 to 11.10, to seek an alternative disciplinary sanction, or to discontinue the proceedings. The charges shall be served on the academic staff member in the manner specified in s. UWS 11.02 (2).

- If the chancellor decides to seek dismissal of the academic staff member pursuant to ss. UWS 11.101 to 11.106, the chancellor shall file charges within 2 working days of reaching the decision.

- If the chancellor decides to seek dismissal of the academic staff member pursuant to ss. UWS 11.02 to 11.10, the chancellor shall file charges and proceed in accordance with the provisions of those sections of this chapter and implementing institutional policies. If, during the course of proceedings under ss. UWS 11.02 to 11.10, the chancellor receives a report under s. UWS 11.103 or other credible information that the academic staff member has pleaded guilty or no contest to or has been convicted of a felony of a type listed in s. UWS 11.102 (1) (a), and one or more of the factors listed in s. UWS 11.102 (1) (b) through (e) are present, the chancellor may, at that point, elect to follow the procedures for dismissal pursuant to this section.

- If the chancellor decides to seek an alternative disciplinary sanction, the procedures under ch. UWS 13, and implementing institutional policies, shall be followed.

- If charges seeking dismissal are filed under sub. (3) (a), the academic staff member shall be afforded a hearing before the institutional standing committee charged with hearing dismissal cases and making recommendations under s. UWS 11.03. The hearing shall provide the procedural guarantees enumerated under ss. UWS 11.05 to 11.06, except that the hearing must be concluded, and written findings and a recommendation to the chancellor must be prepared, within 15 working days of the filing of charges.

- Within 3 working days of receipt of the findings and recommendation of the committee under sub. (4), the chancellor shall prepare a written decision on the matter. In the decision, the chancellor may order dismissal of the staff member, may impose a lesser disciplinary action, or may find in favor of the staff member.
This decision shall be deemed final unless the board, upon request of the academic staff member, grants a review based on the record.

- The burden of proving just cause in this section shall be clear and convincing evidence.
- The chair of the academic staff hearing body, subject to the approval of the chancellor, may extend the time limits set forth in this section if the parties are unable to obtain, in a timely manner, relevant and material testimony, physical evidence or records, or where due process otherwise requires.

**UWS 11.105 Temporary suspension from duties without pay.**

The chancellor, after consulting with appropriate academic staff governance representatives, may suspend an academic staff member holding an indefinite appointment from duties without pay pending the final decision as to his or her dismissal where:

- The academic staff member has been charged with a felony of a type listed in s. UWS 11.102 (1) (a) and the chancellor, after following the provisions of s. UWS 11.104 (1) through (3), finds, in addition, that there is a substantial likelihood 1) that one or more of the conditions listed in s. UWS 11.102 (1) (b) through (e) are present, and 2) that the academic staff member has engaged in the conduct as alleged; or
- The academic staff member is unable to report for work due to incarceration, conditions of bail or similar cause; or
- The academic staff member has pleaded guilty or no contest to or been convicted of a felony of the type listed in s. UWS 11.102 (1) (a) and one or more of the conditions in s. UWS 11.102 (1) (b) through (e) are present.

If the chancellor finds that the conditions in sub. (1) are present, he or she shall immediately notify the academic staff member, in writing, of the intent to impose a suspension without pay, and shall, within 2 working days, provide the academic staff member with an opportunity to be heard with regard to the matter. The academic staff member may be represented by counsel or another at this meeting.

If, after affording the academic staff member the opportunity to be heard, the chancellor determines to suspend without pay, the chancellor shall inform the academic staff member of the suspension, in writing. The chancellor’s decision to suspend without pay under this section shall be final, except that:

- If the chancellor later determines that the academic staff member should not be dismissed the chancellor may discontinue the proceedings, or may impose a lesser penalty, and except as provided in par. (c), shall order the payment of back pay for any period of the suspension for which the academic staff member was willing and able to report for work;
- If the chancellor later determines, under par. (a) or (b), to recommend or impose as a lesser penalty the suspension of the academic staff member without pay, then any period of suspension without pay so recommended or ordered shall be offset by the period of any suspension without pay actually served by the academic staff member.
If, after affording the academic staff member the opportunity to be heard, the chancellor determines that the conditions in sub. (1) are not present or that a suspension without pay is otherwise not warranted, the provisions of s. UWS 11.08 shall apply.

**UWS 11.106 Board review.**

A member of the academic staff on an indefinite appointment who has been dismissed for serious criminal misconduct may appeal this action to the board as provided in s. UWS 11.10.

**UWS 11.11 Dismissal for Cause-Fixed Term or Probationary Academic Staff Appointments.**

A member of the academic staff holding a probationary appointment, or a member of the academic staff holding a fixed term appointment and having completed an initial specified period of time, may be dismissed prior to the end of the contract term only for just cause or for reasons of budget or program under ch. UWS 12. A nonrenewal of such an appointment is not a dismissal under this section. A dismissal shall not become effective until the individual concerned has received a written notification of specific charges and has been offered an opportunity for a hearing before the appropriate dean or director of his/her designee. If such hearing is requested, a determination of just cause and notification of dismissal shall be made by the dean or director or designee. If no hearing is requested, a determination of just cause and notification of dismissal shall be made by the dean or director or designee. If no hearing is requested the dismissal is effected by the specifications in the original notification of charges. The hearing before the dean, director, or designee shall provide the academic staff member with an opportunity to present evidence and argument concerning the allegations. Dismissal shall be effective immediately on receipt of written notification of the decision of the dean or director or designee unless a different dismissal date is specified by the dean or director. Dismissals for cause shall be appealable by filing an appeal with the hearing body established under s. UWS 11.03. The burden of proof as to the existence of just cause on appeal shall be on the administration or the authorized official. The provisions of s. UWS 11.04, procedural guarantees, contained in ss. UWS 11.05 and 11.06 and the review provisions of s. UWS 11.07, shall be applicable to the appeal proceeding. In no event, however, shall a decision favorable to the appellant extend the term of the original appointment. If a proceeding on appeal is not concluded before the appointment expiration date, the academic staff member concerned may elect that such proceeding shall be discontinued at the expiration of the appointment. If the chancellor ultimately decides in favor of the appellant, salary lost during the interim period between the effective date of dismissal and the date of the chancellor’s decision or the end of the contract period, whichever is earlier, shall be restored. In those cases where the immediate supervisor of the academic staff member concerned is a dean or director, the chancellor shall, to avoid potential prejudice, designate an appropriate administrative officer to act for the dean or director under this section.

**UWS 11.12 Dismissal for Cause-Teaching Members of the Academic Staff.**
The policies and procedures of each institution may provide that dismissal for cause of a member of the academic staff having teaching responsibilities and holding a probationary appointment or a fixed term appointment may proceed under ss. UWS 11.02 to 11.10. If the institutional policies and procedures do not specifically make such provisions, dismissal for cause shall be made pursuant to ss. UWS 11.11.

UWS 12 Layoff of Academic Staff

- **UWS 12.01 General.** Notwithstanding s. 36.15, Stats., and chs. UWS 10 and 11, the chancellor of each institution or designee may layoff a member of the academic staff holding an indefinite appointment, or may layoff a member of the academic staff holding either a fixed term or a probationary appointment prior to the end of the appointment period, when such action is deemed necessary due to budget or program decision requiring program discontinuance, curtailment, modification, or redirection. Consistent with the limitation of academic staff appointments to an operational area, each institution shall establish policies and procedures which will ensure careful consideration of layoff decisions for reasons of budget or program. The institutional policies and procedures should recognize the constraints imposed on institutional response to an unanticipated cancelation of a contract or grant or to an unanticipated decline in an income account supporting a particular activity. The institution should take such constraints into account in designing the nature and timing of the consultation appropriate to such circumstances. The institution's policies and procedures may provide as needed the alternative forms of consultation appropriate to differences in the timing of information concerning a decline in resources for particular programs or activities. Program decisions made pursuant to a change in the level of resources available for a particular project shall be discussed by the chancellor or designee with such committee, committees, or committee representatives as may be specified by institutional policies and procedures as appropriate for such purposes. Decisions affecting individuals shall be communicated to the affected persons by the chancellor or designee together with a description of the change in available resources which has required the layoff decision. Nonrenewal of a probationary academic staff appointment under s. UWS 10.04, or a fixed term appointment, even if for financial reasons, is not a layoff for reasons of program or budget.

