



**Board of Regents of the University of Wisconsin System**  
**Office of the Secretary**  
1860 Van Hise Hall  
Madison, Wisconsin 53706  
(608) 262-2324

April 29, 2009

To: Each Regent

From: Judith A. Temby

A handwritten signature in cursive script, appearing to read "J. A. Temby".

**PUBLIC MEETING NOTICE**

RE: Agendas and supporting documents for meetings of the Board and Committee to be held at UW-Milwaukee Union, 2200 East Kenwood Boulevard, Milwaukee, Wisconsin on May 7 and 8, 2009.

Thursday, May 7, 2009

10:00 a.m. – Board of Regents

UW-Milwaukee Presentation: Role of Students in Research Initiatives  
Union, Wisconsin Room

11:00 a.m. – Joint Meeting of the Education Committee and Business, Finance, and Audit Committee – All Regents Invited

- Approval: Interim Guidelines for Making Textbooks More Affordable  
[Resolution I.1.A.]
- UW-Milwaukee Presentation: Combating Alcohol and Drug Abuse

Union, Wisconsin Room

12:00 p.m. – Lunch

1:00 p.m. – Joint Meeting of the Capital Planning and Budget Committee and Business, Finance, and Audit Committee

- UW-Milwaukee Presentation: Master Plan Update  
Alumni Fireside Lounge (1<sup>st</sup> floor, Union)

1:00 p.m. Education Committee  
Union, Wisconsin Room

1:30 p.m. Business, Finance, and Audit Committee reconvene  
Alumni Fireside Lounge (1<sup>st</sup> floor, Union)

1:30 p.m. Capital Planning and Budget Committee meeting reconvene  
Union 280

Friday, May 8, 2009

9:00 a.m. – Board of Regents Meeting  
Union, Wisconsin Room

*Persons wishing to comment on specific agenda items may request permission to speak at Regent Committee meetings. Requests to speak at the full Board meeting are granted only on a selective basis and should be made in advance of the meeting, to the Secretary of the Board at the above address.*

*Persons with disabilities requesting an accommodation to attend are asked to contact Judith Temby in advance of the meeting at (608) 262-2324.*

*Information regarding agenda items can be found on the web at:  
<http://www.uwsa.edu/bor/meetings.htm> or may be obtained from the Office of the Secretary, 1860 Van Hise Hall, Madison, Wisconsin 53706 (608)262-2324.*

*The meeting will be webcast at <http://www.uwex.edu/ics/stream/regents/meetings/> on Thursday, May 7, 2009 at 10:00 a.m. until approximately 12:00 p.m., and Friday, May 8, 2009 at 9:00 a.m. until approximately 12:00 p.m.*

*4/21/09 – 11:29 a.m.*

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

I.1. Education Committee - May 7, 2009  
University of Wisconsin-Milwaukee  
Union, Wisconsin Room  
Milwaukee, WI

10:00 a.m. All Regents Invited – Union, Wisconsin Room

- UW-Milwaukee Presentation: Role of Students in Research Initiatives.

11:00 a.m. Joint Meeting of the Education Committee and Business, Finance, and Audit Committee  
All Regents Invited – Wisconsin Room, Union

- Approval: Interim Guidelines for Making Textbooks More Affordable.  
[Resolution I.1.A]
- UW-Milwaukee Presentation: Combating Alcohol and Drug Abuse.

12:00 p.m. Lunch

1:00 p.m. Education Committee – Union, Wisconsin Room

a. Doctoral Program Authorizations:

- 1) UW-Eau Claire Doctor of Nursing Practice;  
[Resolution I.1.a.(1)]
- 2) UW-Oshkosh Doctor of Nursing Practice;  
[Resolution I.1.a.(2)]
- 3) UW-Madison Ph.D. in Clinical Investigation.  
[Resolution I.1.a.(3)]

b. Approval: Revisions to UWS Chapters 17 & 18.  
[Resolution I.1.b.]

c. Approval: UW System Appointments to the Natural Areas Preservation Council.  
[Resolution I.1.c.]

d. UW-Milwaukee Presentation – Access to Success: Succeeding in the Classroom.

e. Report of the Senior Vice President:

1. Follow-up on March Discussion of Plan 2008 and Inclusive Excellence;
2. Discussion of Academic Program Array.

f. Consent Agenda:

1. Approval of the Minutes of the February 5, 2009, Meeting of the Education Committee;

2. Approval of an Appointment to the School of Medicine and Public Health Oversight and Advisory Committee of the Wisconsin Partnership Fund for a Healthy Future;  
[Resolution I.1.f.(2)]
  3. UW-Madison: Program Authorization of the B.S. in Community and Nonprofit Leadership;  
[Resolution I.1.f.(3)]
  4. UW-Parkside, UW-River Falls, UW-Stout and UW-Superior: Program Authorization of Collaborative Online Bachelor of Science in Sustainable Management;  
[Resolution I.1.f.(4)]
  5. UW-Stout: Program Authorization of Master of Science in Technical and Professional Communication;  
[Resolution I.1.f.(5)]
  6. UW-Madison: Program Authorization of Master of Physician Assistant Studies;  
[Resolution I.1.f.(6)]
  7. Approval of requests to Trustees of the William F. Vilas Trust Estate for support of scholarships, fellowships, professorships, and special programs in arts and humanities, social sciences and music.  
[Resolution I.1.f.(7)]
- g. Additional items may be presented to the Education Committee with its approval.
- h. Closed Session Items: Closed session to consider personnel matters, as permitted by Wis. Stat. § 19.85(1)(c). [Possible agenda items: approval of extended leave of absence for a faculty member at UW-Madison.]

Approval of Interim Guidelines for  
Making Textbooks More Affordable

EDUCATION COMMITTEE  
BUSINESS, FINANCE, & AUDIT COMMITTEE

Resolution I.1.A:

That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents adopts the Interim Guidelines for Making Textbooks More Affordable.

## **INTERIM GUIDELINES FOR MAKING TEXTBOOKS MORE AFFORDABLE EXECUTIVE SUMMARY**

### **BACKGROUND**

The UW System Board of Regents has been concerned with the high costs of textbooks for a number of years, and in 2007 commissioned the report “Textbook Costs in Higher Education” in order to find more cost-effective ways to combat rising textbook prices by the UW System and its institutions. The University of Wisconsin System has undertaken a number of activities designed to keep textbooks affordable, including early adoption and textbook rental programs.

The recent economic downturn has brought into even greater focus the financial burden placed on students and their families as textbook costs rise unabated. In the effort to alleviate this burden and maintain access and affordability for UW students, the UW System has developed a set of interim guidelines intended to help the System and its institutions make textbooks more affordable. At its May 2009 meeting, the Board of Regents will be asked to approve interim guidelines, as prelude to the development of a Regent policy in Academic Year 2009-10.

### **REQUESTED ACTION**

Approval of Resolution I.1.A., adopting the Interim Guidelines for Making Textbooks More Affordable.

### **DISCUSSION**

Several factors need to be considered as the UW System moves forward in developing a policy to address the rising costs of textbooks. These include: 1) the UW System’s governance structure; 2) the primary role and responsibility of the academic faculty and instructional academic staff in selecting textbooks as an integral element in curriculum development; and 3) market forces that involve bookstores and textbook publishers. The UW System anticipates arriving at a policy within the next academic year. This policy will go into effect prior to July 2010, at which time the Federal Government will put into place rules requiring additional information on textbooks provided to students by textbook publishers and higher education institutions, as a part of the Higher Education Opportunity Act of 2008.

In the meantime, the proposed guidelines serve as interim actions that all campuses are encouraged to follow in bringing about some immediate relief to students from the rising cost of textbooks.

UNIVERSITY OF WISCONSIN SYSTEM  
GUIDELINES FOR MAKING TEXTBOOKS MORE AFFORDABLE<sup>i</sup>  
May 8, 2009

## **I. Background**

In the effort to alleviate the burden placed on students by the rising costs of textbooks, the University of Wisconsin System has undertaken a number of activities designed to keep textbooks affordable. Some institutions within the System have encouraged their faculty to adopt textbooks early, while others have established textbook rental programs. To date, seven UW institutions, including the UW Colleges, have textbook rental programs: UW-Eau Claire; UW-La Crosse; UW-Platteville; UW-River Falls; UW-Stevens Point; UW-Stout; UW-Whitewater; UW-Barron; and UW-Richland. Pilot textbook rental programs have been established at UW-Marshfield/Wood County and UW-Sheboygan. Despite these efforts, the unabated rising cost of textbooks continues to be a major concern for the University of Wisconsin System. In order to maintain access and affordability for UW System students while ensuring the quality of the educational experience, this concern needs to be addressed.

In developing a policy to address this concern, several factors must be considered, including the: 1) UW System governance structure; 2) primary role or responsibility of the academic faculty and instructional academic staff in selecting textbooks as an integral element in curriculum development; and 3) market forces that involve bookstores and textbook publishers. The UW System anticipates arriving at a policy in the fall of 2009. In the meantime, the guidelines proposed below serve as interim actions that all campuses are encouraged to follow in bringing about some immediate relief to students from the rising cost of textbooks.

## **II. Federal Requirement**

In addition to the urgency felt by UW System institutions and their students to alleviate the burden placed on students by textbook costs, the Federal Government is also proposing action. By July 2010, all institutions within the University of Wisconsin System will need to comply with Section 133 of the 2008 Higher Education Opportunity Act which, among its provisions, requires that *“to the maximum extent practicable, each institution of higher education receiving Federal financial assistance shall:*

1. *Disclose on the institution’s Internet course schedule and in the manner of the institution’s choosing, the International Standard Book Number (ISBN) and retail price information of required and recommended college textbooks and supplemental materials for each course listed on the institution’s course schedule used for preregistration and registration purposes.*
2. *If the ISBN number is not available for such college textbook or supplemental material, then the institution shall include in the Internet course schedule the author, title, publisher and copyright date for such college textbook or supplemental material. If the institution determines the disclosure of the information required above is not practicable for a college textbook or*

*supplemental material, then the institution shall so indicate by placing the designation “To Be Determined” in lieu of the information required.”*

### **III. Interim Guidelines**

- A. All institutions within the University of Wisconsin System are encouraged to develop and implement schedules for the early adoption of textbooks in ways that are effective.
- B. Each bookstore owned by a UW Institution shall provide faculty and instructional academic staff who are placing book orders with current information about the retail price of selected course materials. A bookstore not owned by a UW Institution, but granted a contract to operate on a campus prior to the development of these guidelines, shall, to the extent possible, also provide faculty and instructional academic staff who are placing book orders with current information about the retail price of selected course materials.
- C. To the extent feasible and appropriate, faculty and instructional academic staff teaching the same course for multiple semesters are encouraged to use the same textbooks and course materials for multiple semesters.
- D. Whenever appropriate within the goals of the course, faculty and instructional academic staff are encouraged to order new editions of textbooks only if older editions are not of comparable educational content. In such cases, instructors are encouraged to list information pertinent to previous editions which are of acceptable use.
- E. When available, faculty and instructional academic staff are encouraged to request unbundled versions of textbook and course materials.
- F. To the extent possible, if bundled materials are assigned, the bookstore should make available both bundled and unbundled versions of the materials for purchase. In situations where bundled materials are assigned, institutions and bookstores should clarify on the bookstore website that students should purchase either the bundled package or all required portions of the bundle individually.
- G. When appropriate and available, faculty and instructional academic staff should permit students to purchase electronic versions of textbooks.
- H. All UW institutions are encouraged to look for creative ways to lessen the financial hardship of college textbook purchases, such as: targeted scholarship and financial aid funds, exploration of economically viable textbook rental programs for selected courses, consideration of placing selected course materials on reserve in campus libraries, using information in public domain (custom publishing), and encouraging student-managed initiatives such as textbook swaps.

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<sup>i</sup> These Guidelines were developed using input from UW Faculty and Academic Staff Representatives, UW Provosts, UW Chief Business Officers, Section 133 of the HEOA of 2008, and the University System of Maryland Textbook Policy of 2009.



Program Authorization (Implementation)  
Doctor of Nursing Practice  
University of Wisconsin-Eau Claire

EDUCATION COMMITTEE

Resolution I.1.a.(1):

That, upon recommendation of the Chancellor of the University of Wisconsin-Eau Claire and the President of the University of Wisconsin System, the Chancellor be authorized to implement the Doctor of Nursing Practice.

**NEW PROGRAM AUTHORIZATION  
Doctor of Nursing Practice (DNP)  
University of Wisconsin-Eau Claire**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a Doctor of Nursing Practice (DNP) at the University of Wisconsin-Eau Claire is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. The University of Wisconsin-Eau Claire and System Administration will conduct that review jointly, and the results will be reported to the Board.

The proposed DNP will be housed in the College of Nursing and Health Sciences. The DNP program is designed to build on the strong baccalaureate- and master's-level curricular foundations and academic faculties in nursing already in place at UW-Eau Claire. In 2008, UW-Eau Claire and UW-Oshkosh received an Entitlement to Plan a collaborative DNP program. In March of 2009, after many months of collaborative work, UW-Oshkosh and UW-Eau Claire requested and were notified that they could each pursue independent authorization for a DNP.

UW System institutions and institutions across the nation are moving to the Doctor of Nursing Practice (DNP) for advanced practice nursing. This shift is necessitated by dramatic changes in the curriculum in order to prepare advanced practice nurses for today's complex health care system. The American Association of Colleges of Nursing (AACN) issued a position statement recommending that, by 2015, doctoral-level education be the required preparation for entry-level advanced practice nurses (APNs). This position statement is supported by all advanced-practice nursing specialty groups, as well as all state boards of nursing, accrediting agencies, and practice groups. The AACN has also encouraged post-masters options to ease the transition from Master of Science to DNP education.

UW-Eau Claire currently offers the Master of Science in Nursing (MSN) for those entering advanced practice nursing careers. The MSN builds and expands generalist knowledge and skills acquired in the baccalaureate program. The existing MSN program offers five role emphases: Family Nurse Practitioner, Adult Nurse Practitioner, Clinical Nurse Specialist, Nursing Administration, and Nurse Educator. With the approval of this authorization, the Nurse Practitioner, Clinical Nurse Specialist, and Nursing Administration emphases will become part of the DNP program. The Nurse Educator emphasis will continue at the Master's (MSN) degree level. The proposed program will offer two pathways to obtain the DNP. Baccalaureate or BSN-prepared students will be able to enter directly into the three-year DNP program. Nurses who already have the MSN in advanced practice nursing will be able to enter the DNP program and complete program requirements through hybrid distance-education courses.

## **REQUESTED ACTION**

Approval of Resolution I.1.a.(1), authorizing the implementation of the Doctor of Nursing Practice Program at the University of Wisconsin-Eau Claire.

## **DISCUSSION**

### **Program Description**

The DNP at UW-Eau Claire will provide clinical doctoral nursing education for advanced nursing practice. The DNP will prepare practitioners with the expertise to provide exceptional care and collaborative leadership that will impact and improve clinical care delivery, patient outcomes, and system management. The proposed DNP program is based on the current advanced practice AACN DNP, *The Essentials of Doctoral Education for Advanced Practice Nursing* (AACN, 2006), and the 2008 *Criteria for Evaluation of Nurse Practitioner Programs*, issued by the National Organization of Nurse Practitioner Faculties (NONPF).

Students will be able to enter the DNP program with an earned BSN or MSN. For BSN-to-DNP students, the UW-Eau Claire DNP will be a 70-76 credit, three-year program. The total number of credits varies due to slightly differing requirements for the Nurse Practitioner, Clinical Nurse Specialist, or Nurse Administrator roles. There will be 42-48 credits at the 700-level and the final 28 credits will be at the 800-level and offered as hybrid distance education courses. BSN-to-DNP students will have clinical hours in the first two years of study that total between 550 and 650 hours. The 800-level courses will include core credits, seminars, and advanced clinical practice credits, representing a total of 450 additional clinical hours. Students in the program will complete a minimum of 1000 clinical hours. The curriculum culminates in a comprehensive capstone experience. Students with an earned MSN will enter the DNP program and complete the 28 credits of 800-level courses and 450 clinical hours. Students can complete their programs either as full-time or part-time students.

### **Program Goals and Objectives**

Objectives for the DNP program are derived from the AACN *Essentials* document. At the completion of the program, students will demonstrate the competencies required for the highest level of nursing practice. DNP graduates will be able to:

1. Expand advanced nursing practice by integrating the art and science of nursing with theory and knowledge from biophysical, psychosocial, political, ethical, technical, analytical, cultural, spiritual, environmental, and organizational realms.
2. Promote culturally sensitive, holistic advanced nursing practice care and services in a global community, with emphasis on disease/illness prevention and health/wellness promotion, as well as restoration and maintenance.
3. Synthesize leadership skills, systems analysis, and advocacy expertise.
4. Integrate clinical expertise and competence with population-focused management, evidence-based practice, and health care policy.

5. Analyze health-related information systems and technology for the improvement of health care.
6. Develop, implement, and evaluate evidence-based approaches to advanced nursing practice.
7. Evaluate the outcomes of advanced nursing practice.
8. Apply clinical scholarship and leadership skills to advanced nursing practice.
9. Evaluate personal scholarship, professional growth, and excellence in practice.

### **Relation to Institutional Mission**

The proposed DNP program will align with and support the select mission of UW-Eau Claire. The graduate nursing program at UW-Eau Claire strives to fulfill the university's mission to "provide graduate education in select programs that grow clearly from undergraduate strengths and meet identifiable regional and state needs."

Given the demand for nurse practitioners, nurse administrators, and clinical nurse specialists in the state of Wisconsin, the proposed DNP program aligns with and supports the UW-Eau Claire Strategic Centennial Plan. UW-Eau Claire's Centennial plan focuses on "purposeful learning" and "connected learning" that builds bridges between the campus and the community. The DNP program will help meet expanding needs in this region for advanced practice nurses who can lead in health care initiatives and be the nursing faculty to educate the next generations of nurses.

