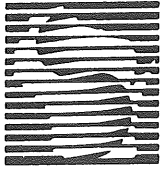


BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

Friday, May 6, 1994  
Room 1820 Van Hise Hall  
Madison, Wisconsin  
9:00 a.m.

1. Calling of the roll
2. Approval of the minutes of the April 7 and April 8, 1994, meetings of the Board
3. Report of the President of the Board
  - a. Report of the President of the Council of Trustees of the UW Hospital and Clinics
  - b. Report of the Regent members of the Higher Educational Aids Board
  - c. Report on the Association of Governing Boards national conference
  - d. Report on legislative matters
  - e. Resolution of commendation: Senior Vice President Portch
  - f. Additional items that the President of the Board may report or present to the Board
4. Report of the President of the System
  - a. Presentation: Report on the Results of Strategic Planning at UW-Madison College of Agricultural and Life Sciences
  - b. Additional items that the President of the System may report or present to the Board
5. Report of the Business and Finance Committee  
(See section I.2. for complete agenda of this Committee meeting.)
6. Report of the Education Committee  
(See section I.1. for complete agenda of this Committee meeting.)
7. Report of the Physical Planning and Development Committee  
(See section I.3. for complete agenda of this Committee meeting.)
8. Additional resolutions
  - a. Amendments to Bylaws of the Board of Regents  
[Resolution II.8.a.]
9. Communications, petitions, and memorials
10. Additional or unfinished business
11. Recess into closed session to consider a salary adjustment above the Group 6 maximum, as permitted by s. 19.85(1)(c), *Wis. Stats.*, to consider naming a room at UW-Madison after a person and an appointment to the UW Centers Board of Visitors, as permitted by s. 19.85(1)(f), *Wis. Stats.*, and to confer with legal counsel, as permitted by s. 19.85(1)(g), *Wis. Stats.*



# Board of Regents of The University of Wisconsin System

1860 Van Hise Hall, 1220 Linden Drive  
Madison, Wisconsin 53706  
(608) 262-2324

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April 27, 1994

TO: BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

FROM: UWS Regent Member of the Higher Educational Aids Board

RE: Report on the April 22, 1994 Meeting of the Higher Educational Aids Board

This report summarizes agenda items of the April 22, 1994 meeting of the Higher Educational Aids Board that may be of interest to the Board of Regents. The Regent member of the Higher Educational Aids Board present at the meeting was Regent Kruttsch.

### 1. Report of the Executive Secretary

The Executive Secretary reported that it is expected that the Governor will sign the 1994-95 Budget Bill on April 25, 1994. This bill will increase the Tuition Grant budget for 1993-94 by \$1 million to make up for a shortfall in 1993-94. In addition, the bill will increase the WHEG base budget by \$375,000 for 1994-95.

Assembly Bill 21 is before the Governor. If signed, this bill will transfer all authority for the Academic Excellence Scholarship program from the Department of Public Instruction to the HEAB agency. The bill would also allow awarding of the Academic Excellence Scholarship to alternates, provided the alternate has the same grade point average as the first awardee. The scholarship provides recipients with four years of tuition at any post-secondary institution in Wisconsin, up to the amount of tuition and fees at UW-Madison, to the top-ranked graduate at each Wisconsin high school. Half the tuition is paid by HEAB and half by the institution in which the student enrolls.

Executive Secretary Olson reminded the HEAB Board that HEAB's budget increase in the 1995-97 biennium must be limited to 2.5%. The allocations and appropriations to various HEAB programs may exceed this limit, but the total increase cannot be more than 2.5%.

May 6, 1994

II.3.b.

The Executive Secretary suggested the possibility that Congress may not restore State Student Incentive Grant (SSIG) funding to next year's federal budget. SSIG funding provides about \$1.5 million a year to the Talent Incentive Program.

The Executive Secretary also informed the Board of the resignation of Regent Gelatt and the appointment of Regents Virginia MacNeil and John Budzinski to the HEAB Board. The new regent members will attend their first HEAB meeting in July.