- **UWS 12.02 Layoff.** For the purpose of this chapter, "layoff" is the suspension of an academic staff member's employment by the university of Wisconsin system during the appointment period, for reasons of budget or program. A laid off academic staff member retains the rights specified in ss. UWS 12.07 through 12.11, inclusive. For the purposes of s. 36.21, Stats., termination occurs at the time of layoff.

- **UWS 12.03 Individual Layoff Decision.** When a reduction in program of a particular operational area is required, layoffs of academic staff members with indefinite, fixed term, or probationary appointments should normally follow seniority. This presumption in favor of seniority may be overcome where program needs dictate other considerations (e.g., the need to maintain specific expertise within the program or operational area). The standard notice periods specified in

*(Table of Contents)* Page 142
s. UWS 10.05 should be used, unless there are compelling reasons to the contrary (e.g., almost immediate cutoff of funds), for layoff of probationary and fixed term appointments under this chapter. Indefinite appointees shall have 12 months' notice of layoff for reasons of budget or program, unless there are compelling reasons to the contrary.

- **UWS 12.04 Hearing Body.** The chancellor of each institution shall provide for a hearing body for the purposes of this chapter. Throughout this chapter the term "hearing body" is used to indicate either a hearing committee or a hearing examiner as designated in the institutional procedures. This hearing body shall operate as the hearing agent for the chancellor pursuant to s. 227.12, Stats., and conduct the hearing, make a verbatim record of the hearing, prepare a summary of the evidence and transmit such record and summary along with findings of fact and decision to the chancellor.

- **UWS 12.05 Review and Hearing for Indefinite Appointments.**
  - An academic staff member with an indefinite appointment whose position is to be eliminated shall be notified in writing and shall, upon request made within 20 days after such notification, be given a written statement of the reasons for the decision within 15 days, including a statement of the reasons for the determination that the budgetary or program needs should be met by curtailing or discontinuing the program in which the individual concerned works. If the academic staff member requests in writing within 20 days after receipt of said statement, he or she shall be entitled to a hearing before the hearing body. However, such a request for hearing shall not forestall a layoff under this section.
  - The request for hearing shall specify the grounds to be used in establishing the impropriety of the decision.
  - The staff member shall be given at least 10 days notice of such hearing. Such hearing shall be held not later than 20 days after the request except that this time may be extended by order of the hearing body. Anyone who participated in the decision to layoff or who is a material witness shall not serve on the hearing body.
  - The academic staff member shall have access to the evidence on which the administration intends to rely to support the decision to layoff and shall be guaranteed the following minimal procedural safeguards at the hearing:
    - A right to be heard in his or her defense;
    - A right to counsel and/or other representatives, and to offer witnesses;
    - A right to confront and cross examine adverse witnesses;
    - A verbatim record of all hearings, which might be a sound recording, provided at no cost;
    - Written findings of fact and decision based on the hearing record;
    - Admissibility of evidence governed by s. 227.10, Stats.;
    - The hearing shall be closed unless the staff member whose position is to be eliminated requests an open hearing, in which case it shall be open (see s. 66.77, Stats., Open Meeting Law);
    - Adjournments shall be granted to enable either party to investigate evidence as to which a valid claim of surprise is made.
If the institutional policies and procedures provide that the review and hearing be conducted by a committee, the following requirements shall be observed:

- The committee may, on motion of either party, disqualify any one of its members for cause by a majority vote. If one or more of the committee members disqualify themselves or are dis-qualified, the remaining members may select a number of other replacements equal to the number who have been disqualified to serve;

- If the committee requests, the chancellor shall provide legal counsel after consulting with the committee concerning its wishes in this regard. The function of legal counsel shall be to advise the committee, consult with them on legal matters, and carry out such responsibilities as shall be determined by the committee within the policies and procedures adopted by the institution.

- The first question to be considered in the review is whether one or more of the following factors improperly entered into the decision to layoff:

  - Conduct, expressions, or beliefs on the staff member's part which are constitutionally protected or actions which are consistent with an appropriate professional code of ethics;
  - Employment practices prescribed by applicable state or federal law; or
  - Improper consideration of the qualifications of the staff member. For the purposes of this section, "improper consideration" occurs if material prejudice resulted from any of the following:

  - The procedures required by the chancellor or board were not followed;
  - Available data bearing materially on the quality of the staff member's actual or potential performance were not considered; or
  - Unfounded, arbitrary, or irrelevant assumptions of fact were made about work or conduct.

- The staff member shall present evidence on whether one or more of the factors specified above improperly entered into the decision to layoff. The hearing body shall then consider whether the evidence presented establishes a prima facie case that such factor or factors did enter significantly into the layoff decision. If the hearing body finds that a prima facie case has not been established, the layoff decision shall be found to have been proper and the hearing shall be ended.

- If the hearing body finds that a prima facie case has been established, the appropriate administration officer for the operational area shall be entitled to present evidence to support the layoff decision, and, thereafter, the staff member may present evidence in rebuttal. Thereafter, on the basis of all the evidence presented, the hearing body shall make its determination as follows:

  - The hearing body shall first consider whether one or more of the above specified factors improperly entered into the decision to layoff. Unless the body is convinced that such factor or factors did improperly enter into that decision, the body shall find the decision to have been proper;

  - If the hearing body is convinced that such factor or factors entered into the decision to layoff, then the body shall find that decision to be improper, unless the body is also convinced 1) that there was a bona fide program or budgetary reason(s), and that the determination of such reason(s) was made in the manner
prescribed by, and in accordance with, the standards established by the institution; and 2) that the decision to lay off the particular academic staff member was in accordance with the provisions of s. UWS 12.02.

- In determining whether a bona fide budgetary or program reason existed for layoff of the appointment of the academic staff member concerned, the hearing body shall presume that the decision to curtail the program was made in good faith and for proper reasons. The hearing body shall not substitute its judgment or priorities for that of the administration.

- If the hearing body finds that the layoff was improper, it shall report this decision and its recommendation to the chancellor and to the staff member. The chancellor shall review the matter, decide whether the staff member should be laid off, and notify the hearing body and academic staff member of the decision. This decision shall be deemed final unless the board, upon request of the academic staff member, grants review based on the record.

**UWS 12.06 Review for Fixed Term and Probationary Academic Staff Members.** Each institution shall establish procedures for an impartial review of the layoffs for reasons of budget or program of academic staff members with fixed term and probationary appointments. Nonrenewal is not a layoff under this section.

**UWS 12.07 Layoff Status.**

An academic staff member whose position has been eliminated according to the provisions of this chapter may, at the end of the appropriate notice period, be placed on layoff status, unless the layoff notice has been rescinded prior to that time. The academic staff member whose notice period has expired, and who is placed on layoff status shall remain on layoff status until:

- The appointment expires under its own terms;
- The staff member fails to accept an alternate appointment.

For academic staff on indefinite appointment one of the following occurs:

- The staff member is reappointed to the position from which laid off. Failure to accept such reappointment would terminate the academic staff member's association with the institution;
- The staff member accepts an alternative continuing position in the institution. Failure to accept an alternate appointment would not terminate the academic staff member's association with the institution;
- The staff member resigns;
- The staff member fails to notify the chancellor or his/her designee not later than Dec. 1, of each year while on layoff status, as to his/her location, employment status, and desire to remain on lay off status. Failure to provide such notice of desire to remain on layoff status shall terminate the academic staff member's association with the institution;
- A period of 3 years lapses.

**UWS 12.08 Alternative Employment.** Each institution shall devote its best efforts to securing alternative appointments within the institution in positions for which staff laid off under this chapter are qualified under existing criteria. Each institution should seek to provide financial assistance for academic staff.
members who have indefinite appointments and who are to be laid off to readapt within the operational area or within another operational area of the institution where such readaptation is feasible within one year’s time. Further, the university of Wisconsin system shall devote its best efforts to insure that such staff members laid off in any institution shall be made aware of openings within the system.