### **Program Assessment**

The College of Nursing and Health Sciences has a comprehensive evaluation plan across all of the academic programs in the College to assess and document achievement of learning objectives on a formative and summative basis. Course evaluation is based upon a variety of direct and indirect measures. Measures include course-based assessment, faculty evaluation, student evaluation, and preceptor evaluation. Program evaluation is based upon the monitoring of aggregate student outcomes. Program evaluation will consider student end-of-program surveys, alumni surveys, student performance on national certification exams required for licensure, and employment placement upon graduation. The data from each area of the evaluation plan will be reviewed annually by the Graduate Curriculum and Admissions Committee, and recommendations for change in courses, curriculum, admission, and progression requirements will be forwarded to course faculty and the graduate faculty.

The Commission on Collegiate Nursing Education (CCNE), one of the nation's accrediting agencies for baccalaureate and graduate nursing programs, has initiated a process for the accreditation of DNP programs. UW-Eau Claire will seek accreditation for the DNP program through CCNE.

### **Need**

In 2008, the UW System's Senior Vice President for Academic Affairs convened a Nursing Education Task Force. The Task Force Report, shared with the Board of Regents in February, 2009, assessed workforce shortages in nursing both nationally and in Wisconsin, and

issued a set of recommendations, including the need to increase opportunities for graduate advanced practice nursing programs in the UW System. Evidence was presented to support the development of multiple UW System DNP programs, needed to enhance statewide access and to meet the need for advanced practice nursing education in Wisconsin.

Graduates from the UW-Eau Claire DNP program will address the nationwide shortage of primary care providers in health care. Wisconsin's advanced practice nursing graduates have little difficulty finding placements, and demand for primary health care providers is growing. This is due both to the flow of health care providers into specialty areas and retirements. In addition, the program will respond to an increasing need for faculty to teach at both the BSN and graduate level. Graduate nursing programs across the country are transitioning to the DNP as the entry-level preparation for advanced practice nurses and for nursing administrators.

UW-Eau Claire's already strong graduate nursing program serves students from a wide geographical region including northwestern, central, and northern Wisconsin, as well as eastern and southeastern Minnesota. UW-Eau Claire admits approximately 30 graduate nursing students each year. Many of these students commute 2-to-4 hours for their education. The state of Minnesota has already developed and initiated a number of DNP programs. If DNP programs are not accessible in Wisconsin, students will pursue their graduate education out of state. The mandate by AACN to prepare advanced practice nurses at the doctoral level by 2015 provides additional impetus for UW-Eau Claire to develop a DNP program that will meet the demand and serve the region and the state.

### **Projected Enrollment (5 years)**

The DNP will admit annually the same number of post-baccalaureate students as were previously admitted in the MSN programs. During the first and second year after implementation, the program will only enroll MSN-to-DNP students. After these two transitional years, the full BSN-to-DNP component will be implemented. The figures below and the graduation rates reflect an expectation that about 2/3 of students will enroll on a part-time basis.

### **DNP Program Enrollment Projections**

Year	1 <sup>st</sup> year	2 <sup>nd</sup> year	3 <sup>rd</sup> year	4 <sup>th</sup> year	5 <sup>th</sup> year	6 <sup>th</sup> year
New students	16 MSN	24 MSN	24 MSN 24 BSN	24 MSN 24 BSN	24 MSN 24 BSN	24 MSN 24 BSN
Continuing students		16 MSN	16 MSN	16 MSN 24 BSN	16 MSN 48 BSN	16 MSN 64 BSN
Total enrollment	16	40	64	88	112	128
Graduating students	0	24 MSN	24 MSN	24 MSN	24 MSN 8 BSN	24 MSN 24 BSN

## **Comparable Programs**

In Wisconsin, Marquette University and Concordia University are currently offering DNP programs. In the UW System, UW-Milwaukee was authorized to offer a DNP at the December, 2008, Board of Regents meeting and will implement the program in Fall 2009. UW-Madison will be requesting authorization for a DNP soon. UW-Oshkosh's request for authorization of a DNP is coming forward at the same time as the UW-Eau Claire DNP program.

Since fall 2007, the Minnesota State Colleges and Universities Consortium Doctor of Nursing Practice Program has been offered. The University of Minnesota, St. Scholastica, and the College of St. Catherine's in Minnesota also offer DNP programs. In 2007, a DNP program was implemented at the University of Iowa. Programs have also been established in Illinois at Rush University program in Chicago, University of Illinois Chicago, and in Michigan at Northern Michigan University and Kirkhof College of Nursing.

## **Collaboration**

The DNP program has been developed in close collaboration with those planning the DNP at UW-Oshkosh. The planning for the DNP program began collaboratively between UW-Eau Claire and UW-Oshkosh. The final 28 credits of both programs will be offered as hybrid distance-education courses using a variety of distance-education technologies. Four of these courses will be identified as core curriculum elements and will be identical at the two institutions in their course objectives and descriptions. During some terms, one or more of these courses may be offered jointly. At other times, because these courses are identical, they will easily transfer between institutions and offer students the option to take one of the core courses from UW-Oshkosh during a term it is not offered at UW-Eau Claire.

## **Diversity**

The program will attract students from regional populations and rural areas. The nature of this program will enhance UW-Eau Claire's ability to draw students from northern Wisconsin. Many regions of northern Wisconsin have underserved populations in terms of access to higher education. The DNP program will benefit from existing strategies that are in place to recruit a diverse student body. UW-Eau Claire is committed to increasing undergraduate diversity as an important strategy to create a pipeline for diversity in the graduate programs.

The current nursing programs attract non-traditional students, older adults, and an increasing number of male students. About 2/3 of the typical Master's-level students have substantial nursing experience prior to admission in the graduate program; hence, they are older working adults returning for additional graduate education. The remaining 1/3 of the program's students enter the graduate program shortly after their undergraduate program. In addition, the number of males in the graduate program is increasing as the number of males in the profession of nursing is also growing. Currently, 10-15% of students in the Eau Claire nursing programs are male.

The DNP curriculum will incorporate theoretical and practical means to educate and inform students about issues related to diversity of communities and cultures locally, nationally,

and globally. The curriculum is designed to enable DNP graduates to offer patients health care that is culturally appropriate and competent.

### **Evaluation from External Reviewers**

The outside reviewers offered thoughtful feedback and provided valuable suggestions for strengthening the proposal. As a result of their feedback, substantive changes were made in the curriculum. Suggestions made by the reviewers included useful input regarding curriculum content and the capstone course that were included in the final structure of the courses. One reviewer suggested that particular attention be given to systems approaches, policy development, and financial cost analysis, saying these “curricular threads should continue to be emphasized.” The other reviewer suggested that leaders of the DNP initiative network actively with other DNP program faculty and graduates. Additionally, this reviewer remarked that it was essential to find clinical placement where students have complex care experiences and are involved with complex systems changes and program evaluation. These are the exact goals of the proposed DNP, and the curriculum is intended to develop in students a broad understanding of complex health care systems.

### **Resource Needs**

The DNP program is built on the foundation of the MSN program and much of the funding is already in place. During the first two, transitional years of the program, only 2 FTE faculty will be required to support the new program because only students with an MSN will be enrolling and they will only be enrolled in 800-level courses. These FTE faculty will be reassigned to the DNP program from within the existing GPR funded resources in the College of Nursing and Health Sciences. The first class of BSN-to-DNP students will be accepted in the third year. Year three of the budget reflects 3.5 FTE GPR-funded faculty and 2.0 additional FTE faculty. The tuition for the program will be based on standard graduate student tuition. The funding to support the 2.0 FTE additional faculty will come from distance education fees of \$250 per credit for the last 28 credits of the program (the 800-level courses), which will be offered via hybrid distance education. The additional revenue from the distance education fees will be used to hire adjunct clinical faculty to teach at the undergraduate level. This will allow existing graduate faculty currently teaching undergraduates to teach at the DNP level. Full implementation of the DNP will occur in the fifth year. At that point, all of the faculty presently teaching in the MSN will be teaching in the DNP program for a total of 7.5 FTE (5.5 FTE plus 2 additional FTE).

The expected distance education fees coming to the program were calculated based upon an anticipated 64 students enrolled by year 3, taking 8 credits/term if part-time, or 12 credits/term if full-time at \$250/credit hour. These estimates are based upon a conservative estimate of predicted enrollment. The College of Nursing and Health Sciences will reallocate resources to cover costs incurred by the program in the first year and third year. In subsequent years, there will be sufficient funding to cover the cost of the DNP program generated by the distance education fees from both the continuing full- and part-time students in the program.

## Budget

	FIRST YEAR		SECOND YEAR		THIRD YEAR	
CURRENT COSTS	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
Personnel						
Faculty/Instructional Staff	1	\$80,000	2	\$164,800	3.5	\$280,000
Graduate Assistants	0		0		0	
Non-instructional academic/classified staff	0		.2	\$9,000	.2	\$9,270
Non-personnel						
Supplies and Expenses		\$900		\$1400		\$1400
Subtotal	1	\$80,900	2.2	\$175,200	3.7	\$290,670
ADDITIONAL COSTS						
Faculty					2	\$169,744
Non-personnel		0		0		0
Subtotal					2	\$169,744
TOTAL COSTS	1	\$80,900	2.20	\$175,200	5.7	\$460,414
CURRENT RESOURCES						
GPR		0		0		\$280,000
Subtotal		0		0		\$280,000
ADDITIONAL RESOURCES						
Reallocation-College of Nursing & Health Sciences		\$16,900				\$4,414
Distance education fees		\$64,000		\$175,200		\$176,000
Subtotal		\$80,900		\$175,200		\$176,000
TOTAL RESOURCES		\$80,900		\$175,200		\$460,414

## RECOMMENDATION

The University of Wisconsin System recommends approval of Resolution I.1.a.(1), authorizing the implementation of the Doctorate of Nursing Practice Program at the University of Wisconsin-Eau Claire.

## RELATED REGENT POLICIES

University of Wisconsin System Academic Planning and Program Review (November 10, 1995) Academic Informational Series #1 (ACIS-1.0 revised June 2006).



Program Authorization (Implementation)  
Doctor of Nursing Practice  
University of Wisconsin-Oshkosh

EDUCATION COMMITTEE

Resolution I.1.a.(2):

That, upon recommendation of the Chancellor of the University of Wisconsin-Oshkosh and the President of the University of Wisconsin System, the Chancellor be authorized to implement the Doctor of Nursing Practice.

**NEW PROGRAM AUTHORIZATION  
Doctor of Nursing Practice (DNP)  
University of Wisconsin-Oshkosh**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a Doctor in Nursing Practice (DNP) at the University of Wisconsin-Oshkosh is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. UW-Oshkosh and System Administration will conduct that review jointly, and the results will be reported to the Board.

The proposed DNP program will be housed in the College of Nursing at the University of Wisconsin-Oshkosh. The DNP program will build on the strong baccalaureate- and master's-level curricular foundations and academic faculties in nursing already in place at UW-Oshkosh. In 2008, UW-Oshkosh and UW-Eau Claire received an Entitlement to Plan a collaborative DNP program. In March of 2009, UW-Oshkosh and UW Eau Claire were each notified that they could pursue independent authorization for a DNP program.

UW-Oshkosh and UW-Eau Claire made the original request for entitlement in response to the position statement made by the American Association of Colleges of Nursing (AACN) calling for a change in the education of advanced practice nurses. The AACN recommends that, by 2015, doctoral-level educational preparation be required for advanced practice nurses (APNs). Programs across the nation are moving to a Doctor of Nursing Practice degree for advanced nursing. This shift is necessitated by dramatic changes in the curriculum required to adequately prepare advanced nursing primary-care providers and nursing faculty. In addition to the proposed three-year BSN to DNP component, the proposed UW-Oshkosh DNP program will include a post-master's component offered via hybrid distance education for those already in the field who wish to upgrade their credential to a DNP.

UW-Oshkosh currently offers the Bachelor of Science in Nursing (BSN) and the Master's of Science in Nursing (MSN). The MSN is intended for those entering advanced practice nursing careers and builds on generalist knowledge and skills acquired in the baccalaureate program. The existing MSN program offers Nurse Practitioner (NP), Clinical Nurse Leader (CNL), and Nurse Educator emphases. The nurse educator and clinical nurse leader will continue to be available at the Master's level (MSN). The Nurse Practitioner program will become part of the DNP.

The DNP program will offer two pathways to the DNP degree: BSN-prepared students can enter directly to the three-year DNP program. Nurses who already have an advanced practice degree (MSN) can complete the final 28 credits of program requirements via hybrid distance education to earn the DNP.

## **REQUESTED ACTION**

Approval of Resolution I.1.a.(2), authorizing the implementation of the Doctor of Nursing Practice Program at the University of Wisconsin-Oshkosh.

## **DISCUSSION**

### **Program Description**

The UW-Oshkosh DNP program will consist of 76 credits. This includes 48 credits of courses at the 700-level which have been previously approved and are currently offered to Master's students. In addition, the program will consist of 28 credits of hybrid distance-education courses at the 800-level which are new. The DNP clinical hours for this program must equal a minimum of 1000 hours. The curriculum culminates in a comprehensive capstone experience which includes a clinical scholarship project. The final 28 credits of the program are new courses which will be offered through a hybrid of face-to-face and on-line distance-education delivery. Four of these courses will be offered collaboratively between UW-Oshkosh and UW-Eau Claire. Students can complete their programs either as full-time or part-time students. A full-time BSN-to-DNP student will be able to complete the program in three years. A part-time BSN-to-DNP student will be able to complete the DNP program in four-to-five years. The MSN-to-DNP student can complete the program in one-to-three years. Currently, most students in the advanced practice nursing degrees are part-time. Approximately two-thirds of students in the DNP program are projected to be part-time.

### **Program Goals and Objectives**

Objectives for the DNP program are derived from the AACN document, *The Essentials of Doctoral Education for Advanced Practice Nursing*, and the 2008 National Organization of Nurse Practitioners Faculties (NONPF) *Criteria for Evaluation of Nurse Practitioner Programs*. At the completion of this program, students are expected to demonstrate the competencies required for the highest level of nursing practice. DNP graduates will be able to:

1. Expand advanced nursing practice by integrating the art and science of nursing with theory and knowledge from biophysical, psychosocial, political, ethical, technical, analytical, cultural, spiritual, environmental, and organizational realms.
2. Promote culturally sensitive, holistic advanced nursing practice care and services in a global community, with emphasis on disease/illness prevention and health/wellness promotion, as well as restoration and maintenance.
3. Synthesize leadership skills, systems analysis, and advocacy expertise.
4. Integrate clinical expertise and competence with population-focused management, evidence-based practice, and health care policy.
5. Analyze health-related information systems and technology for the improvement of health care.
6. Develop, implement, and evaluate evidence-based approaches to advanced nursing practice.

7. Evaluate the outcomes of advanced nursing practice.
8. Apply clinical scholarship and leadership skills to advanced nursing practice.
9. Evaluate personal scholarship, professional growth, and excellence in practice.

### **Relation to Institutional Mission**

The DNP aligns with the University of Wisconsin Oshkosh Strategic Directions and includes a focus on community, teaching, and scholarship. The collaborative nature of the DNP aligns with the strategic direction to develop a diverse, engaged community of lifelong learners and collaborative scholars. The program will further the university's goal to enhance dynamic curricular programs through advanced graduate offerings in the College of Nursing. Additionally, the university has a desire to foster research, intellectual activity, and scholarship. The rigor and advanced level of the DNP program is aligned with the university's plan to sustain, support, and enhance a scholarly environment.

The DNP program also supports key elements of the UW-Oshkosh select mission. Advanced graduate study for nurse practitioners in the DNP program allows the university to advance its mission to "meet the emerging needs of the regions which the university serves" by providing programming to help meet the demand for Nurse Practitioners as primary care providers. The DNP program will help meet expanding needs in this region for advanced practice nurses who will lead in efforts to provide leadership in primary health care settings and become nursing faculty to educate nurses in Wisconsin. Another mission ideal supported by the DNP program is to "challenge students to develop their talents, intellectual interests and creative abilities" and "to prepare persons for critical evaluation decision making." The program outcomes for the DNP program strongly support student abilities to analyze, evaluate, and use evidence-based practices and research.

### **Program Assessment**

UW-Oshkosh will continue its existing graduate assessment strategies using evaluation processes that interface with guidelines from the National Organization of Nurse Practitioner Faculties (NONPF) and the AACN *Essentials* document. The DNP assessment plan will be approved by the Faculty Senate Committee for Assessment of Student Learning. In addition, systematic Graduate Program Review as established by the University will be part of the assessment. The College of Nursing also submits a mid-cycle Commission on Collegiate Nursing Education (CCNE) report and a yearly report. The College of Nursing Graduate Program was fully accredited in 2000 for ten years by CCNE. The DNP program will be included in the accreditation review in 2010.

The program review will consider both direct and indirect assessment metrics, including:

#### Direct measures:

- Course-based assessment: Student performance in each of the DNP courses will be assessed based on the particular course objectives to determine whether the learning objectives have been attained. These data will be used to improve the content and pedagogy of the courses.

- Faculty evaluation: Faculty will be evaluated each semester according to UW-Oshkosh College of Nursing evaluation criteria in the areas of teaching, scholarship, and service. Regular peer evaluations will also be conducted.
- Preceptor and Site Evaluations: Preceptor orientation plans will be developed for DNP clinical preceptors focused on DNP program requirements and expectations for oversight and evaluation of advanced practice students. Faculty will evaluate both the site and the preceptor as part of site visits.
- Assessment of the capstone project: Performance in the capstone project will be assessed by faculty and advisers according to the student learning outcomes listed previously and the intended goals of the DNP Capstone experience. The data will be used to improve the capstone project as well as the DNP curriculum and to ensure that the expertise and knowledge needed to attain the student learning outcomes of the DNP are being fully developed.
- Certifications: All students who have completed the DNP program will be eligible to sit for national certification offered by the AACN or other national accrediting body. The results from these national certification tests will also be reviewed to assess the program's success in educating the program's students.

Indirect measures:

- Student self-assessment: In the capstone course, students will write reflections on their performance in the DNP program with respect to the program's learning outcomes. These student papers will be reviewed by selected faculty and advisers and be used by members of the Graduate Program Committee to improve the courses and refine the DNP curriculum.
- Exit surveys: An MSN end-of-program survey currently is administered to all graduates and will be revised as a DNP end-of-program survey. Exit surveys will be used as indirect measures of student attitudes regarding their attainment of learning outcomes as well as attitudes regarding the DNP experience. The data will be analyzed yearly by members of the Graduate Program Committee and will be used to improve content and pedagogy of the required courses, the advising, and students' evaluations of their studies in terms of preparation for their careers post-DNP.
- Alumni surveys: These surveys will assess student satisfaction with the program. Early graduate cohorts will be contacted within two years following graduation. Following the initial collection of alumni data, alumni surveys will be sent every three years. The assessment data collected will be analyzed by the Graduate Program Committee.