2. Report on the Status of SPRE

In response to the mandate contained in the 1992 Reauthorization of the Higher Education Act, Wisconsin has created a State Postsecondary Review Entity (SPRE), which will be housed in HEAB. The function of the SPRE will be to ensure the administrative and financial integrity and the quality of postsecondary financial aid programs funded under Title IV of the Higher Education Act. The SPRE will coordinate and conduct Title IV compliance reviews of postsecondary or proprietary institutions upon request of the Secretary of Education.

A SPRE Technical Advisory Committee, which was formed to develop state review standards and a complaint receipt and response system, expects to have a draft ready for sector review by early May. Following the sector review, the committee will hold hearings in Stevens Point, Milwaukee and Madison. The final review standards will be submitted to the Department of Education by the end of June, 1994.

2. Tuition Grant Formula

The HEAB Board voted unanimously to accept a Tuition Grant formula for 1994-95 with an overaward limit of 122%. This level of overaward will prevent any adjustment of Tuition Grant awards until reconciliation of the institutional expenditures in November of 1994. The Tuition Grant appropriation for 1994-95 is \$16 million. The 1994-95 Budget Bill will increase the appropriation by \$1 million for 1993-94.

In many cases, students who receive a grant actually use less than the awarded amount, or do not use the grant at all. To compensate for this phenomenon, the total of grant dollars awarded by HEAB exceeds the amount of the appropriation. The level of overaward is the amount by which the total awards exceed the appropriation. In 1993-94 the overaward level for the Tuition Grant was set too high, resulting in a shortfall of \$1 million. For this reason, the Tuition Grant overaward level is limited to 122% for 1994-95.

3. Biennial Budget for 1995-97

The discussion of the biennial budget for 1995-97 focussed on four issues defined by the HEAB Board at their previous meeting. While each of the issues relates directly to the operation and appropriation of HEAB programs, only the question of whether to consolidate

the smaller programs will be directly addressed in the 1995-97 biennial budget request. A description of the four issues follows.

1. Consolidation or elimination of small grant programs.

The Board discussed the consolidation of five of HEAB's smaller programs: the Private Minority Grant, the Nursing Stipend Loan, the VTAE Minority Grant, the Independent Student Grant and the Minority Teacher Loan. The 1994-95 appropriation for these five programs was \$1,443,200. Consolidation would transfer this amount of funding from the smaller programs to WHEG, TG and TIP. The purpose of the consolidation is to create increases of more than 2.5% in the larger programs' appropriations. The Council on Financial Aid, which is advisory to the Executive Secretary, has recommended consolidation.

2. Changes in grant programs to increase access.

The Board discussed the need to find ways to use available funding of HEAB programs to increase access to higher education. The Board agreed that this is a long term issue and cannot be adequately addressed in the 1995-97 biennial budget request. However, the Board asked the HEAB Executive Secretary to seek advice from the UW System, Wisconsin Technical College System and the private colleges and universities on how to use HEAB funds more efficiently. Examples suggested included reducing grant eligibility from ten to eight or nine semesters, and reducing eligibility for grants after a certain number of credits were earned.

3. Modification of student/family contributions under Federal Methodology.

The expected contribution of students/families is determined by Federal Methodology, the federal standard of needs assessment. The Board expressed concern about the way the federal methodology treated issues such as student work incentives, minimum student contributions and expected family contributions. While the Board cannot change the needs assessment, it does have the option of recommending statutory changes that would allow needs assessment by the state or create changes in the way that federally-determined contributions are used. The adoption of needs assessment by the state would complicate the administration of financial aid, since the use of federal methodology is mandated for federal programs, including the Pell Grant. However, some financial aid directors believe this could give them some needed flexibility. HEAB will ask each sector for its input regarding this issue.