- **UWS 12.09 Reappointment Rights.** Each institution shall establish administrative procedures and policies to insure compliance with s. 36.21, Stats., in providing that where layoffs occur for reasons of budget or program, no person may be employed in that operational area at that institution within 3 years to perform reasonably comparable duties to those of the staff member laid off without first offering the laid off staff member on layoff status reappointment without loss of rights or status. In addition, an institution shall continue for 3 years from date of layoff to offer the reappointment rights stated in this section to a laid off fixed term appointee whose appointment has expired under its own terms if such appointee notified the chancellor or his/her designee by December 1 of each year, or more frequently if institutional policies and procedures require, as to his/her location, employment status, and desire to pursue reappointment rights. Failure to provide such notification shall terminate the academic staff member’s reappointment rights under this section.

- **UWS 12.10 Retention of Salary.** Any academic staff member reappointed within 3 years after layoff to reasonably comparable duties within the operational area shall be reappointed with a salary rate at least equivalent to the salary rate when laid off, together with such other rights and privileges which may have accrued at that time.

- **UWS 12.11 Rights of Academic Staff Members of Layoff.** An academic staff member on layoff status in accord with the provisions of this chapter has the reemployment rights guaranteed by s. UWS 12.09 or 12.10, and has the following minimal rights:
  - Such voluntary participation in fringe benefit programs as is permitted by institutional policies;
  - Such continued use of campus facilities as is allowed by policies and procedures established by the institution; and
  - Such participation in institutional activities as is allowed by the policies and procedures established by the institution.

- **UWS 13 Complaints and Grievances**
  - **UWS 13.01 Complaints.** Each institution shall establish policies and procedures to deal with allegations by persons other than the academic staff member’s supervisor(s), including administrators, students, other academic staff, faculty, classified staff, or members of the public concerning conduct by an academic staff member which violates university rules or policies, or which adversely affects the staff member’s performance or obligation to the university but which allegations are not serious enough to warrant dismissal proceedings under ch. UWS 11. Such procedures shall include the designation of an individual or body with the power and authority to conduct a hearing on the complaint and to
recommend solutions to the chancellor if the problem cannot be otherwise resolved.

- **UWS 13.02 Grievances.** Each institution shall establish policies and procedures for adjudicating grievances involving members of the academic staff. Such procedures shall include the designation of an individual or body with the power and authority to investigate and to recommend solutions to the chancellor if the problem cannot be otherwise resolved.

- **UWS 14 Student Academic Disciplinary Procedures**
  - **UWS 14.01 Statement of Principles.** The board of regents, administrators, faculty, academic staff and students of the university of Wisconsin system believe that academic honesty and integrity are fundamental to the mission of higher education and of the university of Wisconsin system. The university has a responsibility to promote academic honesty and integrity and to develop procedures to deal effectively with instances of academic dishonesty. Students are responsible for the honest completion of their work, for the appropriate citation of sources, and for respect of others' academic endeavors. Students who violate these standards must be confronted and must accept the consequences of their actions.
  - **UWS 14.02 Definitions.**
    - "Academic misconduct" means an act described in s. UWS 14.03.
    - "Academic misconduct hearing committee" means the committee or hearing examiner appointed pursuant to s. UWS 14.15 to conduct hearings under s. UWS 14.08.
    - "Chancellor" means the chancellor or designee.
    - "Days" means calendar days.
    - "Disciplinary file" means the record maintained by the student affairs officer responsible for student discipline.
    - "Disciplinary probation" means a status in which a student may remain enrolled in the university only upon the condition that the student complies with specified standards of conduct for a specified period of time, not to exceed 2 semesters.
    - "Disciplinary sanction" means any action listed in s. UWS 14.04 taken in response to student academic misconduct.
    - "Expulsion" means termination of student status with resultant loss of all student rights and privileges.
    - "Hearing examiner" means an individual appointed by the chancellor in accordance with s. UWS 14.15 for the purpose of conducting a hearing under s. UWS 14.08.
    - "Institution" means any university or center, or organizational equivalent designated by the board.
    - "Instructor" means the faculty member or instructional academic staff member who has responsibility for the overall conduct of a course and ultimate responsibility for the assignment of the grade for the course.
    - "Investigating officer" means an individual, or his or her designee, appointed by the chancellor of each institution to carry out certain responsibilities in the course of investigations of academic misconduct under this chapter.
"Student" means any person who is registered for study in an institution for the academic period in which the misconduct occurred.  
"Student affairs officer" means the dean of students or student affairs officer designated by the chancellor to carry out duties described in this chapter.  
"Suspension" means a loss of student status for a specified length of time, not to exceed two years, with resultant loss of all student rights and privileges.  
**UWS 14.03 Academic Misconduct Subject to Disciplinary Action.**  
Academic misconduct is an act in which a student:  
- Seeks to claim credit for the work or efforts of another without authorization or citation;  
- Uses unauthorized materials or fabricated data in any academic exercise;  
- Forges or falsifies academic documents or records;  
- Intentionally impedes or damages the academic work of others;  
- Engages in conduct aimed at making false representation of a student's academic performance; or  
- Assists other students in any of these acts.  
Examples of academic misconduct include, but are not limited to: cheating on an examination; collaborating with others in work to be presented, contrary to the stated rules of the course; submitting a paper or assignment as one's own work when a part or all of the paper or assignment is the work of another; submitting a paper or assignment that contains ideas or research of others without appropriately identifying the sources of those ideas; stealing examinations or course materials; submitting, if contrary to the rules of a course, work previously presented in another course; tampering with the laboratory experiment or computer program of another student; knowingly and intentionally assisting another student in any of the above, including assistance in an arrangement whereby any work, classroom performance, examination or other activity is submitted or performed by a person other than the student under whose name the work is submitted or performed.  
**UWS 14.04 Disciplinary Sanctions.**  
The following are the disciplinary sanctions that may be imposed for academic misconduct in accordance with the procedures of ss. UWS 14.05, 14.06 or 14.07:  
- An oral reprimand;  
- A written reprimand presented only to the student;  
- An assignment to repeat the work, to be graded on its merits;  
- A lower or failing grade on the particular assignment or test;  
- A lower grade in the course;  
- A failing grade in the course;  
- Removal of the student from the course in progress;  
- A written reprimand to be included in the student's disciplinary file;  
- Disciplinary probation; or  
- Suspension or expulsion from the university.  
One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of academic misconduct.  
**UWS 14.05 Disciplinary Sanction Imposed at the Discretion of the Instructor.**
Where an instructor concludes that a student enrolled in one of his or her courses has engaged in academic misconduct in the course, the instructor for that course may impose one or more of the following disciplinary sanctions, as listed under s. UWS 14.04(1)(a) through (c):

- An oral reprimand;
- A written reprimand presented only to the student; or
- An assignment to repeat the work, to be graded on its merits.

No disciplinary sanction may be imposed under this section unless the instructor promptly offers to discuss the matter with the student. The purpose of this discussion is to permit the instructor to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

A student who receives a disciplinary sanction under this section has the right to a hearing before the academic misconduct hearing committee under s. UWS 14.08 to contest the determination that academic misconduct occurred, or the disciplinary sanction imposed, or both. If the student desires such a hearing, he or she must file a written request with the student affairs officer within 10 days of imposition of the disciplinary sanction by the instructor.

**UWS 14.06 Procedures: Disciplinary Sanction Imposed Following a Report of Academic Misconduct by the Instructor.** Where an instructor believes that a student enrolled in one of his or her courses has engaged in academic misconduct and the sanctions listed under s. UWS 14.04(1)(a) through (c) are inadequate or inappropriate, the instructor may proceed in accordance with this section to impose, subject to hearing rights in s. UWS 14.08, one or more of the disciplinary sanctions listed under s. UWS 14.04(1)(d) through (h).

- Conference with Student. When an instructor concludes that proceedings under this section are warranted, the instructor shall promptly offer to discuss the matter with the student. The purpose of this discussion is to permit the instructor to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

  - Determination by the Instructor that no Academic Misconduct Occurred. If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did not in fact occur or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action or a written report.

  - Process Following Determination by the Instructor that Academic Misconduct Occurred.

    - If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did occur and that one or more of the disciplinary sanctions listed under s. UWS 14.04(1)(d) through (h) should be recommended, the instructor shall prepare a written report so informing the student, which shall contain the following:

      - A description of the misconduct;
      - Specification of the sanction recommended;
      - Notice of the student's right to request a hearing before the academic misconduct hearing committee; and
A copy of the institutional procedures adopted to implement this section.