## **Need**

In 2008, the UW System's Senior Vice President for Academic Affairs convened a Nursing Education Task Force. The Task Force Report, shared with the Board of Regents in February, 2009, assessed workforce shortages in nursing both nationally and in Wisconsin, and issued a set of recommendations, including the need to increase opportunities for graduate advanced practice nursing programs in the UW System. Evidence was presented to support the development of multiple UW System DNP programs, needed to enhance statewide access and to meet the need for advanced practice nursing education in Wisconsin.

The DNP program will address the national shortage of advanced nursing primary care providers in health care. In addition, the program will address the deficit of doctorally prepared nursing faculty in higher education across the country. At the university level, it is challenging to sustain the high level of clinical scholarship needed for quality programming without doctoral-level faculty. Based on these key shortages, graduate nursing programs at the national level are adding the DNP to accommodate the need for nursing faculty and for meeting new requirements for the DNP as the entry-level preparation for advanced practice nurses and nurse administrators. Throughout the State of Wisconsin, advanced practice nursing graduates are in demand due to the need for health care providers in specialty areas and increasing numbers of retirements.

UW-Oshkosh has a strong graduate nursing program that serves students from a wide geographical region, including northern Wisconsin. UW-Oshkosh admits approximately 30 students per year in the graduate nurse practitioner programs. The DNP program will enable UW-Oshkosh to meet the mandate by AACN to prepare advanced practice nurses at the doctoral level by 2015.

### **Program Enrollment Projections**

For the first two years of implementation, the enrollment will be comprised of only MSN- to-DNP students. In year one and two, the program anticipates admitting 21 MSN-to-DNP students. During the third year, the number of admissions will increase to 28 and include BSN-to-DNP students. It is anticipated that over time, the admission trends will show fewer MSN-to-DNP students applying to the program, and increasing numbers of students through the BSN-to-DNP option. The following enrollment chart does not include attrition because UW-Oshkosh nursing programs generally have had less than 5% attrition.

Year	1 <sup>st</sup> year	2 <sup>nd</sup> year	3 <sup>rd</sup> year	4 <sup>th</sup> year	5 <sup>th</sup> year
New students	21 MSN	21 MSN	14 BSN 14 MSN	14 BSN 14 MSN-	21 BSN 7 MSN
Continuing		21	21	28	28
Total enrollment	21	42	49	56	56
Graduating		21	21	14	14

### **Comparable Programs**

Graduate nursing programs across the country are transitioning to the DNP to provide entry-level preparation for advanced practice nurses as well as for nursing administrators. In Wisconsin, a number of colleges have implemented DNP programs. In the UW System, UW-Milwaukee was approved to offer a DNP at the December 2008 Board of Regents meeting. UW-Eau Claire is requesting authorization at the same time as the UW-Oshkosh DNP proposal. UW-Madison will also be requesting DNP authorization, probably in June 2009. Marquette University and Concordia University are currently offering DNP programs and Viterbo may soon be offering a program.

Since fall 2007, the Minnesota State Colleges and Universities Consortium Doctor of Nursing Practice Program has been offered. The University of Minnesota, St. Scholastica, and the College of St. Catherine's in Minnesota also offer DNP programs. In 2007, a DNP program was implemented at the University of Iowa. Programs have also been established in Illinois at Rush University program in Chicago, University of Illinois Chicago, and in Michigan at Northern Michigan University and Kirkhof College of Nursing.

## **Collaboration**

The DNP program will consist of four core collaborative courses that will be offered by hybrid distance education and shared between UW-Oshkosh and UW Eau Claire. Faculty from either institution will teach these four core classes. UW-Oshkosh faculty could teach UW-Eau Claire students and UW-Eau Claire could teach UW-Oshkosh students. To facilitate the collaboration on the core courses, both institutions have approved these courses and will use identical numbering for the 800-level. Course descriptions and objectives will be the same in the core courses and they will be reviewed collaboratively by faculty from both institutions. The remaining 14 credits of 800-level courses were also developed and designed in collaboration with UW-Eau Claire, will be offered by hybrid distance-education means, and may sometimes be taught collaboratively.

## **Diversity**

UW-Oshkosh is committed to finding ways to expand the diversity of its student body and faculty. This goal is reflected in the Academic Program and Student Outcomes Assessment Plan and in the goals to meet the strategic challenges for the student body and faculty mix as identified by the University. The University has in place academic and student support programs specifically created for students of color through the Center for Academic Support and Diversity and the Center for Academic Resources, and these programs will be available to DNP students.

Over the last ten years, the university has increased the diversity of the undergraduate nursing student body from 3 % to 7 %. In order to further increase the diversity of the nursing students, the College of Nursing faculty adopted a holistic interview process as a part of the admissions process. The strategies in place to recruit a diverse student body for undergraduate students will also be a part of the DNP recruitment process. As a part of the holistic admissions process, prospective students will provide a written statement, be interviewed, need to score well on the Nurse Entrance Test (NET), and show evidence of: health care experience, activities reflecting service, and experience with diverse populations, including ethnic groups, and special needs and age groups.

The Nursing Program's commitment to diversity is further evidenced in the program outcome to promote culturally sensitive, holistic advanced nursing practice care and services in a global community, with emphasis on disease/illness prevention and health/wellness promotion, as well as restoration and maintenance. Cultural competence and alternative health care modalities as curricular strands are integral both to the graduate and undergraduate programs, and faculty teach, honor, and practice cultural understanding in class and in clinical health care settings.

Another approach to expose students to diverse populations and contexts is found in the intentional design of student learning experiences. The Family Nurse Practitioner Diversity Clinical is a required course in the Master's curriculum. This practicum, offered in conjunction with the Family Health Clinic in Wautoma, requires students to provide care services to migrant populations through the use of a mobile van. Another part of the diversity practicum comes through clinical placement opportunities in facilities such as Correctional Institutions, Community (Free) Clinics, or Tribal Clinics. In addition, students work with underserved populations in northern Wisconsin on a regular basis.

The College of Nursing has a number of efforts underway to recruit and retain diverse faculty. These efforts include running ads in journals (*Minority Nurse*) and newspapers, as well as AACN website postings, and recruitment during attendance at Midwest Research Nursing Society, Sigma Theta Tau, AACN Baccalaureate and Master's conferences, Wisconsin Nurses Association conferences, the National Organization of Nurse Practitioner Faculty meetings, and faculty networking at other venues.

### **Evaluation from External Reviewers**

Two outside reviewers offered thoughtful feedback and provided valuable suggestions for strengthening the proposal. As a result of their feedback, changes were made in the area of curriculum content and the capstone course. One reviewer suggested that particular attention be given to systems approaches, policy development, and financial cost analysis, saying these "curricular threads should continue to be emphasized". The 800-level *Organizational Leadership and Health Policy for Advanced Nursing Practice* course addresses these issues, as do the clinical experiences in the DNP practica. A second reviewer asked the program faculty to consider other alternatives in the selection of clinical placements. The reviewer stated that it was important to have students exposed to clinical settings where they have complex care experiences. Situating students in clinical placements characterized as complex systems will require them to perform at the high levels appropriate for doctoral-level clinical preparation. This suggestion aligns with the stated program goals and also reflects the variety of complex systems represented in the field.

### **Resource Needs**

The DNP program is built on the foundation of MSN courses that are currently funded via general program revenue (GPR). Forty-eight credits of the 76-credit DNP program are courses at the 700 level and covered by current resources that have supported the MSN programs. Students will pay traditional graduate-level tuition for the 48 credit hours of 700-level courses. Resources to support 2 additional FTE faculty will be raised through distance education fees of \$250/credit charged for the 800-level courses. Estimated program revenue in the first year is calculated based on a semester average of 21 students taking 16 credits x \$250 per credit. In the second year of the program, program revenue estimates are based upon 42 students with 50% of them taking 12 credits and 50% taking 16 credits. In year three, it is estimated that 14 new MSN students will take 16 credits, and 21 continuing MSN students will take 12 credits. Using the funds generated by the distance education fees for the 800-level courses, instructional



academic staff will be hired in year three to fill the undergraduate teaching needs caused by the transition of faculty to the DNP program. During the first two years of the program, the distance education fees will generate a reserve fund. Beginning in the third year, these funds will be used to support the program.

Estimates for the number of students that will be admitted to the program are conservative in terms of the number of students that are expected to seek enrollment. In year three of the program, 2 FTE graduate faculty teaching in the undergraduate programs will transition to teach the 800-level courses in the DNP program. A current .25 FTE program assistant will support admission and placement procedures for the program.

#### **Estimated Total Costs and Resources**

	FIRST YEAR		SECOND YEAR		THIRD YEAR	
CURRENT COSTS	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
Personnel						
Faculty/Instructional Staff	3.3	\$227,700	3.3	\$234,531	3.3	\$241,566
Graduate Assistants	0	0	0	0	0	0
Non-instructional academic/classified staff	.25	\$7,099	.25	\$7,311	.25	\$7,530
Non-personnel						
Supplies and Expenses		\$2,700		\$2,700		\$2,700
Subtotal	3.55	\$237,499	3.55	\$244,542	3.55	\$251,796
ADDITIONAL COSTS						
Personnel	0		0	0	2	138,000
Non-personnel		0		0		0
Subtotal		0		0		138,000
TOTAL COSTS	3.55	\$237,499	3.55	\$244,542	5.55	\$389,796
CURRENT RESOURCES						
GPR		\$237,499		\$244,542		\$251,796
Subtotal		\$237,499		\$244,542		\$251,796
ADDITIONAL RESOURCES						
Distance education course fees		\$84,000		\$147,000		\$119,000
Distance education fee reallocation						\$19,000
Subtotal		\$84,000		\$147,000		\$138,000
TOTAL RESOURCES		\$321,499		\$391,542		\$389,796

## **RECOMMENDATION**

The University of Wisconsin System recommends approval of Resolution I.1.a.(2), authorizing the implementation of the Doctorate of Nursing Practice Program at the University of Wisconsin Oshkosh.

## **RELATED REGENT POLICIES**

University of Wisconsin System Academic Planning and Program Review (November 10, 1995)  
Academic Informational Series #1 (ACIS-1.0 revised June 2006)

Program Authorization (Implementation)  
Ph.D. in Clinical Investigations  
University of Wisconsin-Madison

EDUCATION COMMITTEE

Resolution I.1.a.(3):

That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Chancellor be authorized to implement the Ph.D. in Clinical Investigations.

**NEW PROGRAM AUTHORIZATION**  
**Doctor of Philosophy (Ph.D.) in Clinical Investigation**  
**University of Wisconsin-Madison**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a Clinical Investigation program at the level of Doctor of Philosophy (Ph.D.) at the University of Wisconsin-Madison is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. The University of Wisconsin-Madison and System Administration will conduct that review jointly, and the results will be reported to the Board.

The National Institutes of Health (NIH) have called for universities to respond to a national need to educate more clinician-scientists who are qualified to conduct patient-oriented research to accelerate the rate at which scientific discoveries are translated into medical applications for the benefit of the health of people and communities. A major NIH funding initiative, known as the NCRR U54 Clinical and Translational Science Awards (CTSA), has consolidated funding programs that have supported related educational initiatives at UW-Madison over the past 20 years. UW-Madison is a recipient of a \$41 million CTSA award which is being used to help fund the new Institute for Clinical and Translation Research (ICTR), within the School of Medicine and Public Health, the administrative home for the proposed Ph.D. Clinical Investigation.

The Ph.D. program will be housed in ICTR, which is an interdisciplinary hub for connecting students with faculty and research programs across five participating schools and colleges: the School of Medicine and Public Health, the School of Nursing, the School of Pharmacy, the School of Veterinary Medicine, and the College of Engineering. Through ICTR and the school/college connections, the Ph.D. program will connect students and lead investigators with dozens of programs, centers, and institutes across campus that focus investigative pursuits on some aspect of clinical or translational research, either on a disease or a population (see the section on collaborations). Many of these centers and institutes are also funded by grants from the NIH. ICTR and the Ph.D. Clinical Investigation will meet the pressing need to accelerate the rate at which advances in translational research can be made by preparing researchers for careers in academia, industry, research institutes, health agencies, or regulatory agencies.

**REQUESTED ACTION**

Approval of Resolution I.1.a.(3), authorizing the implementation of the Ph.D. in Clinical Investigation at the University of Wisconsin-Madison.

## **DISCUSSION**

### **Program Description**

Generally speaking, there are two types of translational research: bench to bedside (type 1), and bedside to community (type 2). The focus of the Ph.D. in Clinical Investigation is on the bench to bedside (type 1) translational research and it will prepare researchers for careers in academia, industry, research institutes, health agencies, or regulatory agencies.

This 62-credit program will provide formal training in the knowledge and skills needed to do multidisciplinary bench-to-bedside (Type 1) translational research in a clinical discipline. It will serve prospective students who have developed their scientific expertise in a clinical discipline (i.e., medicine, pharmacy, nursing, veterinary medicine, biomedical engineering), but who lack research skills. Admission requirements assume that the student is one who has a prior degree that confers scientific or clinical expertise, and who seeks the knowledge and skills necessary to conduct patient-oriented research by designing and conducting multidisciplinary therapeutic intervention studies. Applicants must have a health-related degree such as a Bachelor of Science in Nursing (B.S.N.), M.D., Doctor of Osteopathy (D.O.), Doctor of Dental Surgery (D.D.S.), Doctor of Pharmacy (Pharm.D.), Doctor of Veterinary Medicine (D.V.M.), Ph.D., or B.S. or higher degree in an Engineering field, or any other post-baccalaureate degree in a clinical or biomedical field.

Each student is expected to meet the minimum degree requirements: to maintain a 3.0 GPA in specified course requirements; meet regularly with their faculty advisor(s); prepare and present a detailed written research proposal as their preliminary examination for the doctoral degree; prepare and defend a doctoral dissertation as evidence of the student's ability to produce original research, and make a scholarly contribution to his or her field of study. The program is designed to accommodate regular full-time students and students who are also continuing to work as health care clinicians at sites around the state. The primary method of course delivery will be a blended or hybrid form using a mixture of traditional face-to-face instruction combined with audio-conferencing or video-conferencing, and other instructional tools and media (Internet delivery, DVDs). Research projects will be conducted at UW-Madison or in partnership with an ICTR-affiliated clinical site (for example Marshfield clinic or clinical sites in Milwaukee), with UW-Madison faculty members always serving as the major professor.

For readers interested in more detail, all of the materials developed in support of this proposal are temporarily posted at <http://www.apa.wisc/CI.html>.

### **Program Goals and Objectives**

The goal of the Clinical Investigation research doctorate (Ph.D.) is to prepare clinician researchers to lead multidisciplinary teams in the conduct of research. Patient-oriented research will include therapeutic interventions, clinical trials, development of new technologies, and/or research in disease mechanisms. Ph.D. recipients will graduate prepared to operate at a higher level of independence and leadership than M.S. graduates. For example, Ph.D. graduates will be prepared to design and lead studies, interpret data using existing methodologies, and develop

new methodologies, direct multi-site or multi-investigator research studies, teach, and supervise graduate and professional students in similar programs in academic settings, and provide leadership to the profession.

Specifically, the degree will educate students from multiple disciplines to:

- Collaborate in, manage, design, execute, interpret, and report multidisciplinary therapeutic intervention studies (e.g. those involving drugs, devices, behavioral modifications, surgery, nerve stimulation, diet, or similar mechanisms) in an ethically sound and responsible manner;
- Assume leadership roles in higher education, health care settings, or industry; and
- Establish a national reputation as a leader in a given discipline or area of expertise.

In order to achieve these goals, students will achieve the major objectives listed below. These objectives and their corresponding sub-objectives are consistent with the set of competencies outlined by a recent NIH consensus conference.

1. Determine when it is and is not appropriate to use a multidisciplinary patient-oriented research design to investigate a therapeutic problem.
2. Conceptualize and design multidisciplinary patient-oriented research protocols.
3. Execute multidisciplinary therapeutic intervention studies.
4. Interpret and report research findings using the expertise of collaborators in multiple disciplines.
5. Contribute to the leadership of programs that integrate clinical and translational science across multiple departments, schools and colleges, clinical and research institutes, and healthcare delivery organizations.
6. Translate research from the laboratory to the clinic through technological innovations, such as drug therapies, medical devices or biological materials (“bench to bedside”), as an active participant in a multidisciplinary clinical research team.

### **Relation to Institutional Mission**

This research-focused Ph.D. program, designed to meet a national educational need, is an appropriate addition to the research doctoral programs offered by UW-Madison, as a major research university with a strong academic health center and an extensive array of health sciences programs. The program addresses a number of aspects of UW-Madison’s mission by generating new knowledge through interdisciplinary and trans-disciplinary research and through scholarly activities, with the goal of pioneering a new field that will advance scientific discoveries and benefit society through advancements in healthcare. It reaches beyond the boundaries of UW-Madison through its partnerships, including collaborations with Marshfield Clinic, which expand and extend knowledge. The program embraces cultural diversity through its openness to multiple perspectives, commitment to inclusionary practices, and incorporation of interdisciplinary views and value systems.

## **Program Assessment**

The effectiveness of the Clinical Investigation graduate program will be reviewed annually as part of the annual external review of the CTSA award. Representatives from the National Institutes of Health and other CTSA-funded institutions will review the program for evidence of the program's overall ability to educate clinician-scientists and meet the nation's goal to increase the number of clinicians who are conducting research that translates scientific discoveries to applications that benefit health and reduce health disparities. Recruitment and retention data, broken down by gender, race/ethnicity and school/college involvement, will be assessed during these reviews.