4. Potential modification (statutory where necessary) of the WHEG dependent/independent formulas.

WHEG awards to dependent students are calculated using different formulas than for awards to independent students. The average award to dependent students is greater than to independent students. The HEAB Board discussed the need to consider whether this policy, which dates from a time when dependent students greatly outnumbered independent students, continues to be appropriate. The student population in the

University of Wisconsin System is predominantly dependent, while that of the Wisconsin Technical College System is predominantly independent. The possibility of allocating WHEG funds by sector was discussed. Input from the involved sectors regarding this issue will be solicited by the Executive Secretary.

EJN\HEAB\R042294

Amendments to Bylaws of  
the Board of Regents

BOARD OF REGENTS

Resolution:

That Chapter II, Section 2, and Chapter III, Section 7, of the Bylaws of the Board of Regents be amended as indicated in the attached document, dated May 6, 1994.



# Board of Regents of The University of Wisconsin System

Office of the Secretary  
1860 Van Hise Hall, 1220 Linden Drive  
Madison, Wisconsin 53706  
(608) 262-2324

April 27, 1994

TO: The Members of the Board of Regents

FROM: Judith A. Temby, Secretary

SUBJ: Draft amendments to Board Bylaws

Draft amendments to two areas of the Bylaws of the Board of Regents are brought forward at the request of Regent President Steil for Regent consideration and possible action at the May 6 meeting.

The first draft amendment, suggested by Parliamentarian Robert Andersen, relates to mode of election of Board officers (Chapter II, Section 2, page 3). The attached memorandum from Mr. Andersen explains the reason for the proposed amendment.

Also included is draft language to amend Chapter III, Section 7, pages 9 and 10 of the Bylaws, concerning the Committee on Student Discipline and Student Governance Appeals. The purpose of the amendments would be to add reference to student discrimination appeals as included in the types of cases that may be referred to the Committee.

Chapter IV, Section 1 provides that the Bylaws may be amended at any meeting of the Board by an affirmative vote of a majority of the members of the Board, provided that proposed amendments shall be specifically set forth in the notice of such meeting.

Resolution II.8.a. provides for adoption of the Bylaw amendments set forth in the attached document.

agenda.mat



# The University of Wisconsin System

Budget Preparation and Analysis  
905 University Avenue, Room 207  
Madison, Wisconsin 53715  
(608) 262-1544 FAX (608) 262-5316

April 12, 1994

## MEMORANDUM

TO: Regent President George Steil  
Regent Secretary Judith Temby

FROM: Bob Andersen, Parliamentarian *Ra*

RE: Possible Board of Regent Bylaw Amendment

In anticipation of the June, 1994 Board of Regents meeting where the election of officers takes place, you may want to consider a bylaw amendment at the May meeting. Currently, Chapter II, Section 2 "Mode of Election" of the Board's bylaws reads as follows:

The officers of the Board shall be elected by ballot at the annual meeting, and shall hold their respective offices for one year and until their successors shall be elected. Their terms of office shall begin immediately after the annual meeting at which they are elected.

Since it has been the tradition of the Board to elect by voice vote (instead of ballot) when there is only one nominee for an office, I recommend that an amendment be considered to add the following language to the end of the current section:

If there is only one nominee for each office, the election shall be by voice vote.

If the amendment is adopted, the section would read:

The officers of the Board shall be elected by ballot at the annual meeting, and shall hold their respective offices for one year and until their successors shall be elected. Their terms of office shall begin immediately after the annual meeting at which they are elected. If there is only one nominee for each office, the election shall be by voice vote.

You will recall that the question of ballot voting came up at the last election and it was decided to suspend the rules relating to this item and continue with a voice vote. The Board's adopted parliamentary authority (Robert's Rules of Order Newly Revised, 1990 Edition) states that "when the bylaws require a vote to be taken by ballot, this requirement cannot be suspended, even by a unanimous vote" (pg. 406). On the other hand, the Board's bylaws provide that the bylaws or any of them may be suspended by a two-thirds vote of the total members of the Board. Although the Board's



bylaws supersede general rules of order, I believe that this situation can lead to confusion which would be avoided by the recommended amendment to the bylaws. In addition, the amended bylaws would then be consistent with the established practice of the Board.