The written report shall be delivered personally to the student or be mailed to the student by regular first class United States mail at his or her current address, as maintained at the institution. In addition, copies of the report shall be provided to the institution’s student affairs officer and to others authorized by institutional procedures.

A student who receives a written report under this section has the right to a hearing before the academic misconduct hearing committee under s. UWS 14.08 to contest the determination that academic misconduct occurred, or the choice of disciplinary sanction, or both. If the student desires the hearing before the academic misconduct hearing committee, the student must file a written request with the student affairs officer within 10 days of personal delivery or mailing of the written report. If the student does not request a hearing within this period, the determination of academic misconduct shall be regarded as final, and the disciplinary sanction recommended shall be imposed.

Process Following Determination by the Instructor that Disciplinary Probation, Suspension or Expulsion may be Warranted.

If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did occur and that disciplinary probation, suspension or expulsion under s. UWS 14.04(1)(l) or (j) should be recommended, the instructor shall provide a written report to the investigating officer, which shall contain the following:

A description of the misconduct; and

Specification of the sanction recommended.

Upon receipt of a report under this subsection, the investigating officer may proceed, in accordance with s. UWS 14.07, to impose a disciplinary sanction.

UWS 14.07 Procedures: Disciplinary Sanction Imposed Following a Report of Academic Misconduct by the Investigating Officer. The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. UWS 14.04(1)(g) through (j).

Authority of Investigating Officer. The investigating officer may proceed in accordance with this section when he or she receives information that a student at the institution has engaged in alleged academic misconduct and:

Some or all of the alleged academic misconduct occurred outside the scope of any course for which the involved student is currently registered;

The involved student has previously engaged in academic misconduct subject to the disciplinary sanctions listed in s. UWS 14.04(1)(d) through (j);

The alleged misconduct would, if proved to have occurred, warrant a sanction of disciplinary probation, suspension or expulsion; or

The instructor in the course is unable to proceed.

Conference with Student. When the investigating officer concludes that proceedings under this section are warranted, he or she shall promptly offer to discuss the matter with the student. The purpose of this discussion is to permit the investigating officer to review with the student the bases for his or her belief
that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

- **Conference with Instructor.** An investigating officer proceeding under this section shall discuss the matter with an involved instructor. This discussion may occur either before or after the conference with the student. It may include consultation with the instructor on the facts underlying the alleged academic misconduct and on the propriety of the recommended sanction.

- **Determination by the Investigating Officer that no Academic Misconduct Occurred.** If, as a result of discussions under subs. (2) and (3), the investigating officer determines that academic misconduct did not in fact occur or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action or a written report.

- **Process Following Determination by the Investigating Officer that Academic Misconduct Occurred.**

- If, as a result of discussions under subs. (2) and (3), the investigating officer determines that academic misconduct did occur and that one or more of the disciplinary sanctions listed under s. UWS 14.04(1)(g) through (j) should be recommended, the investigating officer shall prepare a written report so informing the student, which shall contain the following:
  - A description of the misconduct;
  - Specification of the sanction recommended;
  - Notice of the student's right to a hearing before the academic misconduct hearing committee; and
  - A copy of the institutional procedures adopted to implement this section.

- The written report shall be delivered personally to the student or mailed to the student by regular first class United States mail at his or her current address, as maintained at the institution. In addition, a copy of the report shall be provided to the instructor and to the institution's student affairs officer.

- A student who receives a written report under this section has the right to a hearing before the academic misconduct hearing committee under s. UWS 14.08 to contest the determination that academic misconduct occurred, or the choice of disciplinary sanction, or both.

- Except in cases where the disciplinary sanction recommended is disciplinary probation, suspension or expulsion, if the student desires the hearing before the academic misconduct hearing committee, the student must file a written request with the student affairs officer within 10 days of personal delivery or mailing of the written report. If the student does not request a hearing within this period, the determination of academic misconduct shall be regarded as final, and the disciplinary sanction recommended shall be imposed.

- In cases where the disciplinary sanction recommended is disciplinary probation, suspension or expulsion, the student affairs officer shall, upon receipt of the written report under par. (b), proceed under s. UWS 14.08 to schedule a hearing on the matter. The purpose of the hearing shall be to review the determination that academic misconduct occurred and the disciplinary sanction recommended. A hearing will be conducted unless the student waives, in writing, the right to such a hearing.
UWS 14.08 Procedures: Hearing.

If a student requests a hearing, or a hearing is required to be scheduled under s. UWS 14.07(5)(c)2, the student affairs officer shall take the necessary steps to convene the academic misconduct hearing committee and shall schedule the hearing within 10 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the student, instructor or investigating officer, and the members of the hearing committee.

Reasonably in advance of the hearing, the committee shall obtain from the instructor or investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide a copy of Chapter UWS 14 to the student.

The hearing before the academic misconduct hearing committee shall be conducted in accordance with the following requirements:

- The student shall have the right to question adverse witnesses, the right to present evidence and witnesses, and to be heard in his or her own behalf, and the right to be accompanied by a representative of his or her choice.
- The hearing committee shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value, but shall exclude immaterial, irrelevant, or unduly repetitious testimony, and shall give effect to recognized legal privileges.
- The hearing committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the hearing. Any party to the hearing may obtain copies of the record at his or her own expense. Upon a showing of indigency and legal need, a party may be provided a copy of the verbatim record of the testimony without charge.
- The hearing committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.
- The hearing committee may find academic misconduct and impose a sanction of suspension or expulsion only if the proof of such misconduct is clear and convincing. In other cases, a finding of misconduct must be based on a preponderance of the credible evidence.
- The committee may impose a disciplinary sanction that differs from the recommendation of the instructor or investigating officer.
- The instructor or the investigating officer or both may be witnesses at the hearing conducted by the committee, but do not have responsibility for conducting the hearing.
- The decision of the hearing committee shall be served upon the student either by personal delivery or by first class United States mail and shall become final within 10 days of service, unless an appeal is taken under s. UWS 14.09.

UWS 14.09 Appeal to the Chancellor.

Where the sanction prescribed by the hearing committee is suspension or expulsion, the student may appeal to the chancellor to review the decision of the hearing committee on the record. In such a case, the chancellor shall sustain the decision of the academic misconduct hearing committee unless the chancellor finds:
- The evidence of record does not support the findings and recommendations of the hearing committee;
- Established procedures were not followed by the academic misconduct hearing committee and material prejudice to the student resulted; or
- The decision was based on factors proscribed by state or federal law regarding equal educational opportunities.
- If the chancellor makes a finding under sub. (1), the chancellor may remand the matter for consideration by a different hearing committee, or, in the alternative, may invoke an appropriate remedy of his or her own.

**UWS 14.10 Discretionary Appeal to the Board of Regents.** Institutional decisions under ss. UWS 14.05 through 14.09 shall be final, except that the board of regents may, at its discretion, grant a review upon the record.

**UWS 14.11 Settlement.** The procedures set forth in this chapter do not preclude a student from agreeing that academic misconduct occurred and to the imposition of a sanction, after proper notice has been given. Required written reports, however, may not be waived.

**UWS 14.12 Effect of Discipline within the University System.** Suspension or expulsion shall be system wide in effect.
- A student who is suspended or expelled from one institution in the university of Wisconsin system may not enroll in another institution in the system unless the suspension has expired by its own terms or one year has elapsed after the student has been suspended or expelled.
- Upon completion of a suspension period, a student may re enroll in the institution which suspended him or her as if no suspension had been imposed.

**UWS 14.13 Right to Petition for Readmission.** A student who has been expelled may petition for readmission, and a student who has been suspended may petition for readmission prior to the expiration of the suspension period. The petition for readmission must be in writing and directed to the chancellor of the institution from which the student was suspended or expelled. The petition may not be filed before the expiration of one year from the date of the final determination in expulsion cases, or before the expiration of one half of the suspension period in suspension cases. The chancellor shall, after consultation with elected representatives of the faculty, academic staff, and students, adopt procedures for determining whether such petitions will be granted or denied.