Annually, the Faculty Governance Committee will review a range of evidence collected from students and from advisors as a basis for evaluating the success of the program in achieving the program goals (specified above). Each student will prepare a course plan at entry. Every two years, these plans will be reviewed collectively to determine if curricular and program components are fully in place to meet students learning needs. Three products of student work—the preliminary examination (i.e. research proposal), the final oral defense of the research project, and the written dissertation—will form the basis for direct evidence of student learning outcomes. Information will be collected on each student via a questionnaire to advisors about how well these signature student products demonstrate that students are achieving at a level that meets program goals. They will be reviewed in the aggregate at an annual meeting of the Faculty Governance Committee that is focused on reviewing the effectiveness of the program. Faculty will review this information and use it as a basis for making adjustments to the curriculum, the structure of the mentor/student relationship, and other learning experiences within the program. In addition, to determine the extent to which students have developed an area of expertise and are prepared to lead multidisciplinary research teams, evidence of leadership will be extracted from the students' curriculum vitae when they complete the program. Evidence of leadership in an area of expertise includes participation as a lead presenter at one or more professional conferences and a body of publications in a focused area of research during graduate study. Five years post-Ph.D., program graduates will be asked to submit an updated CV and research record which will be used to evaluate the extent to which graduates have demonstrated that they were prepared to perform in the intended roles.

The primary purpose of this degree program is to provide investigators the appropriate knowledge and skills to perform patient-oriented research; therefore, direct evidence of program success comes from reviewing the extent to which the program's alumni achieve this broad goal. Variables include a review of publication records, grant awards, national and local presentation records, innovations, policies, procedures, job title, position and industry, patents, spin-off companies, and the emergence of new therapeutic treatments.

## **Need**

In 2005, the NIH identified a national need for advanced educational programs directed at practicing health professionals to develop the skills and knowledge to conduct patient-oriented research. In 2007, UW-Madison was one of twelve institutions nationally that successfully

competed for a grant to advance this initiative. The funding (\$41 million over five years) will support a range of initiatives including the Institute for Clinical and Translational Research (ICTR) and the graduate program in Clinical Investigation, which is a foundational element of the grant plan. Two students are poised to enroll in the proposed doctoral program as soon as it is approved. Enrollment in the Ph.D. program is anticipated to be 14 students by the end of five years. This is in addition to the 25 students who are projected to be enrolled in the Master's-level program at that time. Nine students are currently enrolled in or admitted to the M.S. program.

### **Projected Enrollment (5 years)**

Year	Implementation year	2nd year	3rd year	4th year	5th year
New students admitted	2	2	4	4	6
Continuing students	0	2	4	5	8
Total enrollment	2	4	8	9	14
Graduating students	0	0	0	0	2

### **Comparable Programs**

The Ph.D. in Clinical Investigation is distinctive and there are no comparable educational programs at other universities in Wisconsin. The graduate program in Clinical Investigation is often compared with UW-Madison's graduate program in Population Health Sciences. However, the two programs are distinguished on the basis of their structure and research focus. Clinical Investigation emphasizes a multidisciplinary pedagogy, requires fewer courses in epidemiology and outcomes research, and emphasizes bench-to-bedside (Type 1) patient-oriented research. Population Health Sciences, in contrast, emphasizes "Type 2" clinical research and focuses on human populations and communities.

Similar programs have been or are being developed at other universities that have received funding by NIH. For example, in neighboring states, the University of Minnesota, the University of Chicago, the University of Illinois, the University of Michigan, and the Mayo Medical Center offer such graduate programs. Nationally, 20% of clinical research training programs offer a doctoral (Ph.D.) degree; 78% offer a Master of Science degree; and 26% offer a graduate degree (M.S. or Ph.D.) in conjunction with a medical (M.D.) degree. Medical school faculty at universities with programs similar to the proposed Ph.D. program have a competitive advantage in securing NIH funding for clinical research.

### **Collaboration**

The program planning and implementation is a collaboration of five of UW-Madison's schools and colleges: Medicine, Pharmacy, Nursing, Engineering, and Veterinary Medicine. In addition, collaborations across a range of UW-Madison's centers, institutes, and programs that have activity related to clinical research are central to the success of the program. Students will have research projects that will be active both in Madison and at other clinical sites throughout



Wisconsin, including the Marshfield Clinic and clinical sites in Milwaukee. The following table lists many of these collaborative units.

<b>Clinical and Translational Research Centers and Institutes with linkages to the Graduate Program in Clinical Investigation</b>		
<b>Name of Facility</b>	<b>Source of Support</b>	<b>Facilities/Resources</b>
Carbone Comprehensive Cancer Center	NIH/Institutional/UW Health	Multidisciplinary center facilitates translation of research discoveries into new treatments benefiting cancer patients
Cardiovascular Research Center	Institutional	Facilitates interdisciplinary basic/clinical research, education, treatment in cardiovascular disorders; core facility
Center for Drug Discovery	NIH	Multidisciplinary research program supporting new drug development based on copying & improving designs found in nature
Center for Neuroscience	Institutional	Cross-disciplinary base for translational research & training in neuroscience; multiple cores
Center for Patient-Centered Interventions	NIH	Supports research related to the design & testing of health-promoting, patient-centered interventions
Center for Quality & Productivity Improvement	Institutional	Systems engineering for patient safety
Center for Sleep & Consciousness	Institutional	Laboratory facilities & research focused on the mechanisms & functions of sleep & the neural substrates of consciousness
Center for the Study of Cultural Diversity in Health Care	NIH/Institutional	Clearinghouse for minority & immigrant health; disparities in health care & outcomes; education & training of health care providers
Center for Tobacco Research & Intervention	NIH/Institutional	Clinical research & community outreach to improve tobacco dependence treatment
Center for Urban Population Health	Institutional/Industry	Health service research & community outreach in urban populations; promotion of academic/community partnerships
Center for Women's Health Research	DHHS/Institutional/Meriter	National Center of Excellence with research agenda focused on women's health; provides community outreach
Eye Research Institute	Institutional	Facilitation of multidisciplinary, translational research of eye diseases & new treatments
Food Research Institute	Institutional	Research in food-associated illnesses; diet & behavior, food allergy, and diet & cancer
General Clinical Research Center	NIH/Institutional	Research infrastructure including nurses, dieticians, biostatisticians, data management/analysis, & laboratory service
Geriatrics Research, Education & Clinical Care Center	NIH/VA/State	Extensive clinical programs in Alzheimer's Disease, swallowing disorders, bone disease, diabetes & aging; research activities occur throughout VA clinics & on a 2-3 bed inpatient unit
Health Emotions Institute	Institutional/Industry/Private	Supports research in relationship of positive emotions & health outcomes
Institute for Influenza Viral Research	NIH	To be completed in Fall 2007; research space for flu research, including specialized lab facilities for Biosafety Level 2, Level 3 and Level 3-Agriculture
Institute for Molecular Virology	Institutional	Multidisciplinary organization providing unified & supportive research opportunities in basic & applied virology
Institute on Aging	NIH/Institutional/FDN	Support of research & community outreach in all aspects of aging process, home of MIDUS study
Molecular & Environ Toxicology Center	Institutional	Supports a mechanistic approach to studying toxicological problems. related to human health & the environment
Morgridge Institute for Research	Private	To open in 2009; will be dedicated to partnering ventures between UW & industry scientists; will be the hub for continued interdisciplinary research, promising rapid type 1 translational research & the possibility of providing new advances to the community

Morris Institute of Respiratory Research	NIH/Institutional/Industry	Clinical & translational research in asthma, chronic obstructive pulmonary diseases, & allergic disorders
Population Health Institute	FED/Institute/State/Private	Community health assessment & health policy research; health policy training & education for local & state practitioners
Sonderegger Research Center for Interdisciplinary Research in Social & Admin Pharmacy	Institutional/NIH	Facilitates research in social & administrative pharmacy
Technology Business Development Institute	FED-USSBA/Institutional	Center connects UW resources to the professional community; continuing education programs for professionals, & nonprofit organizations; counseling for technology business start-ups.
Trace Research & Development Center	DOE	Pioneering techniques to make standard computers accessible to people with a variety of disabilities
Waisman Center	NIH/Institutional	Research, training, & community service in human development, developmental disabilities, & neurogenerative diseases
Wisconsin Alzheimer's Institute	State/SMPH/Private	Detection & prevention of Alzheimer's Disease, & services for patients/caregivers; statewide network of diagnostic clinics
Wisconsin Institute of Discovery	Private/State/WARF	To open in 2009 & operate in tandem with the privately funded Morgridge Institute; designed to foster new approaches to biological & medical problems through a multidisciplinary approach
Wisconsin National Primate Center	NIH	Research in aging & metabolic disease, immunogenetics & virology; reproduction & development
Wisconsin Office of Rural Health	Institutional	Collaboration between underserved rural communities & multiple related agencies/schools
Wisconsin Stem Cell Research Program	Institutional	Research focused on understanding the molecular mechanisms responsible for cell proliferation & differentiation & assessing their safety & efficacy following transplantation; novel molecular & cellular techniques, & detailed transplantation programs.

## Diversity

Diversity will permeate this graduate program's faculty, curriculum, and student body by: involving students and instructors of all ages with people of various racial and ethnic origins; incorporating literature and other information from diverse populations into course content; facilitating and encouraging research collaborations across diverse populations and with investigators from multiple racial and ethnic groups; and incorporating such topics as race-based or other health disparities into course content and examples. Recruitment methods used to attract students from diverse backgrounds will include: 1) attending and marketing the degree program at regional and national conferences that focus on minority groups; 2) encouraging face-to-face recruitment visits; 3) aligning students' interests with the appropriate mentoring faculty; 4) developing an extramurally funded minority recruitment program; and 5) inviting deans in charge of diversity within their respective schools and colleges to serve as advisors to the Faculty Governance Committee.

## Evaluation from External Reviewers

All members of the proposal's review committee and the external evaluators were complimentary of the program. Program strengths identified by the external evaluators included the multidisciplinary nature of the program, and the use of instructional technology and distance education to deliver some elements of the curriculum to students who are bound by time and, in some cases, place. The major weakness of the program was the heavy didactic course load, but

there is sufficient flexibility that students may count prior coursework to requirements and electives as appropriate. The outside reviewers highly praised the program and emphasized that the program meets a national need to “move basic discovery into clinical trials” with the goal of improving “the health of the public.” Furthermore, an external review committee for the CTSA award has expressed enthusiasm for this graduate program and has encouraged program faculty to focus on implementing and promoting the program.

## **Resource Needs**

The Ph.D. in Clinical Investigation was proposed under an entitlement to plan that was granted for a combined M.S. and Ph.D. in Clinical Investigation. A combined proposal for the M.S./Ph.D. was reviewed by a single program review committee in spring 2008, and that review committee endorsed the approval of the program at both levels. The M.S. program was approved by the UW-Madison Graduate Faculty Executive Committee and the University Academic Planning Council (according to UW-Madison governance policy) in spring 2008, and by the Board of Regents in fall 2008. However, the proposal for the Ph.D. portion of the program was delayed because UW-Madison’s Graduate Faculty Executive Committee asked for more time to review the Ph.D. program. Specifically, this governance committee asked for: more information about how the Ph.D. in Clinical Investigation compares with the Ph.D. in Population Health Sciences; specific details of possible dissertation topics; examples of specific research projects that Ph.D. students would undertake; details on the faculty governance committee of the Clinical Investigation program; and a list of faculty who would be eligible to supervise Ph.D. dissertations. This information was provided to the satisfaction of the Graduate Faculty Executive Committee and the proposed Ph.D. in Clinical Investigations received all of the customary UW-Madison governance approvals in the fall of 2008.

Because the M.S. and Ph.D. programs were designed together, the Ph.D. program budget includes all of the funds that support the M.S. program that was approved in fall 2008 (\$442,000), plus funding for an additional faculty FTE (an additional \$111,000 per year for a total of \$551,000). The two programs are inextricably interwoven and so efficiencies are achieved by administering and teaching the students as a unified program. Because the staff and faculty will work with the entire cadre of students at both levels, the budget for the Ph.D. program alone is not readily separated out, and is better represented by a combined budget. The additional faculty FTE has been added to support the additional supervision associated with Ph.D. students. In total, this budget will serve the combined graduate program at the M.S. and Ph.D. level.

The graduate program in Clinical Investigation will be supported by the NIH-funded CTSA grant through 2012 (\$41 million over five years). Based on a 20-year history of NIH funding for related programming, the School of Medicine and Public Health anticipates that NIH support will be renewed in 2012. If not, the School of Medicine and Public Health will fund the program past 2012 by reallocating resources. The Institute for Clinical and Translational Research (ICTR), as the administrative home for the program, will provide a student services coordinator, instructional technology specialist, biostatisticians, writing assistance, and assistance with compliance with regulations related to research on human subjects. In addition, existing resources will be provided by the five UW-Madison schools/colleges that are partnering

to support this program, including faculty mentors, laboratory space, library facilities and resources, computer support, and access to instructional technology for students.

A large number of faculty will contribute to this program across five schools/colleges. An estimated current cost of the faculty contribution is arrived at by summing the estimated contribution from many faculty members at 3 FTE and those FTE will be contributed by reallocation from existing programs (\$309,000). Approximately \$189,000 is budgeted for a program administrator, student services coordinator, instructional technologist, and student hourly assistant. Approximately \$18,000 is budgeted for office supplies, and \$12,000 is budgeted for recruiting, including print and web materials, travel for candidates, and travel for recruiting trips. Approximately \$22,500 is budgeted for costs associated with hosting conferences, workshops, or seminars for students.

## **RECOMMENDATION**

The University of Wisconsin System recommends approval of Resolution I.1.a.(3), authorizing the implementation of the Ph.D. in Clinical Investigation at the University of Wisconsin-Madison.

## **RELATED REGENT POLICIES**

University of Wisconsin System Academic Planning and Program Review (November 10, 1995)  
Academic Informational Series #1 (ACIS-1.0 revised June 2006)

**University of Wisconsin-Madison, MS/PhD-Clinical Investigations**  
**BUDGET FORMAT: AUTHORIZATION TO IMPLEMENT**

	First Year		Second Year		Third Year	
<b>CURRENT COSTS</b>	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
<b>Personnel</b>						
Faculty/Instructional Staff	3	\$309,000	3	\$318,270	3	\$327,818
<b>Non-personnel</b>						
Supplies & Expenses						
Equipment						
Library						
Computing/IT support						
Other (Define)						
Subtotal		\$309,000		\$318,270		\$327,818
<b>ADDITIONAL COSTS</b>	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
<b>Personnel</b>						
Faculty/Instructional Staff						
Graduate Assistants						
Administrative program specialist	1	\$55,000	1	\$56,650	1	\$58,350
Administrative program specialist-Fringe		\$21,000		\$21,630		\$22,279
Student Services Coordinator	1	\$42,500	1	\$43,775	1	\$45,088
Student Services Coordinator-Fringe		\$16,000		\$16,480		\$16,974
Instructional Technologist	1	\$50,000	1	\$51,500	1	\$53,045
Student Hourly	0.31	\$5,000	0.31	\$5,150	0.31	\$5,305
<b>Non-personnel</b>						
Supplies & Expenses		\$13,000		\$13,390		\$13,792
Equipment		\$5,000		\$5,150		\$5,305
Library						
Recruiting		\$12,000		\$12,360		\$12,731
Workshops, Seminars, Conferences						
Scientific Writing		\$4,000		\$4,120		\$4,244
Journal Club		\$500		\$515		\$530
Annual Meeting		\$2,000		\$2,060		\$2,122
Speakers		\$3,000		\$3,090		\$3,183
IT, Video conferencing		\$13,000		\$13,390		\$13,792
Subtotal		\$242,000		\$249,260		\$256,738
<b>TOTAL COSTS</b>		\$551,000		\$567,530		\$584,556
<b>CURRENT RESOURCES</b>						
General Purpose Revenue (GPR )		\$309,000		\$318,270		\$327,818
Gifts and Grants						
Fees						
Other (Define)						
Subtotal		\$309,000		\$318,270		\$327,818
<b>ADDITIONAL RESOURCES</b>						
GPR Reallocation (list sources)						
Gifts and Grants		\$242,000		\$249,260		\$256,738
Fees						
Other (Define)						
Subtotal		\$242,000		\$249,260		\$256,738
<b>TOTAL RESOURCES</b>		\$551,000		\$567,530		\$584,556

Faculty salaries are based on an average full professor salary of \$103,000.  
Increases are calculated at 3% annually for all costs.

Approval of Revisions to  
Chapters UWS 17 & 18  
Wisconsin Administrative Code

EDUCATION COMMITTEE

Resolution I.1.b.:

That, upon the recommendation of the President of the University of Wisconsin System, the proposed rules amending Chapters UWS 17 and 18, Wis. Admin. Code, are hereby approved, and that the Secretary of the Board of Regents, pursuant to s. 227.19, Wis. Stats., notify the presiding officer of each house of the Legislature that the proposed rules are in final draft form, and cause a statement to appear in the Wisconsin Administrative Register that said proposed rules have been submitted to the presiding officer of each house of the Legislature.

**REVISIONS TO  
CHAPTERS UWS 17 AND 18, WIS. ADMIN. CODE  
MAY 2009**

**EXECUTIVE SUMMARY**

**BACKGROUND**

At the October 2008 Board of Regents Education Committee meeting, the Chapters UWS 17 and 18 Review Committee presented its recommendations for revised administrative rules. With the Board's approval, the draft rules were submitted to the Wisconsin Legislative Council Rules Clearinghouse for review and comment. Subsequently, the Board of Regents held a public hearing to receive public comments on the rules, and written public comments were also accepted.

Following this Executive Summary is a draft entitled, "Report to the Legislature, Clearinghouse Rule 08-099." This document is required as part of the state rulemaking process. It reflects: (1) staff recommendations for Board of Regents responses to the Wisconsin Legislative Council Rules Clearinghouse comments; (2) an overview of the public comments and recommended responses to those comments; and (3) technical details of the revisions to Chapters UWS 17 and 18, Wis. Admin. Code.

After further review and consideration of the proposed rules by the Board of Regents, the next step in the rulemaking process is to submit the rules to the state Legislature. This step is the culmination of a revision process that began in early 2007. The process was initiated to update the rules, to respond to concerns about student misconduct off campus, and to incorporate a more educational approach to discipline.

Chapter UWS 17, "Student Nonacademic Disciplinary Procedures," is the University's student conduct code. The chapter describes student behaviors that constitute nonacademic misconduct, the disciplinary process, and a range of consequences for nonacademic misconduct.