In the absence of a bylaw amendment, the June election of officers would need to be by ballot vote unless a motion to suspend the rule in the bylaws is adopted by a two-thirds vote of the total members of the Board prior to the election (12 votes required).

As a reminder, the procedure for amending the Board's bylaws is by an affirmative vote of a majority of the members of the Board provided the proposed amendment has been specifically set forth in the notice of the meeting (presumably with the agenda materials for the May meeting).

If you would like further clarification on this point or if I can be of assistance to you in preparing for the May meeting, please call me at (608) 263-7879.

**Bylaws  
of the  
Board of Regents  
of the  
University of Wisconsin System**

As Adopted 11-5-71 and Amended to 9-10-93

**Bylaws  
of the  
Board of Regents  
of the  
University of Wisconsin System**

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**CHAPTER I  
MEETINGS AND BUSINESS OF THE REGENTS**

**Annual Meetings**

Section 1. The annual meetings of the Board of Regents of the University of Wisconsin System shall be held, unless otherwise specially ordered, on the Friday following the first Monday in June.

**Regular Meetings**

Section 2. Unless otherwise specially ordered, Regular meetings of the Regents shall be held on the Friday following the first Monday in each month, except that the August meeting shall be held on the Friday following the third Monday.

**Special Meetings**

Section 3. A special meeting of the Regents of the University of Wisconsin System may be called at any time, upon request of at least five members of the Board or by the President of the Board. The notice calling any special meeting of the Board shall normally be served by the Secretary on each member of the Board in writing, by mail or by personal service at least five days before the time of the meeting. Where, in the judgment of the President of the Board, following consultation with available members of the Executive Committee, it is determined that a special Board meeting is required with notification of less than five days, but not less than two days, such a meeting may be called provided the subject is limited, all available members of the Board are queried by phone or personal contact and two-thirds of those contacted agree. Unless the call of a special meeting is limited, it shall be valid to act on any subject within the power of the Board.

### **Place of Meetings**

Section 4. All meetings of the Board shall be held in Madison, unless otherwise ordered by the Board.

### **Quorum**

Section 5. A majority of the members of the Board shall constitute a quorum.

### **Parliamentary Rules and Order of Business**

Section 6. General parliamentary rules as set forth in *Robert's Rules of Order*, current edition, and as modified by rules and regulations of the Board, shall be observed in conducting the business of the Board in session.

The order of business at all meetings shall be as follows:

- (1) Calling of the roll
- (2) Approval or amendment of the minutes of the proceedings of the last meeting
- (3) Report of the President of the Board
- (4) Report of the President of the University System
- (5) Report of the Secretary
- (6) Reports of standing committees
- (7) Reports of special committees
- (8) Additional resolutions
- (9) Communications, petitions, and memorials
- (10) Unfinished and additional business

## **CHAPTER II**

### **OFFICERS OF THE BOARD AND THEIR DUTIES**

Section 1. The officers of the Board shall consist of a president, a vice president, a secretary, and such assistant secretaries as the Board from time to time shall determine, and a trust officer and such assistant trust officers as the Board from time to time shall determine.

### **Mode of Election**

Section 2. The officers of the Board shall be elected by ballot at the annual meeting, and shall hold their respective offices for one year and until their successors shall be elected. Their terms of office shall begin immediately after the annual meeting at which they are elected. If there is only one nominee for each office, the election shall be by voice vote.

### **Duties of the President of the Board**

Section 3. The President of the Board shall preside at all meetings, shall appoint the members of all standing and special committees of the Board, shall be an ex-officio voting member of all committees, and shall discharge the ordinary duties of such officer in the pursuance of parliamentary law. The President of the Board shall, with the President of the University System, sign all diplomas and, with the Secretary countersigning, shall sign all contracts and instruments authorized or issued by authority of the Board, except such contracts and instruments as the Board or its Executive Committee may authorize any officer or employee of the University System to sign. The President of the Board shall, with the President of the University of Wisconsin System, present budget requests to the Governor and the Legislature and shall act as spokesperson for the Board before the Governor and before all legislative groups in matters of educational program planning, the use of existing facilities and personnel, budgetary issues, and building priorities.