**UWP (1) Petition for Readmission Procedures.** The following procedure shall be followed when determining whether a petition for readmission will be granted or denied:
- The petition for readmission must be in writing and directed to the Chancellor. The Chancellor will notify the presiding officer of the Academic Misconduct Hearing Committee of his or her receipt of petition. The Academic Misconduct Hearing Committee presiding officer shall schedule a meeting of the Hearing Committee within ten (10) days of receipt of the notification from the Chancellor, unless a different time period is mutually agreed upon by the student and the members of the Hearing Committee. The meeting with the Academic Misconduct Hearing Committee shall be conducted in accordance with the following requirements:
The student shall have the right to present evidence and witnesses, and to be heard in his or her own behalf, and the right to be accompanied by an advisor of his or her choice.

The student will be expected to present his/her specific reasons for readmission prior to expiration of the suspension period or while expelled.

The hearing committee shall make a record of the meeting. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the meeting. Any party to the meeting may obtain copies of the record at his or her own expense. Upon a showing of indigency and legal need, a party may be provided a copy of the verbatim record of the testimony without charge.

The hearing committee shall prepare written findings of fact and a written statement of its readmission decision based upon the record of the hearing.

The decision of the hearing committee shall be served upon the student either by personal delivery or by first class United States mail and shall become final within 10 days of service, unless an appeal is taken.

Appeal to the Chancellor. The student may appeal to the Chancellor to review the decision of the hearing committee on the record. The Chancellor may:

- Sustain the decision of the Committee.
- Invoke an appropriate remedy of his or her own.
- The Chancellor's decision shall be final.

UWS 14.14 Investigating Officer. The chancellor of each institution, in consultation with faculty, academic staff, and student representatives, shall designate an investigating officer or officers for student academic misconduct. The investigating officer UWP at the University of Wisconsin-Platteville will be the staff in the Assistance Chancellor for Student Affairs Office and shall have responsibility for investigating student academic misconduct and initiating procedures for academic misconduct under s. UWS 14.07. An investigating officer may also serve on the academic misconduct hearing committee for a case, if he or she has not otherwise been involved in the matter.

UWS 14.15 Academic Misconduct Hearing Committee: Institutional Option. The chancellor of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student academic misconduct hearing committee or designation of a hearing examiner to fulfill the responsibilities of the academic misconduct hearing committee in this chapter.

A student academic staff misconduct hearing committee shall consist of at least three persons, including a student or students, and the presiding officer shall be appointed by the chancellor. The presiding officer and at least one other member shall constitute a quorum at any hearing held pursuant to due notice.

A hearing examiner shall be selected by the chancellor from the faculty and staff of the institution.

UWP (3) The University of Wisconsin-Platteville will allow the accused student to have the option of selecting either a committee or hearing officer
(the hearing officer would be the presiding officer of the hearing committee).

- The Committee membership shall be as follows:
  - Two (2) Faculty appointed by the Faculty Senate.
  - Two (2) Students appointed by the Student Senate.
  - One (1) Instructional Academic Staff appointed by the Academic Staff Senate.

- The Chancellor will appoint the presiding officer from the members of the committee.

- **UWS 14.16 Notice to Students.** Each institution shall publish and make freely available to students copies of Chapter UWS 14 and any institutional policies implementing Chapter UWS 14.

- **UWS 14.17 Notice to Instructors.** Each institution shall adopt procedures to ensure that instructors are familiar with these policies. Each institution shall provide instructors with copies of Chapter UWS 14 and any institutional policies implementing Chapter UWS 14 upon employment with the university, and each department chair shall be provided such copies upon assuming the duties of the chair.

- **UWS 14.18 Consistent Institutional Policies.** Each institution is authorized to adopt policies consistent with this chapter. A copy of such policies shall be filed with the board of regents and the university of Wisconsin system office of academic affairs.

- **UWS 17 Student Nonacademic Disciplinary Procedures**
  - **UWS 17.01 Policy Statement.** The board of regents of the university of Wisconsin system adopts the following policy on the standards and procedures for student discipline in the university system, acknowledging both the need to preserve the orderly processes of the university with regard to its teaching, research, and public service missions, as well as the need to observe the student’s procedural and substantive rights.
  - **UWS 17.02 Definitions.**
    - "Chancellor" means the chancellor or designee.
    - "Investigating officer" means investigating officer or designee.
    - "Student," for the purpose of this chapter, means any person who is registered for study in any institution in the university for the current academic period. A person shall be considered a student during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding academic period or until 14 calendar days have elapsed after the commencement of classes for the next succeeding academic period, whichever occurs first.
    - "Disciplinary sanction" or "sanction" means any action affecting the status of an individual as a student which is taken by the university in response to student nonacademic misconduct. The term shall include probation, resignation or leave for misconduct, suspension or expulsion, written reprimand, denial of particular
Disciplinary sanctions shall not include cut off or revocation of a student’s financial aids; however, this shall not be interpreted as precluding the individual operation of rules or standards governing eligibility for student financial aid under which the imposition of a disciplinary sanction could result in disqualification of the student for financial aid. Each institution is authorized to adopt a more explicit listing of sanctions and actions which is consistent with the provisions of this section.

- "Probation" means that the student is permitted to remain enrolled in the university only upon condition that he/she comply with all university rules or regulations or with other standards of conduct which the student is directed to observe for the duration of the period of the probation and which may include loss of student privileges except those of attending classes and writing examinations. Probation may not exceed 2 semesters in duration for any given misconduct, except that violation of probationary conditions shall be cause for extension of the probation for more than 2 additional semesters or for suspension or expulsion.

- "Suspension" means a temporary loss of student status for a specified period of time, not to exceed 2 years, with resultant loss of all student rights and privileges. Upon completion of suspension, the student shall have the same standing to reenroll as he/she would have had if no suspension had been imposed.

- "Expulsion" means termination of student status with resultant loss of all student rights and privileges.

- "Instructor" for the purposes of this chapter means the faculty member who has responsibility for the overall conduct of a course and ultimate responsibility for the assignment of the grade for the course.

- "Institution" means any university, or an organizational equivalent designated by the board.

- "Days" means calendar days.

- "Intentional conduct" means conduct which the student knew or reasonably should have known would result in conduct prohibited by this chapter.

- "Members of the university community" means students and employees of the university.

**UWS 17.03 Right to Petition for Readmission.** A student who has been expelled or suspended may petition for readmission. The petition must be in writing and directed to the chancellor of the institution which initiated the charges for which the student was suspended or expelled. Such petition may not be filed before the expiration of one year from the date of the final determination in

(Table of Contents) Page 156
expulsion cases, or before the expiration of one half of the suspension period in suspension cases. The chancellor shall after consultation with the elected committee which serves as the faculty's executive arm and with the elected officers of the principal student organization, adopt procedures for determining whether such petitions will be granted or denied.

- **UWS 17.04 Effect of Discipline Within The University System.** Suspension or expulsion shall be system wide in effect. A student who is suspended or expelled from one institution in the university of Wisconsin system may not enroll in another institution in the system unless the suspension has expired by its own terms or one year has elapsed after the student has been suspended or expelled.

- **UWS 17.05 System Wide Disciplinary Authority.** The investigating officer for the institution at which a student was enrolled at the time that acts in violation of this chapter were alleged to have been committed by the student shall have authority to institute disciplinary proceedings against such student, notwithstanding that the institution against which the acts were alleged to have been committed is not the same institution at which the student was enrolled at the time of the commission of such acts.

- **UWS 17.06 Offenses Defined.** The university may discipline a student in nonacademic matters in the following situations.
  - For intentional conduct which constitutes a serious danger to the personal safety of other members of the university community or guests. In order to illustrate the types of conduct which the paragraph is designed to cover, the following examples are set forth. These examples are not meant to illustrate the only situations or types of conduct intended to be covered.
  - A student would be in violation if he or she attacked or otherwise physically abused, threatened to physically injure, or physically intimidated a member of the university community or a guest because of that person's race, sex, religion, color, creed, disability, sexual orientation, national origin, ancestry or age.
  - A student would be in violation if he/she attacked or threw rocks or other dangerous objects at law enforcement personnel whose services had been retained or called for to protect members of the university community or university property, or if he/she incited others to do so when he/she knew or reasonably should have known that such conduct would result.
  - A student would be in violation if he/she sold or delivered a controlled substance as defined by the Wisconsin Uniform Controlled Substance Act (ch. 161, Stats.) or if he/she possessed a controlled substance with intent to sell or deliver. For the purposes of this section "delivery" shall be defined as a delivery prohibited by ch. 161, Stats.
  - A student would be in violation if he/she removed, tampered with, or otherwise rendered useless university equipment or property intended for use in preserving or protecting the safety of members of the university community such as fire exit signs, extinguishers, alarms, or hoses, first aid equipment, or emergency
telephones, or if he/she obstructed or caused to be inoperable fire escape routes such as stairwells or elevators.