Chapter UWS 18, "Conduct on University Lands," regulates the behavior of both students and nonstudents, including the public, who use university lands for work, study or recreation. Chapter UWS 18 is enforced by university police, and most violations of Chapter UWS 18 are subject to forfeitures of not more than \$500.

**REQUESTED ACTION**

Approval of Resolution I.1.b., that upon the recommendation of the President of the University of Wisconsin System, the proposed rules amending Chapters UWS 17 and 18, Wis. Admin. Code, are hereby approved, and that the Secretary of the Board of Regents, pursuant to s. 227.19, Wis. Stats., notify the presiding officer of each house of the Legislature that the proposed rules are in final draft form, and cause a statement to appear in the Wisconsin Administrative Register that said proposed rules have been submitted to the presiding officer of each house of the Legislature.

## **DISCUSSION**

The Clearinghouse review and public hearing were the most recent events in the revision process. Described below are: (1) an overview of the process for developing the draft rules; (2) an overview of the comments received from the Legislative Council Rules Clearinghouse; (3) a summary of public comments and proposed responses; and (4) the next steps in the rulemaking process.

### **Development of the Revised Rules**

In developing its initial recommendations for the Board of Regents, the Chapters UWS 17 and 18 Review Committee considered the diverse interests of students, staff, and the public. Various perspectives were sought through the committee process itself, public listening sessions, and public comments submitted during two comment periods. In addition, the Committee researched disciplinary code language at other public universities, model code language, and literature on student discipline. The October 2008 version of the rules included revisions that:

- Improve the organization of both chapters.
- Update procedures in Chapter UWS 17 and modernize language in both chapters.
- Include an explicit statement about the scope of Chapter UWS 17's conduct rules.
- Add educational or service sanctions, such as community service, courses, or drug or alcohol assessment, as responses to nonacademic misconduct.
- Make the disciplinary hearing process more educational and less legalistic.
- Add behaviors that university police officers have encountered when enforcing Chapter UWS 18.

Recognizing that the revision process must balance a diverse set of interests, the Review Committee developed principles to guide the revision process. The Committee's goal was to advance the mission of the UW System through administrative rules that: (1) promote safety and security; (2) respect the rights and responsibilities of all persons in the university community; (3) provide notice of behavioral expectations; (4) maintain an educational emphasis; (5) describe clear and understandable procedures; and (5) respect the unique characteristics of each campus community and mission.

### **Comments from Legislative Council Rules Clearinghouse**

After the October 2008 Board of Regents meeting, the proposed rules, as approved at that meeting, were submitted to the Wisconsin Legislative Council Rules Clearinghouse. The Clearinghouse provided comments on: (1) form, style and placement in the Administrative Code; (2) adequacy of references to related statutes, rules, and forms; and (3) clarity, grammar, punctuation, and use of plain language.

Many of the Clearinghouse comments were readily addressed within the text of the draft rules. Among these comments were such items as ensuring that paragraphs are numbered



properly, replacing “will” or “must” with “shall,” and ensuring that statutory references are correct.

Other Clearinghouse comments sought explanations for some of the revisions, based on clarity or plain language considerations. For example, the comments asked for clarification of differences between existing and proposed administrative rules language or suggested particular clarifying language.

“Report to the Legislature, Clearinghouse Rule 08-099” (Attachment 1), includes a proposed Board of Regents response to the Clearinghouse comments. Changes in response to comments are incorporated directly into the rule language, while comments seeking explanatory information are addressed individually.

### **Public Comments**

The Board of Regents’ public hearing on March 5, 2009 and the written-comment period prior to and following the hearing also yielded an array of comments on the draft rules. Some comments were generally positive, some were generally negative, and some praised the rule changes overall but objected to particular aspects of the rules.

Nearly all of the comments pertained to Chapter UWS 17. Among these, a frequent topic was the draft rules’ language making explicit the University’s authority to address students’ off-campus misconduct when the conduct affects a substantial university interest. The existing Chapter UWS 17 allows UW institutions to address off-campus conduct under certain circumstances; the revisions provide more guidance in this area. Objections to the off-campus provision of the rule are mainly based on the belief that students’ off-campus activities are not, or should not be, of any interest to the university. Supporters of an explicit off-campus scope provision, meanwhile, believe that UW students have a responsibility to engage in proper conduct off campus, as well as on campus, and should be held accountable by the University if they do not.

In addition to responding to the Clearinghouse comments, the required “Report to the Legislature” (Attachment 1) categorizes, summarizes, and responds to the public hearing comments. Staff recommendations in some of the key areas of concern are highlighted below:

1. Expanded policy statement: To make clear the rules’ intent to protect students’ constitutional rights, the May 2009 version would add to the policy statement at beginning of UWS 17 the following language: “The University of Wisconsin System is committed to respecting students’ constitutional rights. Nothing in this chapter is intended to restrict students’ constitutional rights, including rights of freedom of speech or to peaceably assemble with others.” [s. UWS 17.01]
2. Additional notice requirements: To enhance efficiency, the October 2008 version of the rules allowed notices in the course of the disciplinary process to be delivered to students by electronic mail. To add assurance that students receive any notices that are sent to them, the May 2009 version would direct that notices be e-mailed and also be provided in paper form

by one additional method, whether by personal delivery, placement in the student's official university mailbox, or U.S. mail. [s. UWS 17.02(4)]

3. More stringent municipal violations provision: Under the October 2008 version of the rules, serious or repeated violations of municipal law would be subject to Chapter UWS 17 if the violations affect a substantial university interest. The May 2009 version raises the threshold for when municipal violations could be covered, to include violations that are both serious and repeated. [s. UWS 17.09(13)]
4. Choice between hearing examiner and hearing committee: The October 2008 version specified that a student has a choice of a hearing examiner when the proposed sanction is enrollment restrictions on a course or program, suspension, or expulsion. The May 2009 version reverts to the language of the existing Chapter UWS 17, which gives a student the choice between a hearing examiner and hearing committee, regardless of the seriousness of the proposed sanctions. [s. UWS 17.12(1)]
5. Representation at hearing: The October 2008 version of the rules envisioned a more educational hearing process, during which the student speaks on his or her own behalf. The student could be accompanied by an advisor, and the advisor could be a lawyer; however, the advisor could speak on behalf of the student only with the hearing examiner or committee's permission. The May 2009 version directly states that the advisor that accompanies the student may be a lawyer. It also allows the advisor to speak on a student's behalf when the student is subject to a sanction of suspension or expulsion, or when the student has been charged with a crime in connection with the same conduct for which the student is subject to disciplinary proceedings under Chapter UWS 17. [s. UWS 17.12(4)(a)]
6. Appeals to the Board of Regents: The October 2008 version broadened the types of disciplinary sanctions that could be appealed to the chancellor but narrowed the sanctions that could be appealed to the Board. The May 2009 version keeps the broader rights to appeal to the chancellor and also returns to the existing rule's provision that any sanction may be appealed to the Board; as always, the Board exercises discretion, pursuant to the Bylaws of the Board of Regents, in deciding whether to consider an appeal. [s. UWS 17.14]
7. Award of degree: The October 2008 version simplified the language regarding when a degree could be withheld when a student is subject to disciplinary action. The May 2009 version clarifies that a degree should be withheld when a sanction is continuing or disciplinary charges are unresolved at the time of commencement. [s. UWS 17.16]

These and other revisions take into account the principles that guided the original drafting process, as well as the support for and objections to some aspects of the draft rules.

"Recommended Revisions to Chapters UWS 17 and 18, Wis. Admin. Code, May 2009" (Attachment 2) shows Chapters UWS 17 and 18 in proposed final form. Attachment 2 reflects how the rules will appear if the most recent proposed revisions are acceptable to the Board and, eventually, to the Legislature.

### **Next Steps in Rulemaking Process**

With the Board of Regents' approval, the proposed "Report to the Legislature," including the amended chapters, will be submitted to the Legislature for review. Thereafter, the rules will be referred to one standing committee in each house. One or both of the committees may waive jurisdiction over the proposed rules, request to meet with the University on the proposed rules, or hold a meeting or hearing to review the proposed rules. Either or both committees may also request modifications to the rules. They may also object to a rule for certain reasons, as specified in state law. If a committee objects to a proposed rule, the rule is referred to the Joint Committee for Review of Administrative Rules for further review and action. If objections arise, the University may promulgate portions of the rules to which there are no objections.

The legislative process will determine the exact promulgation date for the rules. The goal is to have the rules in place for the fall 2009 semester.

### **RECOMMENDATION**

Approval of Resolution I.1.b., that upon the recommendation of the President of the University of Wisconsin System, the proposed rules amending Chapters UWS 17 and 18, Wis. Admin. Code, are hereby approved, and that the Secretary of the Board of Regents, pursuant to s. 227.19, Wis. Stats., notify the presiding officer of each house of the Legislature that the proposed rules are in final draft form, and cause a statement to appear in the Wisconsin Administrative Register that said proposed rules have been submitted to the presiding officer of each house of the Legislature.

### **RELATED REGENT POLICIES**

Bylaws of the Board of Regents of the University of Wisconsin System, Chapter III, Section 7, "Duties of the Committee on Student Discipline and Other Student Appeals."

ATTACHMENT 1  
DRAFT FOR BOARD OF REGENTS REVIEW

STATE OF WISCONSIN  
BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

REPORT TO LEGISLATURE  
CLEARINGHOUSE RULE 08-099

Agency contact persons: Christopher L. Ashley (608-262-3662)  
Jane S. Radue (608-263-4396)  
Judith A. Temby (608-262-2324)

**Basis and Purpose of the Proposed Rules**

Statutes interpreted: Sections 36.11(1), (2) and (8), and 36.35, Stats.

Statutory authority: Sections 36.11(1), (2) and (8), and 36.35, Stats.

Explanation of agency authority: Section 36.35, Stats., authorizes the Board and its designees to discipline students for misconduct, and directs the Board to promulgate rules governing student conduct and procedures for the administration of violations. Sections 36.11(1), (2), and (8), Stats., give the Board of Regents police power over all property owned by the Board, and authority to adopt rules regulating conduct and parking on university lands.

Related statutes or rules: None.

Plain language analysis: As a result of a recent review of ch. UWS 17, relating to student nonacademic misconduct, the board is considering changes in the rules to address issues on campuses and in the broader university community that have arisen since the rules were last significantly revised in May 1996. Specifically, some conduct, such as hazing, falsification of ID cards, and illegal use of alcohol or controlled substances, is not adequately addressed in the current rule. The availability of electronic communications may improve and streamline notice and communication during the disciplinary process by allowing certain notifications to occur electronically rather than solely by personal delivery or first-class mail as currently provided. In addition, it is also desirable to clarify at this time certain terms in the provisions relating to disciplinary sanctions for nonacademic misconduct, including situations in which the misconduct occurs off campus but adversely affects a substantial university interest. The proposed rule also seeks to improve the effectiveness of the disciplinary hearing process, while preserving and protecting students' due process rights.

Ch. UWS 18 addresses operation of motor vehicles, parking, and other conduct on land under the control of the Board of Regents. The Board proposes several amendments to better organize the chapter, and to clarify the scope of prohibitions related to particular kinds of conduct on campus,

such as bicycle riding, selling and soliciting goods and services, smoking within 25 feet of residence halls, using sound-amplifying equipment, and using computers. In the proposed rule, prohibitions on certain types of conduct are grouped according to categories that will make the rule easier to read and understand.

Copies of the text of the rule may be obtained at no charge from the Office of the Board of Regents, 1860 Van Hise Hall, 1220 Linden Drive, Madison, Wisconsin 53706 or on the internet at <http://www.wisconsin.edu/admincode>.

Summary of, and comparison with, existing or proposed federal regulations: There is no existing or proposed federal regulation for summary and comparison.

Comparison with rules in adjacent states: Public universities in the adjacent states of Illinois, Iowa, Michigan, and Minnesota each have administrative policies relating to student nonacademic misconduct and conduct on property under the control of the university. Some universities include in their policies the authority to address off-campus misconduct when the conduct affects the university's interests; in adjacent states, these include the University of Illinois at Urbana-Champaign, Southern Illinois University Carbondale, Iowa State University, the University of Iowa, Eastern Michigan University, Western Michigan University, and the University of Minnesota. Additional examples can be found at Indiana University, Ohio State University, Pennsylvania State University, and the University of Washington. Public universities also address municipal law violations in their nonacademic student conduct codes; among these are the University of California-San Diego, the University of Florida, Ohio State University, Pennsylvania State University, and the University of Washington.

Summary of factual data and analytical methodologies: In developing the proposed rules, the University analyzed other public universities' student conduct codes, conducted legal research, and analyzed model student conduct codes.

Analysis and supporting documents used to determine effect on small business: The proposed rules affect only faculty, staff, and students of the University of Wisconsin System, and other persons using University of Wisconsin lands. They have no effect on small business.

Effect on small business: The proposed rules will have no effect on small business.

## **Responses to Legislative Clearinghouse Recommendations**

Various points raised by the Legislative Clearinghouse, in comments 2.a. to j.; 2.l. to r.; 4.a. to c.; and 5.b., c., e., j., m., n., r., w., cc., and dd., have been accepted and incorporated into the revisions to chs. UWS 17 and 18. The following are responses to the remaining questions raised by the Clearinghouse:

Comment 2.k.: In s. UWS 17.14, the phrase, "at its discretion," is unnecessary and should be deleted.

Response: “At its discretion” has not been deleted because it is important to emphasize that the Board must decide in each instance whether to accept an appeal. Also, this phrase is consistent with the parallel appeals provision in ch. UWS 14, “Student Academic Disciplinary Procedures.”

Comment 5.a.: Should institutions be required to adopt policies providing for the designation of investigating officers under s. UWS 17.05, as they are required to for the designation of hearing officers under s. UWS 17.06 and hearing committees under s. UWS 17.07?

Response: Section UWS 17.05 has not been modified because designating investigating officers and appointing hearing examiners and committees are not comparable. The investigating officer is typically a member of the Dean of Students office and has investigations as part of his or her job responsibilities, while the hearing examiner or hearing committee members may hold positions in other areas of the institution, with service as a hearing examiner or committee member being an additional responsibility.

Comment 5.d.: Section UWS 17.07 (2) states that the presiding officer and one other member constitute a quorum for any hearing held by a student nonacademic misconduct hearing committee. Should the rule specify that if a committee consists of more than three members, at least a majority of the membership is required for a quorum?

Response: The hearing committee quorum requirements in proposed s. UWS 17.07(2) are unchanged from the current requirements. The rule has not been modified in response to this comment because the requirements are consistent with those of s. UWS 14.15, regarding student academic misconduct hearing committees. In both instances, committees are to consist of at least three persons, including at least one student, and the definition of a quorum is the same.

Comment 5.f.: Section UWS 17.09 (11) would presumably authorize the university to expel a student for making any knowingly false statement regarding a university matter, regardless of the seriousness or impact, or lack thereof, of the student’s conduct on the university. This authority seems unnecessarily broad and may have potential for abuse. Could the provision be modified to ensure that sanctions imposed for conduct under this section bear a reasonable relationship to the severity of the offense?

Response: Section UWS 17.09(11) has not been modified. It is theoretically possible that the university could expel a student for making a knowingly false statement regarding an inconsequential matter; however, it is unlikely that expulsion, the most severe sanction, would be invoked unless the offense is extremely serious. The investigating officer determines the appropriate sanction only after review of the available information with the student, and sanctions for s. UWS 17.09(11) should bear a reasonable relationship to the severity of the offense, just as the sanctions for any of the other offenses under s. UWS 17.09 should.

Comment 5.g.: Should s. UWS 17.09 (13) apply to on-campus violations of municipal law?

Response: The revision suggested by the comment has not been made, because ch. UWS 18, rather than municipal law, applies on campus.

Comment 5.h.: In s. UWS 17.10 (1) (c), “An order to make” should be inserted before “restitution.”

Response: “Payment of” has been inserted before “restitution.” “An order to make restitution” is typical usage. However, an order to make restitution is usually issued by a court; avoiding the use of “order” keeps the language less legalistic, in keeping with the goal in the current revisions of describing a less legalistic, more educational disciplinary process.

Comment 5.i.: It is unclear what is meant by “service sanctions” in s. UWS 17.10 (1) (d).

Response: Since “service sanctions” are intended to include community service, “including community service” has been added to make this clear. “Service sanctions” were provided as a new sanction option to give conduct officers and hearing examiners and committees the opportunity to craft service-related sanctions that are appropriate to the offense.

Comment 5.k.: Should the rule specify any procedures or standards to be followed by an investigating officer conducting an investigation, other than offering to discuss the matter with the student, under s. UWS 17.11? Also, should the rule establish any standards or policies governing the decision to undertake an investigation?

Response: Section UWS 17.11 has not been modified. The description of this aspect of the process was not changed during the process of revising the rules because the current description has not created difficulties. A discussion with the student is an important step to emphasize, because this is the first of several potential opportunities for the student to be heard during the disciplinary process. Standards or policies for deciding to undertake or for conducting an investigation are not needed, because the decision or investigative steps depend entirely on the unique circumstances of the situation, the extent to which witnesses are involved, available evidence, and other considerations, and are appropriately left to the judgment of the investigating officer.

Comment 5.l.: Section UWS 17.11 (1) could describe the specific steps the investigating officer must take to fulfill the requirement to “offer to discuss the matter with the student.” The rule could also provide for formal notice to the student of the charges that have been made against him or her and the possible sanctions that could be imposed based on those charges.

Response: This section has been modified to specify that the student may be contacted “in person, by telephone, or by electronic mail.” Formal notice to the student of the charges and possible sanctions is provided for in s. UWS 17.11(4)(a).

Comment 5.o.: Section UWS 17.11 (3) (b) should specify the method by which the report must be delivered to the student. Likewise, s. UWS 17.12 (4) (h) should specify how the decision of the hearing examiner or committee should be delivered to the student and s. UWS 17.19 (2) should specify how notification of emergency suspension should be provided to a student. For example, the current rule, in s. UWS 17.06 (4) (h), specifies that the decision must be served on the student either by personal delivery or by first class U.S. mail to his or her current address as maintained by the institution.