### **Duties of the Vice President of the Board**

Section 4. The Vice President of the Board shall be an ex-officio voting member of all committees and shall, in the absence of the President, perform all the duties of the President.

### **Duties of the President Pro Tem**

Section 5. In the absence of the President and the Vice President, the Board may appoint a president pro tem, who shall perform the duties of presiding officer of the Board.

### **Duties of the Secretary**

Section 6. It shall be the duty of the Secretary to give at least ten days' notice of the regular meetings of the Board, to keep a record of the proceedings of the Board at all of its meetings, to keep a separate record of the proceedings of the Executive Committee, and a record of the proceedings of each of the standing committees; to keep the corporate seal and by countersigning execute with the

President of the Board instruments and contracts ordered by the Board; and to preserve all documents pertaining to his or her office. The Secretary shall perform such other duties as are imposed on him or her by law and the rules and orders of the Board.

The Secretary shall, as soon as practicable after the record of proceedings of meetings has been perfected, transmit, by mail, to each Regent a copy of the record of the meetings of the Board, and of the committees thereof. The Secretary shall maintain an up-to-date codification of all policy actions of the Board as referred to in Section 1. of Chapter V of the Bylaws.

#### **Assistant Secretaries**

Section 7. The Board shall, at the same time and in the same manner as it elects its Secretary, also elect such number of Assistant Secretaries as it shall deem necessary. The duties of the Assistant Secretaries shall be to assist the Secretary in the performance of his or her duties, and they shall perform such duties as may be assigned to them by the Secretary or the Board of Regents. In the absence of the Secretary, an Assistant Secretary shall act as and perform all the duties of the Secretary.

#### **Trust Officer and Assistant Trust Officers**

Section 8. It shall be the duty of the Trust Officer to receive, manage, and maintain records of all trust funds of the University of Wisconsin System and to perform such other duties relating to trust funds as are imposed upon him or her by law and the rules and orders of the Board or the Business and Finance Committee of the Board. The Assistant Trust Officers shall assist the Trust Officer in the performance of his or her duties and shall perform such other duties as may be assigned to them by the Trust Officer, the Board or the Business and Finance Committee of the Board.

### **CHAPTER III**

#### **COMMITTEES OF THE BOARD**

Section 1. There shall be six standing committees of the Board of Regents as follow:

- a. **Education Committee** consisting of such members as are appointed annually thereto by the President of the Board following the annual meeting. The President and Vice President shall serve as ex officio voting members and the President shall designate the Chair and Vice Chair of the Committee.

b. **Business and Finance Committee** consisting of such members as are appointed annually thereto by the President of the Board following the annual meeting. The President and Vice President of the Board shall serve as ex-officio voting members and the President shall designate the Chair and Vice Chair of the Committee.

c. **Physical Planning and Development Committee** consisting of such members as are appointed annually thereto by the President of the Board following the annual meeting. The President and Vice President of the Board shall serve as ex-officio voting members and the President shall designate the Chair and Vice Chair of the Committee.

d. **Executive Committee** consisting of the President of the Board, who shall serve as Chair, the Vice President of the Board, the Chair of the Education Committee, the Chair of the Business and Finance Committee, the Chair of the Physical Planning and Development Committee, the member of the Board who shall have most recently been the President of the Board and one other member of the Board appointed by the President of the Board. In the event that there shall be no member of the Board who shall have previously been President of the Board, such position on the Executive Committee shall be filled by a member of the Board appointed by the President of the Board.

e. **Personnel Matters Review Committee** consisting of at least three members appointed annually thereto by the President of the Board following the annual meeting. The President and Vice President of the Board shall serve as ex-officio voting members. The President shall designate the Chair of the Committee.

f. **Committee on Student Discipline and Student Governance Appeals** consisting of at least three members appointed annually thereto by the President of the Board following the annual meeting. The President and Vice President of the Board shall serve as ex-officio voting members. The President shall designate the Chair of the Committee.