- For intentional conduct that seriously damages or destroys university property or attempts to seriously damage or destroy university property.

- For intentional conduct that obstructs or seriously impairs or attempts to obstruct or seriously impair university run or university-authorized activities on any campus, including activities either outdoors or inside a classroom, office, lecture hall, library, laboratory, theater, union, residence hall, or other place where a university run or university authorized activity is carried on. The kind of intentional conduct referred to is conduct which by itself or in conjunction with the conduct of others prevents the effective carrying on of the activity a result which the student knew or reasonably should have known would occur. In order to illustrate types of conduct which this paragraph is designed to cover, the following examples are set out. These examples are not meant to illustrate the only situations or types of conduct intended to be covered.

- A student would be in violation if he/she participated in conduct which he/she knew or should have known would prevent or block physical entry to, or exit from, a university building, corridor, or room to anyone apparently entitled to enter or leave in connection with a university run or university authorized activity.

- A student would be in violation if, in attending a speech or program on campus sponsored by or with permission of the university, he/she engaged in shouted interruptions, whistling, derisive laughter, or other means which by itself or in conjunction with the conduct of others prevented or seriously interfered with a fair hearing of the speech or program, under circumstances where the student knew or reasonably should have known this would occur.

- A student would be in violation if in a classroom he/she used techniques similar to those specified in the preceding paragraph, or filibuster type tactics or other tactics, which by themselves or in conjunction with the conduct of others, prevented or seriously interfered with the carrying on of the teaching and learning process, under circumstances where the student knew or reasonably should have known this would occur.

- A student would be in violation if he/she intentionally obstructed a university official or employee engaged in the lawful performance of his/her duties.

- A student would be in violation if he or she removed pages from library books or parts of other materials or caused books or materials to be unavailable for use by others by removing them from their proper place without proper authorization or by hiding them in the library so that they are not available in the usual manner to persons wishing to use them.
For unauthorized possession of university property or property of another member of the university community.

For acts which violate the provisions concerning parking, traffic, I.D. cards, university keys, drugs, smoking in unauthorized places, carrying firearms, unauthorized peddling, unauthorized use of sound amplifying equipment, and other subjects covered by the published University of Wisconsin System Administrative Code (ch. UWS 18).

For making a knowingly false statement, either orally or in writing, to any university employee or agent on a university related matter.

**UWS 17.07 Disciplinary Procedure.**

INVESTIGATING OFFICER. The chancellor of each institution, after consultation with the elected committee which serves as the faculty's executive arm and with the elected officers of the principal student organization, shall designate a person as "investigating officer" who shall investigate cases of student conduct alleged to be in violation of s. UWS 17.06. Where it appears that a violation has occurred, the investigating officer shall proceed in accordance with the provisions of this chapter.

FORMAL ADJUDICATION. If the maximum sanction sought by the investigating officer includes suspension or expulsion, the procedures in s. UWS 17.09 shall apply and the investigating officer shall cause a statement of charges to be prepared and served upon the student involved. The statement of charges shall contain:

- A concise summary giving dates, time, place, and events of the facts or conduct on which the charge is based.
- A citation to and quotation from the rule(s) alleged to have been violated.
- A statement of the maximum penalty sought by the investigating officer.
- An explanation of the consequences of failure to answer the statement of charges.
- Statements as to whether the university will or will not be represented by counsel and that the student may be represented by a person of his/her choice, including legal counsel, at his/her own expense.
- A copy of this chapter.

INFORMAL ADJUDICATION.

The chancellor shall, after consultation with the elected committee which serves as the faculty's executive arm and with the elected officers of the principal student organization, establish institution regulations for an informal system of adjudication for cases in which the maximum penalty sought by the investigating
officer does not include suspension or expulsion except that if adjudication in this manner would result in disqualifying the student for financial aids, the procedures in s. UWS 17.09 shall apply. The informal system shall include the following and such other provisions as are not inconsistent with this chapter:

- **Representation of the student by a person of his or her choice, including legal counsel, at his/her own expense,**

- **Written notice to the student of the offense with which he/she is charged, the facts or conduct on which that charge is based, and the penalties which may possibly be imposed,**

- **Advance written notice of and an opportunity for a hearing at which evidence against the student shall be reviewed and at which the student shall have an opportunity to present evidence and argument, including a written statement, to refute the charge, and**

- **A written decision which shall include findings of fact and conclusions. The procedures shall also provide for an appeal of the disciplinary decision within the institution.**

If, during informal adjudication, the investigating officer concludes that suspension or expulsion should be sought rather than a lesser sanction, the investigating officer may cause a statement of charges to be served upon the student in accordance with sub. (2), in which event the procedures in s. UWS 17.09 shall apply.

- **SETTLEMENT.** Nothing contained in this chapter shall prevent the student, during an investigation of alleged misconduct, during informal adjudication, or after a statement of charges has been served but prior to a hearing provided in accordance with s. UWS 17.09, from submitting a written resignation from the university.

- **In the event of such resignation, the investigating officer shall impose such sanction as he deems appropriate consistent with the statement of charges; provided, however, the student may, within 10 calendar days after receiving notice of the imposition of such sanction, request a hearing as provided by s. UWS 17.07.**

- **Nothing contained in this chapter shall limit the right of the university and the student during an investigation of alleged misconduct, during informal adjudication, or after a statement of charges has been served, to agree to a disciplinary sanction if the student agrees not to contest the charges (pleads "no contest"). Any such agreement shall be reduced to writing which, when signed by the student, shall conclude the case.**

- **RIGHTS AND PRIVILEGES.** Whenever charges or appeals under this chapter are pending, a student under charges, unless temporarily suspended pursuant to
s. UWS 17.12, shall continue to have the same rights and privileges accorded other students. However, grades or diplomas may be withheld pending final determination of the charges; a current transcript shall be issued at the request of the student, but it may contain the notation “Disciplinary Charges Pending” on the face thereof.

- **SERVICE OF NOTICE OR DECISIONS.** Each student shall be responsible for maintaining on file with the office specified by each institution current school and permanent home addresses. Notification of these addresses shall be in writing.
  - For service of a statement of charges under sub. (2) and of actions taken pursuant to s. UWS 17.09, copies shall be served in person or by certified, return receipt requested mail to both the student's institution and permanent home address. Where service is by mail, the date of service shall be the second day after the day of mailing.
  - For informal adjudications pursuant to sub. (3), correspondence and notices may be served in person or by mail to the student's institution address. Where service is by mail, the date of service shall be the second day after the day of mailing.

- **UWS 17.08 Student Conduct Hearing Tribunal: Campus Option.**
  - The chancellor shall, after consultation with the elected committee which serves as the faculty's executive arm and with the elected officers of the principal student organization, adopt regulations providing for the establishment of a student conduct hearing tribunal which may be constituted in one of two manners as chosen by the student charged:
    - A hearing examiner appointed by the chancellor upon the filing of charges under s. UWS 17.07(2) asking suspension or expulsion. The hearing examiner shall be appointed from among qualified personnel of the various state agencies or other qualified residents of the state with experience in conducting hearings. If an examiner is an employee of a state agency other than the university, his/her appointment must be approved by the head of the agency by which he/she is regularly employed and the university shall reimburse such agency for the salary of the examiner and shall pay expenses incidental to his/her duties for the university. The examiner remains the employee of the agency by which he/she is regularly employed. The appointment of the hearing examiner from other state agencies shall be in compliance with ss. 16.24 and 20.901, Stats. (1971). If the examiner is not an employee of a state agency other than the university, appropriate arrangements for compensation and reimbursement for expenses shall be made by the chancellor; or
    - A student conduct hearing committee with a membership of at least three persons some of whom shall be students whose presiding officer shall be appointed by the chancellor. At any hearing held pursuant to due notice the presiding officer shall constitute a quorum.