Response: The method of delivery of the report, hearing decision, or emergency suspension notification is described in the definition of “delivered,” s. UWS 17.02(4).

Comment 5.p.: Section UWS 17.12 (2) should specify the conditions under which a hearing examiner or committee may order or allow a hearing to take place more than 45 days after receipt of a request or written report.

Response: Section UWS 17.12(2) has not been modified because the conditions under which a hearing may take place more than 45 days after receipt of a request or written report vary significantly from case to case. The individual hearing examiner or committee is in the best position to decide about an extended time period, giving consideration to the particular circumstances and the general rule that hearings should take place within 45 days.

Comment 5.q.: The analysis to the rule should explain why the rule eliminates the right of a student to be represented by an individual of his or her choice, as is provided for under current s. UWS 17.06 (4) (a). Instead of allowing a student to be represented, the rule, in s. UWS 17.12 (4) (a), allows a student to be “accompanied by an advisor” and prohibits the advisor from speaking on the student’s behalf unless given specific permission to do so by the hearing examiner or committee.

Response: The rule was revised because student disciplinary proceedings are intended to be educational processes, with the student speaking for himself or herself. Based on public comments, the s. UWS 17.06(4)(a) has been modified to clarify that: (1) the advisor that accompanies a student may be a lawyer and (2) the advisor may speak on the student’s behalf when the sanction is suspension or expulsion, or when the student has been criminally charged for the same conduct for which the student is subject to disciplinary proceedings under ch. UWS 17.

Comment 5.s.: Current s. UWS 17.06 (4) (c) states that any party to a hearing may obtain copies of the record of a hearing at his or her own expense. The rule, in s. UWS 17.12 (4) (c), provides instead that the student charged with misconduct “may request access to the record.” The rule should specify whether access must be granted. In addition, the rule eliminates a provision in the current rule stating that a party that makes a showing of indigence and legal need may be provided a copy of the verbatim hearing testimony without charge. Why does the rule eliminate this provision? Does the university intend to deny a copy of the record to a student who cannot afford to purchase one?

Response: The Board does not intend to deny a copy of the record to any student charged with misconduct. Section UWS 17.06(4)(c) has been modified to clarify that “[t]he student charged with misconduct may access the record, upon the student’s request.” Typically, the student would be provided a copy of an audio tape of the hearing, upon request. Given the minimal cost of such a tape, the reference to indigence no longer seems necessary. The student could also listen to the tape without cost.



Comment 5.t.: The analysis to the rule should explain why the rule, in s. UWS 17.12 (4) (e), provides for a lower standard of proof than is provided under the current rule for imposition of suspension or expulsion for sexual harassment or sexual assault.

Response: Section UWS 17.12(4)(e) provides for a lower standard of proof for sexual harassment or sexual assault cases because of a U. S. Department of Education Office for Civil Rights letter ruling interpreting Title IX of the Civil Rights Act of 1964; the ruling supports application of a preponderance of evidence standard in student misconduct cases involving sexual harassment and sexual assault.

Comment 5.u.: The analysis to the rule should explain why the rule narrows the authority of the Board of Regents to review cases of nonacademic misconduct. Under the current rule, the Board has authority to review any case of student nonacademic misconduct (s. UWS 17.08). The rule limits the Board's review authority to cases in which suspension or expulsion is imposed (proposed s. UWS 17.14).

Response: Section 17.14 has been modified to retain the Board's authority to review any case upon appeal, pursuant to the Bylaws of the Board of Regents.

Comment 5.v.: Section UWS 17.14 should specify the time frame in which the Board must either reach a decision on a case it has agreed to review or notify the parties that it has denied the review request.

Response: The Board intends to address any appeal requests promptly and as early as practicable. Section UWS 17.14 does not include a time frame for response because the parallel provisions in s. UWS 14.10, which covers appeals to the Board of Regents in academic misconduct cases, does not include a time frame.

Comment 5.x.: Current s. UWS 17.10 denies graduation privileges to a student who is subject to, or may be subject to, the following sanctions: restitution, removal from a course in progress, probation, suspension, or expulsion. The rule, in s. UWS 17.16, would also deny graduation privileges to a student who is subject to, or may be subject to, a written reprimand or denial of specified university privileges. Under this provision, when would a student who has received a written reprimand and would otherwise be eligible to graduate be awarded a degree? The rule prohibits the university from awarding a degree to a student who is subject to any disciplinary sanction, so presumably, unless the written reprimand were rescinded, the student would never be allowed to graduate. Also, the rule should specify when a student who is subject to an order to make restitution would be awarded a degree.

Response: Section UWS 17.16 has been modified to clarify that "pendency of the sanction" refers to continuing sanctions or unresolved disciplinary proceedings. The revision was intended to be a simplification; if charges are pending, or a sanction is still in effect, a degree should not be awarded. A reprimand, for instance, as a one-time action, would not subject the student to an ongoing sanction, and the degree should be awarded. On the other hand, if a student has been charged with misconduct close to the time of graduation, the matter should be fully addressed before the degree is awarded.

Comment 5.y.: Section UWS 17.17 states that, on a student's transcript, suspension should be "noted only for the duration of the suspension period." Does this mean that once the suspension has expired, the transcript should no longer contain any notation regarding the suspension?

Response: The suspension notation is removed once the suspension period has expired. If necessary, a student can request the removal at the appropriate time.

Comment 5.z.: The first sentence of s. UWS 17.18 should clarify that a student may enroll without having to file a petition when the suspension has expired by its own terms under s. UWS 17.17 (1). In addition, should the rule contain time limits similar to those in the current rule, which provide that a suspended student may not petition for readmission until one-half of the suspension period has elapsed, or until one year after the final determination in an expulsion case?

Response: Section UWS 17.18 of the proposed has been modified to clarify that a student need only file a petition if the suspension has not already expired. The time limits in the current rule were confusing; circumstances vary, and the proposed rule allows each petition to be considered on its own merits.

Comment 5.aa.: Should s. UWS 17.19 (1) (a) state that if a student has agreed to discuss a matter, an emergency suspension may not be imposed until after the discussion has taken place?

Response: Section UWS 17.19(1)(a) has not been modified; if the discussion with the student is delayed, but the danger posed by the student's continued presence is imminent, the chancellor must have the authority to impose the emergency suspension before the discussion takes place. The proposed rule is intended to address the unusual situation in which a student's presence on campus would constitute a potential for serious harm to the student or others, pose a threat of serious disruption of university-run or university-authorized activities, or constitute the potential for serious damage to university facilities or property.

Comment 5.bb.: The analysis to the rule should explain why the rule, in s. UWS 17.19 (2), eliminates the right of a student to request a hearing prior to imposition of an emergency suspension, which is currently provided in s. UWS 17.17 (2).

Response: Although current s. UWS 17.17(2) refers to the student's "opportunity to be heard," in practice this has been interpreted to mean "opportunity for discussion," rather than "opportunity for a hearing." Proposed s. UWS 17.19 reflects the practice of offering an opportunity for discussion. A student who is subject to an emergency suspension has the right to a hearing within 21 days of the imposition of the emergency suspension, unless the student agrees to a later date.

Note: Section 27 of the Text of the Rule incorporates a technical change to restore a reference to s. 18.06(22)(c), which was inadvertently omitted from the Rulemaking Order.

## Public Hearing and Comment Summary

The Board of Regents held a public hearing on March 5, 2009 at 7 p.m. in the Zelazo Center, 2419 E. Kenwood Blvd., Room 280, in Milwaukee. The following people registered and provided testimony. All testimony pertained to ch. UWS 17. A number of those who registered in opposition objected to only a portion or portions of the rule.

<b>Public hearing testimony</b>	
<b>In support of ch. UWS 17:</b>	<b>In opposition to ch. UWS 17:</b>
1. Kay Baldwin, UW-Milwaukee neighbor	1. Aaron Brewster, UW-Eau Claire student (also delivered petition from students)
2. J. Gerard Capell, Milwaukee, Murray Hill Neighborhood Association	2. Kirk Cychosz, UW-Stevens Point student
3. Ervin Cox, UW-Madison Dean of Students Office (also written comments)	3. Matthew Dale, UW-River Falls student
4. Marty Collins, UW-Milwaukee neighbor	4. Lizeht Delatorre, UW-River Falls student
5. Cate Deicher, UW-Milwaukee senior lecturer, alumnus, neighbor, parent of student	5. Kyle Duerstein, UW-Milwaukee student (also written comments)
6. Pamela Frautschi, UW-Milwaukee neighbor (also written comments)	6. Omer Farooque, United Council of UW Students
7. Dan McCotter, Milwaukee, block captain, Murray Hill Neighborhood Association	7. Spencer Gansluckner, UW-River Falls student senator
8. Jennifer Oechsner, representing State Senator Jeff Plale (also written comments)	8. Matt Guidry, UW-Stevens Point student government (also written "Student Defense Resolution")
9. Kelley Salas, UW-Milwaukee student and neighbor	9. Chad Johnson, UW-Milwaukee student
10. Jerry Seigmann, UW-Milwaukee neighbor	10. Adam Kissel, Philadelphia, PA, Foundation for Individual Rights in Education (also written comments)
11. Paul Stafford, UW-Milwaukee alumnus, neighbor, landlord	11. Sam Koller, UW-Milwaukee student
12. Fred Stolz, UW-Milwaukee neighbor	12. Tyler Kristopeit, UW-Milwaukee student and neighbor, UW-Milwaukee Student Association
13. Eric Waldron, UW-Milwaukee neighbor and landlord, Historic Water Tower	13. Michael Moscicke, Madison, United Council of UW Students (also written comments)
14. Hope Winship, Madison, representing State Representative Jon Richards (also written comments)	14. Alex Nelson, UW-River Falls
	15. Ben Plunkett, River Falls, County supervisor, Pierce County
	16. Dan Posca, UW-Waukesha student government president
	17. Adam Roberts, UW-River Falls student

	18. Etheleen Rogers, Milwaukee
	19. Emma Sonney, UW-Milwaukee Student Association

The following registered at the hearing, but did not testify:

<b>Registrations</b>	
<b>In support of ch. UWS 17:</b>	<b>In opposition to ch. UWS 17:</b>
1. David Allen, UW-Milwaukee neighbor, Murray Hill Neighborhood Association	1. Melody Firkus, Milwaukee (also concerned about mopeds in ch. UWS 18)
2. Gregory Francis Bird, Milwaukee	2. Joshua Hooten, Milwaukee
3. Andrew Davis, representing State Senator Alberta Darling (also written comments)	3. Stephen Jansen, UW-Whitewater student government (also written comments)
4. Stanley Harrison, Milwaukee, Mariners Neighborhood Association	4. Nicole Juan, Madison, United Council of UW Students
5. Richard Ippolito, Milwaukee	5. Ellen Leedle, UW-Eau Claire
6. Karen Sturm, Milwaukee, landlord and homeowner	6. Cassie McClusky, UW-Waukesha
	7. Courtney Parker, UW-Eau Claire
	8. Emilie Rabbitt, UW-Milwaukee student and community member
	9. Lauren Roedl
	10. Tazzaleen Rogers, Milwaukee
	11. Adam Vanderwerff, UW-Waukesha
<b>Neither for nor against:</b>	
Alana Soehaptono, Milwaukee	

In addition, the Board of Regents allowed written public comments to be submitted through March 13, 2008. The following groups and individuals submitted written comments. (Those who both testified at the hearing and submitted written comments are included in the list of those who testified.)

<b>Written comments</b>	
<b>In support of ch. UWS 17:</b>	<b>In opposition to ch. UWS 17:</b>
1. Michael and Amy Amoroso, UW-Milwaukee neighbors	1. Lauren Crane, UW-Madison, Biological Aspects of Conservation, Legal Studies
2. Matt Kiederlen, Chief, UW-Whitewater Police Services (also supporting ch. UWS 18)	2. Jordan Dennison, UW-Madison
3. Michael J. Maher, Village of Shorewood trustee	3. Donald A. Downs, Committee for Academic Freedom and Rights, with Adam Kissel, Foundation for Individual Rights in Education
4. Faith Mondry, UW-Milwaukee neighbor, law enforcement officer	4. Alex Halverson, UW-River Falls alumnus
5. Ron Schneider, UW-Milwaukee neighbor	5. Jordan Harshman, UW-River Falls student
6. Mike Speich, Milwaukee	6. Katelyn Larsen, UW-La Crosse, Chief

	Justice, Student Association student court, and other justices
7. Jennifer Tamsen, UW-Milwaukee neighbor, alumnus	7. Kyle Olsen, UW-Madison student, Wisconsin Hoofers President
	8. Teresa Pollock, UW-River Falls student
	9. Jori Sigler, UW-Oshkosh Student Association Vice President
	10. Dan Walters, UW-Madison
	11. Christopher Warneke, UW-Madison student
	12. Joshua Wiensch, UW-Madison student
<b>Other:</b>	
Regent Colleene Thomas and Professor Howard Schweber (specific ch. UWS 17 comments)	
Daniel Einstein, UW-Madison Lakeshore Nature Preserve (specific ch. UWS 18 comment)	

Public comments and responses are organized as follows:

1. General public comments about ch. UWS 17.
2. Municipal violations.
3. Substantial university interest.
4. Hearing committee.
5. Representation at hearing.
6. Chancellor's discretion upon appeal.
7. Appeal rights.
8. Level of evidence.
9. Award of degree
10. Other revisions as a result of the public comment process.

<b>1. General public comments about ch. UWS 17</b>	
<b>In support:</b> The tools in Chapter 17 are a good compromise and will help the university address neighborhood concerns and address the small percentage of students who engage in disruptive behavior.	<b>In opposition:</b> The rules have the potential to adversely affect students' lives. The rules should respect students' rights.
<b>Agency response:</b> Language has been added to the ch. UWS 17 policy statement to emphasize that the University respects students' constitutional rights, and that nothing in ch. UWS 17 is intended to restrict students' constitutional rights to freedom of speech and peaceable assembly.	
<b>2. <u>Municipal violations:</u> Proposed s. UWS 17.09(13) prohibited "serious or repeated off-campus violations of municipal law" IF the conduct affects a substantial university interest under s. UWS 17.08(2).</b>	

<p><b>Public comments in support:</b> The university should have the authority to hold its student body accountable for actions within the communities that host UW facilities. Responsible students have nothing to fear from the changes.</p>	<p><b>Public comments in opposition:</b> Penalizing students for municipal violations should be the responsibility of local law enforcement. The addition of municipal violations could hurt a student's career.</p>
<p><b>Agency Response:</b> In response to concerns about the proposed off-campus misconduct provision, proposed s. UWS 17.09(13) has been modified to require that off-campus municipal violations be both serious and repeated. The rules provide the university with an important tool for addressing off-campus misconduct, while at the same time setting forth analytical steps that protect students from inappropriate charges or findings of misconduct: Step 1: If a municipal violation comes to the attention of the university's conduct officer, it must be both "serious and repeated" to be considered a violation of ch. UWS 17. Step 2: Since the violation occurred off campus, the conduct officer must determine whether the conduct affects a substantial university interest under s. 17.08(2). Step 3: A conduct officer must consider whether the conduct meets one of several conditions. The two conditions most likely to apply in the case of a municipal violation are that the student presented a danger or threat to the health or safety of himself, herself or others [s. UWS 17.09(2)(b)], or that the conduct demonstrated a pattern of behavior that seriously impairs the university's ability to fulfill its teaching, research, or public service missions [s. UWS 17.09(2)(c)]. In the application of (2)(c), a pattern and serious impairment must be present. Step 4: After considering charges under ch. UWS 17, the university conducts an investigation. If, after the considerations above and the investigation, a conduct officer decides proceedings under Chapter 17 are warranted, a student has a minimum of two opportunities to be heard – in a discussion with the investigating officer, and at a disciplinary hearing. The student may dispute, among other things, whether the off-campus conduct affected a substantial university interest, rose to the level of a pattern, or caused serious impairment to the university's missions.</p> <p>Among the public universities that have incorporated in their nonacademic student conduct codes the authority to address violations of municipal law are the University of California-San Diego, the University of Florida, Ohio State University, Pennsylvania State University, the University of Washington, as well as public universities in Texas.</p>	
<p><b>3. <u>Substantial university interest:</u> Under s. UWS 17.08(2), Chapter UWS 17 may apply to the student conduct described in s. UWS 17.09 that occurs outside of university lands only when, in the judgment of the investigating officer, the conduct adversely affects a substantial university interest. In determining whether the conduct adversely affects a substantial university interest, the investigating officer is to consider whether the conduct meets one or more of several conditions.</b></p>	
<p><b>Public comments in support:</b> It is a legitimate instructional interest to protect the university's good name and reputation in the community. The rules strike a reasonable balance.</p>	<p><b>Public comments in opposition:</b> Students should not have to fear abuse of power. The language is vague. Off-campus behavior is private and should be left to existing legal channels to address.</p>

**Agency Response:**

It is well understood that public universities have the authority to address off-campus misconduct. It is important to retain the concept of “substantial university interest,” because this concept is intended to ensure that off-campus misconduct is subject to Chapter 17 only when it affects the university. The concept is adapted from other universities’ student conduct codes, as well as a model student conduct code. A conduct officer uses discretion and judgment in any case, whether on or off campus. When a conduct officer learns of off-campus misconduct that would be subject to discipline had it occurred on campus, the substantial university interest test ensures the conduct officer considers the adequacy of the connection between the conduct and the university.

Among the other public universities that have incorporated in their student conduct codes the authority to address off-campus nonacademic misconduct when the conduct affects the university’s interests are the University of Illinois at Urbana-Champaign, Southern Illinois University Carbondale, Indiana University, Iowa State University, the University of Iowa, Eastern Michigan University, Western Michigan University, the University of Minnesota, Ohio State University, Pennsylvania State University, and the University of Washington.

- 4. Hearing committee: Under s. UWS 17.12(1), as proposed, if a student requested a hearing to contest the determination that nonacademic misconduct occurred and/or the choice of disciplinary sanction(s), the hearing would be scheduled before a nonacademic misconduct hearing examiner except when the sanction is enrollment restrictions on a course or program, suspension, or expulsion; in the case of these more serious sanctions, the student had a choice between a hearing examiner or committee. The hearing committee would include at least one student.**

**Public comments in support:**

Students do not have the maturity to make decisions about judging other students.