Special Regent committees may be created from time to time as necessity demands by an affirmative majority vote of the Board, and the President shall appoint the members thereto and the Chair thereof. A Special Regent Committee shall not be created for any matter which is properly before any of the standing committees.

Meetings of the committees may be called by the Chair or by the Secretary of the Board upon the request of two members, or upon the request of the President of the University System.

#### **Duties of the Education Committee**

Section 2. The Education Committee shall have charge of consideration of all matters of an educational nature related to the instruction, research, and public service functions of the University System; the academic personnel; and to student services and welfare. The Chair of the Education Committee may create one or more subcommittees to consider any matter properly before the Education Committee and shall appoint the subcommittee members and the Chair from among those members of the Board serving on the Education Committee.

#### **Duties of the Business and Finance Committee**

Section 3. The Business and Finance Committee shall have charge of consideration of all matters related to operating budget, finances, trust funds, business operations, audit oversight and reviews, and to non-academic personnel.

Authority is delegated to the Business and Finance Committee to hire investment counsel, subject to Board approval, and to give discretionary authority to investment counsel in the purchase and sale of securities within guidelines determined by the Committee. The Chair of the Business and Finance Committee shall appoint an Audit Subcommittee and may create one or more other subcommittees to consider any matter properly before the Business and Finance Committee. The Chair of the Business and Finance Committee shall appoint the subcommittee members and the Chair from among those members of the Board serving on the Business and Finance Committee.

#### **Duties of the Physical Planning and Development Committee**

Section 4. The Physical Planning and Development Committee shall have charge of consideration of all matters related to the capital building program, as outlined below:



### ACTIVITIES RELATED TO NEW CONSTRUCTION AND IMPROVEMENTS PROJECTS

- Promulgate capital budget development policies
- Authorize advance planning
- Approve project budgets
- Approve design reports
- Establish budgets and funding sources
- Authorize bidding and construction
- Plan and acquire telecommunications systems, with participation by the Education Committee, where appropriate
- Determine the viability of projects involving gifts-in-kind

### ACTIVITIES RELATED TO SITE DEVELOPMENT

- Approve campus master plans
- Establish campus boundaries
- Site new buildings and improvements
- Approve facilities and site namings
- Determine disposition of decommissioned facilities
- Approve campus transportation plans
- Authorize real estate transactions (acquisitions, sales, exchanges, leases, zoning, relocation, condemnation, easements, land use permits, assessable improvements)

### ACTIVITIES RELATED TO HEALTH, SAFETY AND ENVIRONMENT ISSUES

- Implement the Wisconsin Environmental Policy Act, Environmental Protection Agency policies, and pertinent state codes and regulations
- Enhance physical safety
- Promote removal of architectural barriers
- Administer the flood plain zoning regulations

The Chair of the Physical Planning and Development Committee may create one or more subcommittees to consider any matter properly before the Physical Planning and Development Committee and shall appoint the subcommittee members and the Chair from among those members of the Board serving on the Physical Planning and Development Committee.

### **Duties of the Executive Committee**

Section 5. The Executive Committee shall have the powers of the Board, when the Board is not in session, and shall provide for the execution of orders and resolutions not otherwise specially committed or provided for. A separate record of the proceedings of this Committee shall be

kept by the Secretary, and the same shall be submitted to the Board for inclusion in the record at the next regular or special meeting.