- Institutional regulations adopted under this section shall provide that, upon the filing of charges under s. UWS 17.07 (2) asking for suspension or expulsion, the
student shall be offered the choice of having his/her case heard by a tribunal described by either sub. (1)(a) or (b) above. The student shall be informed in writing of his/her right to choose the type of tribunal at the time charges are filed. At the time a request for a hearing is made under s. UWS 17.09(1), the student shall also notify the chancellor of his/her choice; in the event timely notice is not received from the student, the chancellor shall decide which choice shall be used for adjudication of the case.

**UWS 17.09 Discipline Involving Suspension or Expulsion.**

A student charged in accordance with s. UWS 17.07(2) has 10 calendar days from the day of service to request a hearing in accordance with this section. The request for a hearing shall be in writing directed to the chancellor and shall also include an answer to the statement of charges which shall specifically admit, deny, or explain each of the facts alleged in the statement of charges unless the student is without knowledge in which case he/she shall so state, such statement being a denial. If an answer is filed which does not specifically admit, deny, or explain every allegation in the statement of charges, those allegations which are not admitted, denied, or explained shall be deemed denied. An answer which denies some or all of the allegations but which does not request a hearing shall be construed as a request for a hearing.

If the student does not file an answer to the statement of charges in accordance with sub. (1), the allegations in the statement of charges shall be accepted as true and the university may proceed to expel, suspend, or impose other punishment on the student unless good cause to the contrary is shown. The sanction imposed may not exceed that specified in the statement of charges. Notice of such action shall be served on the student and become effective upon service in accordance with s. UWS 17.07(6).

When a request for a hearing is made, the case shall be referred by the chancellor to the student conduct hearing tribunal established in accordance with s. UWS 17.08. Notice of referral to a hearing tribunal shall be sent to the student. The student shall also be notified of the name and address of the person who will present the university's case to the tribunal.

Hearing procedures. In this section, "presiding officer" shall mean the hearing examiner appointed in s. UWS 17.08(1) or the presiding officer of the student conduct hearing committee, established in s. UWS 17.08(1)(b). "Tribunal" shall mean the hearing examiner appointed in s. UWS 17.08(1)(a) or the student conduct hearing committee established in s. UWS 17.08(1)(b).

- Duties of the presiding officer.
- Take custody of the case file and papers.
- Schedule hearings in accordance with these rules.
- Issue subpoenas and administer oaths.
- Rule upon offers of proof and receive relevant evidence.
- Regulate the course of the hearing, dispose of motions, procedural matters or requests, and, if appropriate or necessary, order the removal of persons who unreasonably obstruct or impair the tribunal's proceedings in its presence, and/or if such persons are students, order the investigating officer to commence disciplinary proceedings.
- Schedule filing of briefs and proposed findings by the student and the university.
- Produce a summary of the evidence.
- Take any other actions necessary to conduct the hearing.
- Duties and powers of the tribunal. Individual members of the tribunal:
  - May challenge any ruling by the presiding officer and may, by majority vote, overrule such ruling but such matters unless otherwise convenient should be decided in closed session.
  - Shall, by majority vote, render written findings of fact, decision, and disciplinary sanction which does not exceed that specified by the statement of charge.
  - May examine witnesses.
- Evidence. Evidence having reasonable probative value shall be admitted, but irrelevant, immaterial and unduly repetitious evidence shall be excluded. The presiding officer and the tribunal are not bound by common law or statutory rules of evidence.
- Burden of proof. The burden of proof shall be on the university to establish by a preponderance of the credible evidence that conduct violative of university rules occurred.
- Record of hearings. A record of the testimony and a file of the exhibits shall be made of all hearings conducted in accordance with this section. Either party may, at its own expense, have the record transcribed.
- Procedural rights of the students. The students shall have the right to confront and cross examine witnesses against him/her, the right to present evidence and to be heard on his/her own behalf, the right to be represented by counsel at his/her own expense, and the right to a transcript of the proceedings at his/her own expense.
Public hearings. Hearings to receive evidence or hear argument shall be public unless the student whose case is being heard requests a closed hearing or the tribunal determines in extra-ordinary circumstances that it is necessary to hold a closed hearing, pursuant to s. 66.77(3)(e), Stats., to avoid unduly damaging the reputation of innocent persons. A record shall be made of the reasons for closing any hearing. The deliberations of the tribunal shall not be public.

Schedule of hearings. The presiding officer shall schedule the hearing as expeditiously as possible. The hearing shall be held on the date scheduled, except for good cause shown.

Failure to proceed. Failure of a party to proceed shall constitute default. The tribunal may either dismiss the charges, or, upon a prima facie showing, find that the student committed the conduct alleged.

Decision.

The tribunal’s decision shall be rendered in writing within 10 calendar days after the close of the hearing, or within 10 calendar days after a written transcript is available if one of the parties requests a transcript pursuant to par. (g), and shall consist of a summary of the evidence, findings of fact, decision, and specification of the disciplinary sanction which does not exceed that specified in the statement of charges.

The tribunal’s decision shall be served on the student in accordance with s. UWS 17.07(6) and on the chancellor’s office.

The tribunal’s decision shall become final 10 calendar days after service on the student unless a timely appeal is filed pursuant to s. UWS 17.10 or 17.11.

UWS 17.10 Appeal to the Board of Regents.

The student or administration may appeal on the record to the committee on student discipline of the board of regents. Said appeal must be filed within 10 calendar days of service upon the party of the decision appealed from and shall consist of written exceptions to the decision’s findings of fact, decision, or disciplinary sanction.

Upon receipt of the appeal and written exceptions, the secretary of the board shall transmit the written exceptions to the chairman of the committee and shall cause the person with custody of the decision(s), file, exhibits, and transcript or recording of the hearing(s) to transmit them to the chairman of the committee.

If exceptions are filed under sub. (1), the committee shall afford the parties an opportunity to file briefs and present oral argument.

The committee shall render written findings of fact, decision, and disciplinary sanction which does not exceed that specified by the statement of charges.
The committee's decision shall become final upon service upon the student in accordance with s. UWS 17.07(6).

The board of regents reserves jurisdiction to review, upon its own motion, any disciplinary action against a student.

**UWS 17.11 Intermediate Appeals; Campus Option.**

The chancellor of each institution is authorized, but not required by this section, after consultation with the elected committee which serves as the faculty's executive arm and with the elected officers of the principal student organization, to establish appellate tribunals and procedures which are not inconsistent with this chapter for adjudication of appeals from decisions rendered in accordance with s. UWS 17.09. Such tribunals may include review by an all student, student faculty, or all faculty committee, and/or review by the chancellor.

An appeal to an appellate tribunal must be filed within 10 calendar days of service upon the party of the decision appealed from and shall consist of written exceptions to the findings of fact, decision, or disciplinary sanction.

The parties shall have an opportunity to file briefs and present oral argument. Appeals shall be heard as soon as practicable but no later than 7 calendar days after the written exceptions are filed in accordance with sub. (2).

A record shall be made of appellate tribunal proceedings.

Appellate decisions shall be rendered within 5 calendar days of the hearing and shall consist of a summary of the evidence, written findings of fact, decision, and disciplinary sanction which shall in no event be more severe than the sanction imposed by the student conduct hearing tribunal.

Appellate decisions shall become final 10 calendar days after service upon the student in accordance with s. UWS 17.07(6) unless a timely appeal is filed either under this section, if further appeal is available, or under s. UWS 17.10.

The student shall have the right at any time to appeal to the regents in accordance with s. UWS 17.10. Intermediate appellate proceedings shall be terminated immediately upon the appellate tribunal's receipt of notice from the student that an appeal to the regents has been filed.

**UWS 17.12 Temporary Suspension.**

A student may be temporarily suspended by the chancellor pending final action on the charges against him/her if his/her continued presence on campus would constitute a potential for serious harm to himself/herself or to the safety of other members of the university community or of university property. Except as otherwise provided in sub. (3), the student shall be afforded an opportunity for a preliminary hearing prior to imposition of the temporary suspension. In order to illustrate the types of conduct which warrant temporary suspension, the following
examples are set forth. These examples are not meant to illustrate the only situations or types of conduct intended to be covered.