**Public comments in opposition:**

Having students as part of the committees makes the process more educational. The revisions do not guarantee that a student representative is present.

**Agency Response:**

The rule has been modified to return to the current language, which gives a student the right to decide between a hearing examiner and hearing committee, regardless of the recommended sanction. The hearing committee composition for hearings under chs. UWS 14 and 17 is consistent.

- 5. Representation at hearing: Proposed s. UWS 17.12(4)(a) provided the student the right to be accompanied by an advisor of the student’s choice. This advisor would be allowed only to counsel the student and not to speak on the student’s behalf, except at the discretion of the hearing examiner or committee. Section UWS 17.12(4)(b) indicated that the hearing examiner or committee may observe recognized legal privileges.**

<p><b>Public comments in support:</b></p> <p>It is standard practice to have no right to active representation at hearing. Concern about due process is more of a lack of faith in the system.</p>	<p><b>Public comments in opposition:</b></p> <p>Students should be allowed representation, because most students do not know their rights. Due process requires that similar cases be treated similarly. The right to have recognized legal privileges should not be optional.</p>
<p><b>Agency Response:</b></p> <p>Hearings sometimes become overly adversarial and legalistic, and current literature on student discipline promotes the view that disciplinary proceedings should be educational in nature, rather than court-like. The Foundation for Individual Rights in Education notes in “FIRE’s Guide to Due Process and Fair Procedure on Campus,” that “public colleges and universities generally may prohibit” a student from bringing a lawyer to the student’s disciplinary hearing, with some limited exceptions. Further, it is considered standard practice at many universities to allow a student to be accompanied by an advisor who does not speak to the hearing examiner or committee.</p> <p>An educational focus in hearings remains an important goal; however, in response to concerns that were expressed, the language of s. UWS 17.12(4) is being modified to: (1) make explicit the Board’s intent that a student’s advisor at a hearing can be a lawyer; (2) allow a student’s advisor to speak on the student’s behalf when the proposed sanction is suspension or expulsion, or when the student has been charged with a crime in connection with the same conduct for which the student is subject to disciplinary proceedings under ch. UWS 17; and (3) state that the hearing examiner or committee shall observe recognized legal privileges.</p>	
<p><b>6. <u>Chancellor’s discretion upon appeal:</u> Under s. 17.13(2), the chief administrative officer may remand an appealed matter for consideration by a different hearing examiner or committee, or may invoke an appropriate remedy of his or her own, if the chief administrative officer finds that: (1) the information on the record does not support the findings of recommendations of the hearing examiner or committee; (2) established procedures were not followed by the hearing examiner or committee and material prejudice resulted; or (3) the hearing decision was based on factors proscribed by state or federal law regarding equal educational opportunities.</b></p>	
<p><b>Public comments:</b></p> <p>The chief administrative officer should not be able, upon a student’s appeal, to “invoke an appropriate remedy” of his or her own. [17.13(2)] This discretion opens the door to failures of due process. Chancellors are busy and do not have a great deal of time to assess a disciplinary case.</p>	
<p><b>Agency Response:</b></p> <p>Chapter 36 gives chancellors broad and significant responsibilities; the level of discretion upon appeal is consistent with those responsibilities. The language regarding appeals to the chancellor is largely consistent with ch. UWS 14, “Student Academic Disciplinary Procedures,” except that ch. UWS 17 allows an appeal in the case of enrollment restrictions on a course or program, in addition to an appeal in the case of suspension or expulsion. However, some language in s. 17.13 is being modified to improve the precision of the language and to use less legalistic language.</p>	



<p><b>7. <u>Appeal rights:</u> Proposed s. UWS 17.14 allowed for an appeal to the Board of Regents when a student has been suspended or expelled and the student’s appeal to the chief administrative officer under s. UWS 17.13 has been unsuccessful.</b></p>
<p><b>Public comments:</b> Appeals to the Board should be allowed for all sanctions.</p>
<p><b>Agency Response:</b> While it is reasonable to limit the appeals that go to the Board of Regents, returning to the current rule language would address concerns in this area. Modifications to the proposed rule would allow any case to be appealed to the Board, and the Board, pursuant to the Bylaws of the Board of Regents, decides whether to consider the appeal. This is consistent with students’ appeal rights and the Board’s discretionary review under ch. UWS 14.</p>
<p><b>8. <u>Level of evidence:</u> Under proposed s. UWS 17.12(4)(e), a hearing examiner’s or committee’s finding of nonacademic misconduct must be based on the university’s presentation of a preponderance of the evidence in all cases of alleged sexual harassment or sexual assault. For other cases, the evidentiary standard is preponderance of the evidence for less serious sanctions and clear and convincing evidence for the most serious sanctions.</b></p>
<p><b>Public comments:</b> A “preponderance of the evidence” standard in cases of sexual harassment and sexual assault is too low a standard, particularly in cases in which the alleged misconduct arises from student speech, which is protected under the First Amendment.</p>
<p><b>Agency Response:</b> Section UWS 17.12(4)(e) provides for a lower standard of proof for sexual harassment or sexual assault cases because a U. S. Department of Education Office for Civil Rights letter ruling interpreting Title IX of the Civil Rights Act of 1964 supports application of a preponderance of evidence standard in student misconduct cases involving sexual harassment and sexual assault. Section UWS 17.12(4) has been modified to make clear that the evidentiary standards apply regardless of who presents the evidence.</p>
<p><b>9. <u>Award of degree:</u> The proposed s. UWS 17.16 stated that a student who is under disciplinary charges or who is subject to a disciplinary sanction is not to be awarded a degree during the pendency of the sanction or disciplinary proceeding.</b></p>
<p><b>Public comments:</b> “It makes sense that no degree would be awarded if charges are pending. Most conduct cases are adjudicated within a couple of weeks. Unless the student has a specific sanction due (community service, research paper, etc.) from an earlier misconduct case, then the degree should be awarded.”</p>
<p><b>Agency Response:</b> Section UWS 17.16 has been modified to make clear that “pendency of the sanction” refers to a sanction that is continuing or disciplinary charges that are unresolved at the time of commencement. The proposed language was intended to be a simplification -- if charges are pending, or a sanction is still in effect, a degree should not be awarded. A reprimand, for instance, would not be ongoing, and the degree should be awarded. On the other hand, if a student has been charged with misconduct close to the time of graduation, the matter should be fully addressed before the degree is awarded.</p>

**10. Other revisions as a result of the public comment process.**

The Board received suggestions for wording changes in various other sections of chs. UWS 17 and 18, resulting in the following modifications:

- **s. UWS 17.02(4)**, Definition of “delivered” – Modified to direct that notices to students should be delivered by both e-mail and one of the other methods listed in the definitions section.
- **s. UWS 17.09(11)**, Conduct subject to disciplinary action – Modified to refer to a knowingly false “oral or written” statement.
- **s. UWS 17.11(3)**, Disciplinary procedure – Made consistent with 17.11(2) by adding “or review of available information.”
- **s. UWS 18.08(1)(a)**, Animals – Modified to allow the chief administrative officer to prohibit the presence of dogs, cats, and other pets on other designated university lands.

**Text of Rule**

SECTION 1. UWS 17 is repealed and recreated to read:

**CHAPTER UWS 17 STUDENT NONACADEMIC DISCIPLINARY PROCEDURES**

**UWS 17.01 Policy statement.** The missions of the University of Wisconsin System and its individual institutions can be realized only if the university’s teaching, learning, research and service activities occur in living and learning environments that are safe and free from violence, harassment, fraud, theft, disruption and intimidation. In promoting such environments, the university has a responsibility to address student nonacademic misconduct; this responsibility is separate from and independent of any civil or criminal action resulting from a student’s conduct. This chapter defines nonacademic misconduct, provides university procedures for effectively addressing misconduct, and offers educational responses to misconduct. The University of Wisconsin System is committed to respecting students’ constitutional rights. Nothing in this chapter is intended to restrict students’ constitutional rights, including rights of freedom of speech or to peaceably assemble with others.

**UWS 17.02 Definitions.** In this chapter:

- (1) “Chief administrative officer” means the chancellor of an institution or dean of a campus or their designees.
- (2) “Clear and convincing evidence” means information that would persuade a reasonable person to have a firm belief that a proposition is more likely true than not true. It is a higher standard of proof than “preponderance of the evidence.”
- (3) “Days” means calendar days.

(4) "Delivered" means sent by electronic means to the student's official university email address and, in addition, provided by any of the following methods:

(a) Given personally.

(b) Placed in the student's official university mailbox.

(c) Mailed by regular first class United States mail to the student's current address as maintained by the institution.

(5) "Disciplinary file" means the record maintained by the student affairs officer responsible for student discipline.

(6) "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 or other requirements or restrictions on privileges, for a specified period of time, not to exceed two years.

(7) "Disciplinary sanction" means any action listed in s. UWS 17.10(1) taken in response to student nonacademic misconduct.

(8) "Expulsion" means termination of student status with resultant loss of all student rights and privileges.

(9) "Hearing examiner" means an individual, other than the investigating officer, appointed by the chief administrative officer in accordance with s. UWS 17.06(2) for the purpose of conducting a hearing under s. UWS 17.12.

(10) "Institution" means any university, or an organizational equivalent designated by the board, and the university of Wisconsin colleges.

(11) "Investigating officer" means an individual, or his or her designee, appointed by the chief administrative officer of each institution, to conduct investigations of nonacademic misconduct under this chapter.

(12) "Nonacademic misconduct hearing committee" or "committee" means the committee appointed pursuant to s. UWS 17.07 to conduct hearings under s. UWS 17.12.

(13) "Preponderance of the evidence" means information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than "clear and convincing evidence" and is the minimum standard for a finding of responsibility under this chapter.

(14) "Student" means any person who is registered for study in an institution for the academic period in which the misconduct occurred, or between academic periods, for continuing students.

(15) "Student affairs officer" means the dean of students or student affairs officer designated by the chief administrative officer to coordinate disciplinary hearings and carry out duties described in this chapter.

(16) "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.

(17) "University lands" means all real property owned by, leased by, or otherwise subject to the control of the board of regents of the University of Wisconsin System.

**UWS 17.03 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 17.04 Notice to students.** Each institution shall publish ch. UWS 17 on its website and shall make ch. UWS 17 and any institutional policies implementing ch. UWS 17 freely available to students through the website or other means.

**UWS 17.05 Designation of investigating officer.** The chief administrative officer of each institution shall designate an investigating officer or officers for allegations of student nonacademic misconduct. The investigating officer shall investigate student nonacademic misconduct and initiate procedures for nonacademic misconduct under s. UWS 17.11.

**UWS 17.06 Nonacademic misconduct hearing examiner. (1)** The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the designation of a student nonacademic misconduct hearing examiner to fulfill the responsibilities of the nonacademic misconduct hearing examiner in this chapter.

(2) A hearing examiner shall be selected by the chief administrative officer from the faculty and staff of the institution, pursuant to the policies adopted under sub. (1).

**UWS 17.07 Nonacademic misconduct hearing committee. (1)** The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student nonacademic misconduct hearing committee to fulfill the responsibilities of the nonacademic misconduct hearing committee in this chapter.

(2) A student nonacademic misconduct hearing committee shall consist of at least three persons, including at least one student, except that no such committee shall be constituted with a majority of members who are students. The presiding officer shall be appointed by the chief administrative officer. The presiding officer and at least one other member shall constitute a quorum at any hearing held pursuant to due notice.

**UWS 17.08 Nonacademic misconduct occurring on or outside of university lands.**

(1) MISCONDUCT ON UNIVERSITY LANDS. With the exception of the conduct described in s. UWS 17.08(2), the provisions contained in this chapter shall apply to the student conduct described in s. UWS 17.09 that occurs on university lands or at university-sponsored events.

**(2) MISCONDUCT OUTSIDE OF UNIVERSITY LANDS.** The provisions contained in this chapter may apply to the student conduct described in s. UWS 17.09 that occurs outside of university lands only when, in the judgment of the investigating officer, the conduct adversely affects a substantial university interest. In determining whether the conduct adversely affects a substantial university interest, the investigating officer shall consider whether the conduct meets one or more of the following conditions:

- (a)** The conduct constitutes or would constitute a serious criminal offense, regardless of the existence of any criminal proceedings.
- (b)** The conduct indicates that the student presented or may present a danger or threat to the health or safety of himself, herself or others.
- (c)** The conduct demonstrates a pattern of behavior that seriously impairs the university's ability to fulfill its teaching, research, or public service missions.

**UWS 17.09 Conduct subject to disciplinary action.** Consistent with s. UWS 17.08, the university may discipline a student in nonacademic matters for engaging in, attempting to engage in, or assisting others to engage in any of the following:

**(1) DANGEROUS CONDUCT.** Conduct that endangers or threatens the health or safety of oneself or another person.

**(2) SEXUAL ASSAULT.** Conduct defined in s. 940.225, Stats.

**(3) STALKING.** Conduct defined in s. 940.32, Stats.

**(4) HARASSMENT.** Conduct defined in s. 947.013, Stats.

**(5) HAZING.** Conduct defined in s. 948.51, Stats.

**(6) ILLEGAL USE, POSSESSION, MANUFACTURE, OR DISTRIBUTION OF ALCOHOL OR CONTROLLED SUBSTANCES.** Use, possession, manufacture, or distribution of alcoholic beverages or of marijuana, narcotics, or other controlled substances, except as expressly permitted by law or university policy.

**(7) UNAUTHORIZED USE OF OR DAMAGE TO PROPERTY.** Unauthorized possession of, use of, moving of, tampering with, damage to, or destruction of university property or the property of others.

**(8) DISRUPTION OF UNIVERSITY-AUTHORIZED ACTIVITIES.** Conduct that obstructs or impairs university-run or university-authorized activities, or that interferes with or impedes the ability of a person to participate in university-run or university-authorized activities.

**(9) FORGERY OR FALSIFICATION.** Unauthorized possession of or fraudulent creation, alteration, or misuse of any university or other governmental document, record, key, electronic device, or identification.

**(10) MISUSE OF COMPUTING RESOURCES.** Conduct that involves any of the following:

- (a) Failure to comply with laws, license agreements, and contracts governing university computer network, software, and hardware use.
- (b) Use of university computing resources for unauthorized commercial purposes or personal gain.
- (c) Failure to protect a personal password or university-authorized account.
- (d) Breach of computer security, invasion of privacy, or unauthorized access to university computing resources.

**(11) FALSE STATEMENT OR REFUSAL TO COMPLY REGARDING A UNIVERSITY MATTER.** Making a knowingly false oral or written statement to any university employee or agent of the university regarding a university matter, or refusal to comply with a reasonable request on a university matter.

**(12) VIOLATION OF CRIMINAL LAW.** Conduct that constitutes a criminal offense as defined by state or federal law.

**(13) SERIOUS AND REPEATED VIOLATIONS OF MUNICIPAL LAW.** Serious and repeated off-campus violations of municipal law.

**(14) VIOLATION OF CH. UWS 18.** Conduct that violates ch. UWS 18, including, but not limited to, provisions regulating fire safety, theft, and dangerous weapons.

**(15) VIOLATION OF UNIVERSITY RULES.** Conduct that violates any published university rules, regulations, or policies, including provisions contained in university contracts with students.

**(16) NONCOMPLIANCE WITH DISCIPLINARY SANCTIONS.** Conduct that violates a sanction, requirement, or restriction imposed in connection with previous disciplinary action.

**UWS 17.10 Disciplinary sanctions.** (1) The disciplinary sanctions that may be imposed for nonacademic misconduct, in accordance with the procedures of ss. UWS 17.11 to 17.13, are any of the following:

- (a) A written reprimand.
- (b) Denial of specified university privileges.
- (c) Payment of restitution.
- (d) Educational or service sanctions, including community service.
- (e) Disciplinary probation.
- (f) Imposition of reasonable terms and conditions on continued student status.
- (g) Removal from a course in progress.
- (h) Enrollment restrictions on a course or program.
- (i) Suspension.
- (j) Expulsion.

(2) One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of nonacademic misconduct.

(3) Disciplinary sanctions shall not include the termination or revocation of student financial aid; 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 a student for financial aid.

**UWS 17.11 Disciplinary procedure.** (1) 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 17.10(1).

(2) **CONFERENCE WITH STUDENT.** When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly contact the student in person, by telephone, or by electronic mail to 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 basis for his or her belief that the student engaged in nonacademic misconduct, and to afford the student an opportunity to respond. If the student does not respond to the investigating officer's offer to discuss the matter, the investigating officer may proceed to make a determination on the basis of the available information.

(3) **DETERMINATION BY THE INVESTIGATING OFFICER THAT NO DISCIPLINARY SANCTION IS WARRANTED.** If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic 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.

(4) **PROCESS FOLLOWING DETERMINATION BY THE INVESTIGATING OFFICER THAT NONACADEMIC MISCONDUCT OCCURRED.**

(a) If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did occur and that one or more of the disciplinary sanctions listed under s. UWS 17.10(1) should be recommended, the investigating officer shall prepare a written report which shall contain all of the following:

1. A description of the alleged misconduct.
2. Specification of the sanction sought.
3. Notice of the student's right to a hearing.
4. A copy of this chapter and of the institutional procedures adopted to implement this section.

(b) The written report shall be delivered to the student.

(c) A student who receives a written report under this section has the right to a hearing under s. UWS 17.12 to contest the determination that nonacademic misconduct occurred, the choice of disciplinary sanctions, or both.

1. Where the disciplinary sanction sought is one of those listed in s. UWS 17.10(1)(a) to (g), and if the student desires a hearing, the student shall file a written request with the student affairs officer within 10 days of the date the written report is delivered to the student. If the student does not request a hearing within this period, the determination of nonacademic misconduct shall be regarded as final, and the disciplinary sanction sought shall be imposed.

2. Where the disciplinary sanction sought is one of those listed in s. UWS 17.10(1)(h) to (j), the investigating officer shall forward a copy of the written report under par. (b) to the student affairs officer. The student affairs officer shall, upon receipt of the written report, proceed under s. UWS 17.12 to schedule a hearing on the matter. A hearing shall be conducted unless the student waives, in writing, the right to such a hearing.

**UWS 17.12 Hearing. (1)** A student who requests a hearing, or for whom a hearing is scheduled under s. UWS 17.11(3)(c)2., shall have the right to decide whether the matter will be heard by a hearing examiner or a hearing committee.