### **Duties of the Personnel Matters Review Committee**

Section 6. The President of the Board may refer faculty and staff personnel matters involving requests for hearing, petitions for review, and appeals to the Board to the Personnel Matters Review Committee.

a. **Mandatory review.** Where an opportunity to be heard, a review or an appeal to the Board is required by the Board's administrative rules, such as UWS 4.08, 5.14(3) or 11.10, *Wisconsin Administrative Code*, or under Board policies, the Committee may conduct the hearing, review or appeal. All such proceedings shall be conducted upon the record of the matter created at the institutional or administrative levels. The Committee shall prepare recommended findings and a decision, and shall transmit them to the full Board for final action.

b. **Discretionary review.** Where consideration of a matter by the Board is discretionary either under the Board's administrative rules, such as UWS 5.14(2), 6.01(5), 6.02, 11.07, or 12.05(8), *Wisconsin Administrative Code*, or under Board policies, or on any other basis, it shall first be determined whether the request for Board consideration should be granted. In making the determination, the following factors shall be considered:

- (1) The case involves substantial constitutional claims;
- (2) There is a serious concern that the chancellor has abused his/her discretion or exceeded his/her authority;
- (3) The decision made at the institutional level could have systemwide implications;  
or
- (4) The final institutional decision is based upon facts not supported by the record, resulting in material prejudice to the individual seeking review.

c. If the Board determines that a request for Board consideration should be granted, the Committee may conduct the review or hearing. All such proceedings shall be conducted upon the record of the matter created at the institutional or administrative levels. The Committee shall prepare recommended findings and a decision, and shall transmit them to the full Board for final action.

**Duties of the Committee on  
Student Discipline and Other Student ~~Governance~~ Appeals**

Section 7. The President of the Board may refer requests for hearing, petitions for review, and appeals involving student discipline or student governance matters or student discrimination complaints under s.36.12 Wisconsin Statutes, to the Committee on Student Discipline and Other Student ~~Governance~~ Appeals.

a. Student discipline matters.

(1) Mandatory review. Where an opportunity to be heard, a review or an appeal to the Committee on Student Discipline is required by the Board's administrative rules, such as under ss. UWS 17.09 or 17.10(1) - (5), *Wisconsin Administrative Code*, the Committee shall conduct the hearing, review or appeal. All such proceedings shall be conducted on the record of the matter created at the institutional or administrative levels. The Committee shall prepare findings and a decision, which shall be final.

(2) Discretionary review. Where consideration of a student discipline matter is discretionary under the Board's administrative rules, such as under ss. UWS 14.10 and UWS 17.10(6), *Wisconsin Administrative Code*, the Committee shall first determine whether the request for consideration should be granted. In making the determination, the following factors shall be considered:

- (a) The case involves substantial constitutional claims;
- (b) There is a serious concern that the chancellor has abused his/her discretion or exceeded his/her authority;
- (c) The decision made at the institutional level could have systemwide implications; or
- (d) The final institutional decision is based upon facts not supported by the record, resulting in material prejudice to the individual seeking review.

(3) Where the review of a student discipline matter is discretionary, the Committee shall prepare a recommendation as to whether the request for review should be granted, and shall transmit it to the Board for action. If the Board determines that a request for consideration should be granted, the Committee may conduct the review. All such proceedings shall be conducted upon the record of the matter created at institutional or administrative levels. Unless the request for review is withdrawn, the Committee shall prepare findings and a decision, and shall transmit them to the Full Board for final action.

b. Student governance appeals.

(1) Mandatory review. Where review of a student governance matter is required by the Board's policies, such as by Regent Policy Document 86-4, *Guidelines for Implementation of 36.09(5), Wisconsin Statutes*, the Committee may conduct the review.

All such proceedings shall be conducted upon the record of the matter created at the institutional or administrative levels. The Committee shall prepare recommended findings and a decision, and shall transmit them to the full Board for final action.

(2) Discretionary review. Where review of a student governance matter is discretionary under the Board's policies, such as Regent Policy Document 86-4, *Guidelines for Implementation of s. 36.09(5), Wisconsin Statutes*, the Committee shall first consider whether the request for Board review should be granted. In making that determination, the following factors shall be considered:

(a) Whether there is a serious concern that the chancellor or the president has abused his/her discretion or exceeded his/her authority; or

(b) Whether the decision of the chancellor or the president could have systemwide implications.