- A student who was arrested and charged with possession of controlled substances with intent to deliver was discovered to have large quantities of LSD, heroin, methamphetamines, or barbiturates in his/her university dormitory room.

- A student who was arrested for throwing a fire bomb into a university classroom building.

- A student who assaulted another student in the student union was arrested for engaging in conduct regardless of human life.

- A student whose behavior was judged by a psychiatrist to be psychotic, posing a threat to safety of himself/herself or others.

Before a temporary suspension may be imposed, the chancellor shall make an initial evaluation of the reliability of the information received and make such further investigation as circumstances permit. If the chancellor concludes that the conduct alleged warrants temporary suspension of the student, the chancellor shall notify the student of an intention to temporarily suspend the student and, at the earliest practicable opportunity, provide the student with an opportunity to be heard.

The chancellor shall maintain records of all attempts to notify the student in accordance with sub. (2), and, if all reasonable efforts to notify the student are unsuccessful, the chancellor may impose the temporary suspension without a preliminary hearing, provided, however, attempts to notify the student continue, and the student is afforded a preliminary hearing at the earliest practicable opportunity.

The preliminary hearing shall be held as soon as practicable.

At the hearing, the student shall be given a statement of charges as required by s. UWS 17.07 (2)(a) and (b) and a summary of the reason(s) for concluding that the alleged conduct warrants temporary suspension.

The issues shall be limited to consideration of the reliability of the evidence against the student and whether the alleged conduct warrants temporary suspension.

The chancellor's decision may be rendered orally but shall be confirmed in writing, as soon as practicable. The decision must be supported by credible evidence which is sufficient to indicate that there is probable cause to believe that the student engaged in the alleged conduct and that such conduct warrants
temporary suspension.

- The hearing on the charges as required by s. UWS 17.09 shall be commenced not later than 15 calendar days after the imposition of the temporary suspension unless the student requests a delay of the hearing and continuation of the temporary suspension until a later date.

- **UWS 17.14 Notice To Student.** Each institution shall publish and make freely available to students, a copy of the foregoing UW system disciplinary code together with an appendix reprinting the UW system administrative code, any amendments to these two codes that are made after the board of regents adoption of a disciplinary code, and any provisions that have been adopted by the particular campus pursuant to the campus options allowed by this disciplinary code, and any other supplementary provisions not inconsistent with this code.

- **UWS 21 Use of University Facilities**
  - **UWS 21.01 Declaration of Policy.** It is the policy of the board of regents that the facilities of the university are to be used primarily for purposes of fulfilling the university's missions of teaching, research and public service. University facilities are not available for unrestricted use for other purposes. In order to preserve and enhance the primary functions of university facilities, the board of regents adopts this chapter to govern the use of university facilities.
  - **UWS 21.02 Definitions.** In this chapter:
    - "Board of regents" or "board" has the meaning given under s. UWS 1.02.
    - "Chancellor" means the chief executive officer of a university, the university of Wisconsin centers, or the university extension.
    - "Facilities" or "university facilities" means the publicly owned or leased buildings and grounds which are subject to the custody and control of the board.
    - "Institution" has the meaning given under s. UWS 1.06.
    - "Organization associated with an institution" means that an organization is an officially recognized staff or student group, or an administrative or academic unit, or a state agency.
    - "Staff" means all employees of the university of Wisconsin system.
    - "Student" means any person who is registered for study in an institution of the university of Wisconsin system for the current academic period.
    - "University" has the meaning given under s. UWS 1.07.
  - **UWS 21.03 Use of Facilities by Organizations Associated with an Institution.**
    - The chancellor of each institution, or his or her designee, shall permit organizations associated with that institution to use university facilities for events for staff and students, if he or she determines that:
      - The proposed use will not interfere with or detract from the teaching, research and public service missions of the institution;
      - The institution has appropriate facilities available for the proposed use; and
      - The organization has complied with institutional procedures adopted under s. UWS 21.06.
    - The organizations using university facilities under this section may be required to reimburse the institution for the costs, if any, incident to the use of the facilities.
- Organizations using university facilities under this section may be required to pay rental charges for use of the facilities if the use is revenue producing.
- **UWS 21.04 Use of Facilities by Persons or Organizations not Associated with an Institution.**
  - The chancellor of each institution, or his or her designee, may permit persons, or organizations not associated with that institution, to use university facilities at his or her institution if he or she determines that:
    - The proposed use is under the sponsorship or at the invitation of an organization associated with the institution;
    - The proposed use will not interfere with or detract from the teaching, research and public service missions of the institution, or the use of the facilities by organizations associated with the institution;
    - The institution has appropriate facilities available for the proposed use; and
    - The person or organization has complied with institutional procedures adopted under s. UWS 21.06.
  - Persons or organizations using university facilities under this section must reimburse the institutions for the costs, if any, incident to the use of the facilities.
  - Persons or organizations using university facilities under this section may be required to pay rental charges for use of facilities if the use is revenue producing.
- **UWS 21.05 Access to Public Events Held at University Facilities.**
  - It is the policy of the board to ensure maximum access to public events held in university facilities, consistent with the legally recognized rights and interests of performers, lecturers, artists and speakers.
  - Where a person or organization has secured the use of university facilities for a public event, any contemplated restrictions or conditions on access to the event must be made known prior to the event, and must be embodied in a written agreement with the institution, which agreement shall be open to public inspection. However, such agreements may not deny or restrict access to university facilities in a manner contrary to other applicable laws or regulations or on any basis prohibited by law.
- **UWS 21.06 Institutional Procedures.** The chancellor of each institution, in consultation with appropriate staff and students, shall develop procedures for the administration of this chapter which shall, at a minimum, include the following:
  - Procedures for securing permission to use university facilities;
  - A schedule of the costs and rental fees, if any, assessed for the use of facilities; and
  - A description of any institutional limitations concerning the time of availability and manner of the use of institutional facilities.
- **UWS 22 Accommodation of Religious Beliefs**
  - **UWS 22.01 Declaration of Policy.** It is the policy of the board of regents that students’ sincerely held religious beliefs shall be reasonably accommodated with respect to all examinations and other academic requirements. The board of regents adopts this chapter in order to ensure that all institutions of the university of Wisconsin system have in place appropriate mechanisms for ensuring the reasonable accommodation of students' sincerely held religious beliefs, and for appeals related to these matters.
UWS 22.02 Definitions. In this chapter:
- "Board of regents" or "board" has the meaning given under s. UWS 1.02.
- "Chancellor" means the chief executive officer of a university, the university of Wisconsin centers, or the university extension.
- "Examination or other academic requirement" means any course requirement established by an instructor which will be considered in awarding the student's grade in the course.
- "Institution" has the meaning given under s. UWS 1.06.
- "Instructor" has the meaning given under s. UWS 14.02(11).
- "Student" means any person who is registered for study in an institution of the university of Wisconsin system for the current academic period.

UWS 22.03 Accommodation of Religious Beliefs.
A student shall be permitted to make up an examination or other academic requirement at another time or by an alternative method, without any prejudicial effect, where:
- There is a scheduling conflict between the student's sincerely held religious beliefs and taking the examination or meeting the academic requirement; and
- The student has notified the instructor, within the first three weeks of the beginning of the academic term, of the specific days or dates on which he or she will request relief from an examination or academic requirement.
- Instructors may schedule a make-up examination or course requirement before or after the regularly scheduled examination or other academic requirement.
- Instructors shall accept, at face value, the sincerity of students' religious beliefs.
- Student notification of instructors and requests for relief under par. (1) shall be kept confidential.
- Complaints of failure to provide reasonable accommodation of a student's sincerely held religious beliefs as required by this rule may be filed under institutional complaint and grievance procedures adopted pursuant to Chapter UWS 6 and Chapter UWS 13, or under any other appropriate institutional procedure designated by the chancellor in consultation with instructors and students.
- The chancellor of each institution shall, through appropriate institutional publications, provide notification to students and instructors of the rules for accommodation of religious beliefs, and of the procedure and appropriate office for filing complaints.

It is proposed that this rule shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, as provided in s. 227.22(2)(intro.).
Vision Statement: UW-Platteville will be recognized as the leading student-focused university for its success in achieving excellence, creating opportunities, and empowering each individual.

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