(3) Where the review of a student governance matter is discretionary, the Committee shall prepare a recommendation as to whether the request for review should be granted, and shall transmit it to the full Board for action. If the Board determines that a request for review should be granted, the Committee may conduct the review. All such proceedings shall be conducted upon the record of the matter created at the institutional or administrative levels. Unless the request for review is withdrawn, the Committee shall prepare a recommended decision, and shall transmit it to the full Board for final action.

c. Appeals of decisions on student discrimination complaints.

Mandatory review. Section 36.12 Wisconsin Statutes, affords students the right to appeal to the Board from institutional decisions on discrimination complaints. In such cases, the Committee may conduct the review. All such proceedings shall be conducted upon the record of the matter created at the institutional level. The Committee shall prepare recommended findings and a decision, and shall transmit them to the full Board for final action.

## CHAPTER IV AMENDMENTS

Section 1. These Bylaws may be added to or amended at any meeting of the Board by an affirmative vote of a majority of the members of the Board provided, however, that proposed amendments shall be specifically set forth in the notice of such meeting.

## SUSPENSION OF BYLAWS

Section 2. The Bylaws or any of them may be suspended at any meeting by an affirmative vote of two-thirds of the total members of the Board and not otherwise.

## CHAPTER V SYSTEM ADMINISTRATION

### President of the University of Wisconsin System

Section 1. The President of the University of Wisconsin System has full executive responsibility for the operation and management of the System. He or she shall carry out the duties prescribed in Wisconsin Statutes for this office, and such other duties as may be assigned by the Board or be implicit in policy actions of the Board. The President of the System shall see to the appropriate staffing of System administrative offices, and direct and coordinate the activities of these offices as needed to fulfill his or her responsibilities. All items to be brought before the Board of Regents for action, except matters which come to the Board pursuant to its administrative rules or existing policies and those initiating in the Board itself, should reach the Board through the President of the University of Wisconsin System and carry his or her recommendation. If an item arises at or is related to an institution, the President shall ensure that it has first been through the established institution governance process and carries the Chancellor's recommendation; if it has not been through the institution governance process, the President shall request that it be so considered by the institution. On appeals of matters which have been through the institution governance process, the President shall verify that all institution procedures have been exhausted and will then determine whether, in the President's judgment, the Board of Regents should consider the matter. A decision by the President that the matter should not be considered by the Board can be appealed directly to the President of the Board. If the President of the Board determines that the matter should not be considered by the Board, any member of the Board may request that the matter be considered by the Board. A request that an item be considered by the Board which comes from other than the President or any member of

the Board must be in writing. Persons making such requests shall be advised in writing of determinations by the President of the System and President of the Board regarding their requests. Failure by the President of the System or the President of the Board to act on a written request that an item be considered by the Board within sixty days of its receipt shall be deemed a denial of the request.

### **Vice Presidents**

Section 2. The President shall, with the approval of the Board, establish such vice presidential offices as may be necessary to provide administrative direction and coordination for the several major functions of System Administration as these are defined by the President and the Board. The President shall assign such responsibilities to each of the vice presidents as may best promote effective administration of the responsibilities of his or her office, and shall, with the approval of the Board, title each vice presidential office in the way best suited to designate its major area of concern.

### **Staff Services to the Board of Regents**

Section 3. The President shall, with the approval of the Board, designate a vice president as principal staff officer for the Education Committee, the Business and Finance Committee and the Physical Planning and Development Committee of the Board or, in the event of the unavailability of an appropriate vice president, an associate vice president or other major administrative officer to perform this function. The persons so designated shall provide to the committee such materials and papers as may be required for the agenda of the committee, and be prepared to respond to such other requests for information or interpretation as the committee or its members may require. The Vice Presidents shall designate staff to serve as recording secretaries of these three committees.