(2) If a student requests a hearing under s. UWS 17.11(3)(c)1., or a hearing is required to be scheduled under s. UWS 17.11(3)(c)2., the student affairs officer shall take the necessary steps to convene the hearing and shall schedule it within 15 days of receipt of the request or written report. The hearing shall be conducted within 45 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the student and investigating officer, or is ordered or permitted by the hearing examiner or committee.

(3) Reasonably in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide the student with access to or copies of the investigating officer's explanation, together with any other materials provided to the hearing examiner or committee by the investigating officer.

(4) The hearing shall be conducted in accordance with the following requirements:

(a) The student shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on his or her own behalf, and the right to be accompanied by an advisor of the student's choice. The advisor may be a lawyer. This advisor may counsel the student, but may not act on the student's behalf except at the discretion of the hearing examiner or committee, or when the student is subject to a sanction of suspension or expulsion or has been charged with a crime in connection with the same conduct for which the student is subject to disciplinary proceedings under ch. UWS 17.

(b) The hearing examiner or committee shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony. The hearing examiner or committee shall observe recognized legal privileges.

(c) The hearing examiner or 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. The student charged with misconduct may access the record, upon the student's request.

(d) The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.



(e) A hearing examiner's or committee's finding of nonacademic misconduct shall be based on one of the following:

1. Clear and convincing evidence, when the sanction to be imposed is one of those listed in s. UWS 17.10(1)(h) to (j).
2. A preponderance of the evidence, when the sanction to be imposed is one of those listed in s. UWS 17.10(1)(a) to (g).
3. A preponderance of the evidence, regardless of the sanction to be imposed, in all cases of sexual harassment and sexual assault.

(f) The hearing examiner or committee may impose one or more of the disciplinary sanctions listed in s. UWS 17.10(1)(a) to (g) that differs from the recommendation of the investigating officer. Sanctions under s. UWS 17.10(1)(h) to (j) may not be imposed unless previously recommended by the investigating officer.

(g) The hearing shall be conducted by the hearing examiner or committee, and the university's case against the student shall be presented by the investigating officer or his or her designee.

(h) The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered to the student. The decision shall become final within 14 days of the date on the written decision, unless an appeal is taken under s. UWS 17.13.

(i) If a party fails to appear at a scheduled hearing and to proceed, the hearing examiner or committee may either dismiss the case or, based upon the information provided, find that the student committed the misconduct alleged.

(j) Disciplinary hearings are subject to the Wisconsin open meetings law and may be closed if the student whose case is being heard requests a closed hearing or if the hearing examiner or committee determines that it is necessary to hold a closed hearing, as permitted under the Wisconsin open meetings law. Deliberations of the committee shall be held in closed session, in accordance with s. 19.85, Stats. As such, proper notice and other applicable rules shall be followed.

**UWS 17.13 Appeal to the chancellor.** (1) Where the sanction prescribed by the hearing examiner or committee is one of those listed in s. UWS 17.10(1)(h) to (j), the student may appeal to the chief administrative officer within 14 days of the date of the written decision to review the decision of the hearing examiner or committee, based upon the record. In such a case, the chief administrative officer has 30 days from receipt of the student's appeal to respond and shall sustain the decision of the nonacademic misconduct hearing examiner or committee unless the chief administrative officer finds any of the following:

- (a) The information in the record does not support the findings or decision of the hearing examiner or committee.
- (b) Appropriate procedures were not followed by the nonacademic misconduct hearing examiner or committee and material prejudice to the student resulted.
- (c) The decision was based on factors proscribed by state or federal law.

(2) If the chancellor makes a finding under sub. (1), the chancellor may return the matter for consideration by a different hearing examiner or committee, or may invoke an appropriate remedy of his or her own.

**UWS 17.14 Discretionary appeal to the board of regents.** Institutional decisions under ss. UWS 17.11 to 17.13 shall be final, except that the board of regents may, at its discretion, grant a review upon the record.

**UWS 17.15 Settlement.** The procedures set forth in this chapter allow the university and a student to enter into a settlement agreement regarding the alleged misconduct, after proper notice has been given. Any such agreement and its terms shall be in writing and signed by the student and the investigating officer or student affairs officer. The case is concluded when a copy of the signed agreement is delivered to the student.

**UWS 17.16 Effect of discipline within the institution.** A student who, at the time of commencement, is subject to a continuing disciplinary sanction under s. UWS 17.10(1) or unresolved disciplinary charges as a result of a report under s. UWS 17.11, shall not be awarded a degree during the pendency of the sanction or disciplinary proceeding.

**UWS 17.17 Effect of suspension or expulsion within the university system.** (1) Suspension or expulsion shall be systemwide in effect and shall be noted on an individual's transcript, with suspension noted only for the duration of the suspension period.

(2) A student who is suspended from one institution in the University of Wisconsin System may not enroll in another institution in the system until the suspension has expired by its own terms, except as provided in s. 17.18.

(3) A student who is expelled from one institution in the University of Wisconsin System may not enroll in another institution in the system, except as provided in s. UWS 17.18.

(4) A person who is in a state of suspension or expulsion from the university under this chapter, or who leaves or withdraws from the university while under nonacademic misconduct charges under this chapter, may not be present on any campus without the written consent of the chief administrative officer of that campus.

(5) Upon completion of a suspension period, a student who is academically eligible may re-enroll in the institution which suspended him or her, provided all conditions from previous disciplinary sanctions have been met.

**UWS 17.18 Petition for restoration of rights after suspension or expulsion.** A student who has been suspended may petition to have his or her student status, rights, and privileges restored before the suspension has expired by its own terms under s. 17.17(1). A student who has been expelled may petition for the right to apply for readmission. The petition shall be in writing and directed to the chief administrative officer of the institution from which the student was suspended or expelled or of a different university of Wisconsin institution to which the student seeks admission. The chief administrative officer shall make the readmission decision.

**17.19 Emergency suspension.** (1) The chief administrative officer may impose an emergency suspension on a student, pending final institutional action on a report of nonacademic misconduct, in accordance with the procedures of this section.

(2) The chief administrative officer of each institution may impose an emergency suspension on a student when all of the following conditions are met:

(a) The investigating officer has made a reasonable attempt to offer the student the opportunity for discussion, either in person or by telephone.

(b) The investigating officer recommends a sanction of suspension or expulsion.

(c) The chief administrative officer concludes, based on the available information, that the misconduct occurred and that the student's continued presence on campus meets one or more of the following conditions:

1. Would constitute a potential for serious harm to the student.

2. Would constitute a potential for serious harm to others.

3. Would pose a threat of serious disruption of university-run or university-authorized activities.

4. Would constitute a potential for serious damage to university facilities or property.

(3) If the chief administrative officer determines that an emergency suspension is warranted under sub. (1), he or she shall promptly have written notification of the emergency suspension delivered to the student. The chief administrative officer's decision to impose an emergency suspension shall be effective immediately when delivered to the student and is final.

(4) Where an emergency suspension is imposed, the hearing on the underlying allegations of misconduct shall be held, either on or outside of university lands, within 21 days of the imposition of the emergency suspension, unless the student agrees to a later date.

(5) An emergency suspension imposed in accordance with this section shall be in effect until the decision in the hearing on the underlying charges pursuant to s. UWS 17.12 is rendered or the chief administrative officer rescinds the emergency suspension. In no case shall an emergency suspension remain in effect for longer than 30 days, unless the student agrees to a longer period.

(6) If the chief administrative officer determines that none of the conditions specified in sub. (1)(c) are present, but that misconduct may have occurred, the case shall proceed in accordance with s. UWS 17.12.

SECTION 2. UWS 18.02(1), (2), (3), (4), (5), (6) and (7) are renumbered and UWS 18.02(7), as renumbered, is amended to read:

**UWS 18.02 Definitions.** For purposes of this chapter: ~~(3)(1)~~ (1) "Board of regents" or "board" means the board of regents of the ~~university~~ University of Wisconsin system ~~System~~.

~~(4)(2)~~ (2) "Building" means any structure, including stadia, on university lands.

~~(4)(3)~~ (3) The "chief administrative officer" means the chief administrative officer of an institution or dean of a campus or their designees.

~~(5)~~(4) “Discharge pollutants into storm sewers” means placing pollutants or water containing pollutants into any storm sewer on or serving university lands.

~~(6)~~(5) “Discharge pollutants to storm water” means placing pollutants onto university lands so that they are carried by storm water to waters of the state.

~~(7)~~(6) “Pollutants” has the meaning described in s. 283.01 (13), Stats.

~~(2)~~(7) “Lands” “University lands” means all real property owned by, leased by, or otherwise subject to the control of the board of regents.

SECTION 3. UWS 18.04(5) is amended to read:

(5) The chief administrative officer may require the registration of all student, faculty, or staff motor vehicles or bicycles on university lands under said officer’s jurisdiction and may limit or prohibit their use in designated areas during designated hours. Any person who violates institutional regulations promulgated under this subsection may be fined up to \$25.

SECTION 4. UWS 18.06 (title) is amended to read:

UWS 18.06 ~~Conduct on university lands.~~ **Protection of resources.**

SECTION 5. UWS 18.06(1)(a) and (b) are renumbered UWS 18.06(3)(a) and (b) and amended to read:

UWS 18.06(3) PROHIBITED DUMPING; PROHIBITED DISCHARGES TO STORM WATER. (a) No person may dump or deposit any garbage, waste, hazardous material, ~~trash~~, ~~debris~~, rubbish, brush, earth or other debris or fill into any university dumpster or garbage receptacle or on any university lands unless authorized by the chief administrative officer.

(b) No person may discharge pollutants to storm water or ~~into~~ storm sewers on or serving university lands, except where authorized by the chief administrative officer and in conformance with state law.

SECTION 6. UWS 18.06(2) is renumbered 18.06(1) and amended to read:

UWS 18.06(1) PROHIBITED ACTS; LAND. No person may remove any shrubs, vegetation, wood, timber, rocks, stone, earth, signs, fences, or other materials from university lands, unless authorized by the chief administrative officer.

SECTION 7. UWS 18.06(3) is renumbered UWS 18.06(2) and amended to read:

UWS 18.06(2) PROHIBITED ACTS; WILDLIFE. No person may remove, destroy, or molest any bird, animal or fish life within the boundaries of university lands except as authorized by the

chief administrative officer or except when this provision conflicts with a special order of the department of natural resources.

SECTION 8. UWS 18.06(4) is renumbered UWS 18.12(8).

SECTION 9. UWS 18.06(5) is renumbered UWS 18.08(1), and UWS 18.08(1)(a), (b), (c), (d), (e), and (f), as renumbered, are amended to read:

UWS 18.08(1) ANIMALS. (a) The presence of dogs, cats, and other pets is prohibited in all university buildings and in arboretums at all times except as authorized by the chief administrative officer. ~~Dogs specially trained or being specially trained to lead blind or deaf persons or to provide support for mobility-impaired persons, and wearing harnesses or leashes and special capes, shall be exempt from these provisions.~~ The chief administrative officer may also prohibit the presence of dogs, cats, and other pets on other designated university lands.

(b) The presence of dogs, cats and other pets ~~shall be~~ is prohibited on all university lands not described in sub. (1) unless they animal are is on a leash under the control of and accompanied by a person which is physically controlled by the individual responsible for the animal, except as authorized by the chief administrative officer.

(c) The chief administrative officer may not grant the exceptions allowed under par. (a) and (b) in any outdoor area where food is being served or where animals are otherwise prohibited by signage.

(d) Any pet waste deposited on university lands shall be removed and properly disposed of by the individual responsible for the animal.

(e) Any ~~pet~~ individual found in violation of this subsection may ~~be~~ have the animal for which they are responsible impounded and ~~its owner~~ be subject to the penalty provisions in s. UWS ~~18.07~~ 18.13.

(f) ~~Dogs specially trained or being specially trained to lead blind or deaf persons or to provide support for mobility-impaired persons, and wearing harnesses or leashes and special capes.~~ This section does not apply to police and service animals when those animals are working.

SECTION 10. UWS 18.06(6) is renumbered UWS 18.07(3).

SECTION 11. UWS 18.06(7) is renumbered UWS 18.07(2).

SECTION 12. UWS 18.06(8) is renumbered UWS 18.08(3) and amended to read:

UWS 18.08(3) BICYCLES. No person may park or store ~~his~~ a bicycle in buildings, on sidewalks or driveways, or in motor vehicle parking spaces, except in areas designated for that purpose or in bicycle racks, or as authorized by university housing policies. Bicycles shall be parked so as not to obstruct free passage of vehicles and pedestrians. Bicycle riding is prohibited

on university lands when and where the intent is to perform tricks or stunts and those tricks or stunts may result in injury to any person or cause damage to property.

SECTION 13. UWS 18.06(9) is renumbered UWS 18.07(1) and amended to read:

UWS 18.07(1) ~~CLIMBING; WALKING ON ROOF.~~ ACCESS TO ROOFS, SERVICE TUNNELS, AND MAINTENANCE FACILITIES PROHIBITED. No person may climb into, out of, or ~~on~~ onto any university buildings, service tunnels or maintenance ~~facility~~ facilities, or walk or climb ~~on~~ upon ~~the roof of a~~ any university building or roof, except when emergency access to a fire escape is necessary, ~~or~~ for required maintenance, or when authorized by the chief administrative officer.

SECTION 14. UWS 18.06(10) is renumbered UWS 18.10(3).

SECTION 15. UWS 18.06(11) is renumbered UWS 18.10(4), and UWS 18.10(4)(d), as renumbered, is amended to read:

UWS 18.10(4)(d) No person may interfere with, tamper with or remove, without authorization, any smoke detector, fire extinguisher, fire hose, fire hydrant or other fire fighting equipment.

SECTION 16. UWS 18.06(12) is repealed.

SECTION 17. UWS 18.06(13) is renumbered UWS 18.09(1), and UWS 18.09(1)(d), as renumbered, is amended to read:

UWS 18.09(1)(d) Notwithstanding s. UWS ~~18.09~~ 18.14, institutional regulations developed pursuant to this subsection shall be reported to the president of the system for review and approval.

SECTION 18. UWS 18.06(14) is renumbered UWS 18.07(4).

SECTION 19. UWS 18.06(15) is renumbered UWS 18.07(7).

SECTION 20. UWS 18.06(16) (a) 1., 2., 3., 4., 5., and 6., are renumbered UWS 18.11(8) (intro.), (a), (b), (c), (d), (e), and (f), and UWS 18.11(8) (intro.), (a), and (c) as renumbered, are amended to read:

UWS 18.11(8) SELLING, PEDDLING AND SOLICITING. No person may sell, peddle or solicit for the sale of goods, services, or contributions on any university lands except in the case of:

(a) ~~When the occupant of~~ Specific permission in advance from a specific university office, or ~~the occupant of a university house, apartment, or dormitory room has given specific permission in advance~~ residence hall for a person engaged in that activity to come to that particular office, house, apartment, or ~~dormitory room~~ residence hall for that purpose.

(c) ~~Hawking~~ Sales of newspapers and similar printed matter outside university buildings.

SECTION 21. UWS 18.06(16m) is renumbered UWS 18.11(9) and UWS 18.11(9)(c), as renumbered, is amended to read:

UWS 18.11(9)(c) Notwithstanding s. UWS ~~18.09~~ 18.14, institutional policies and procedures developed pursuant to this subsection shall be reported to the board of regents for approval.

SECTION 22. UWS 18.06(17) is renumbered UWS 18.08(9), and UWS 18.08(9) (title), and (a), as renumbered, are amended to read:

UWS 18.08(9) ~~SIGNS. POSTINGS AND SIGNAGE.~~ (a) No person may erect, post or attach any ~~signs~~ notices, posters, pictures or any item of a similar nature in or on any building or upon other university lands except on regularly established bulletin boards, or as authorized by the provisions of this code or by the chief administrative officer.

SECTION 23. UWS 18.06(18) is renumbered UWS 18.08(11)(b), and UWS 18.08(11)(b), as renumbered, is amended to read:

UWS 18.08(11)(b) No person may smoke in any nonresidential university building except in those areas designated for that purpose.

SECTION 24. UWS 18.06(19) is renumbered UWS 18.08(10).

SECTION 25. UWS 18.06(20) is renumbered UWS 18.07(6) and amended to read:

UWS 18.07(6) RESTRICTED USE OF STUDENT CENTERS OR UNIONS. No person, except members of the student center or union, university faculty and staff, invited guests, and university-sponsored conference groups, may use student center or union buildings and union grounds except on occasions when, and in those areas where, the buildings or grounds are open to the general public.

SECTION 26. UWS 18.06(21) is renumbered UWS 18.11(6) and amended to read:

UWS 18.11(6)(a) University buildings and the university-authorized activities that occur therein are primarily dedicated to the support of the university mission of teaching, research and service. No person may be present in any class, lecture, laboratory period, orientation session, examination, or other instructional session or in any room, office, or laboratory university building if his or her presence or behavior interferes with this purpose or with the university's administrative operations, is in violation of a university policy, rule, regulation or any other provision of this chapter, or is without the consent of an authorized university official or faculty member.

(b) ~~A person shall be deemed without consent~~ Persons present in any class, lecture, laboratory period, orientation session, examination, or other instructional session ~~as prohibited by par. (a), if: 1) such person is not then shall be enrolled and in good standing as a member of the instructional session or 2) such person refuses to provide identification and refuses to leave such~~

~~session upon request of a member of the~~ shall have the consent of an authorized university ~~administration official or faculty member or other person in charge thereof~~ to be considered legally present.

SECTION 27. UWS 18.06(22)(a), (b), and (c) are renumbered UWS 18.11(7)(a), (b), and (c), and UWS 18.11(7)(a) is amended to read:

UWS 18.11(7)(a) No person, who is in a state of suspension or expulsion from the university under ch. UWS 17, or who takes leave or resigns under charges after being charged by the university under ch. UWS 17, may enter the university lands of any campus institution without the written consent of the chief administrative officer.

SECTION 28. UWS 18.06(22)(d) is renumbered UWS 18.11(7)(f).

SECTION 29. UWS 18.06(23) is renumbered UWS 18.11(4).

SECTION 30. UWS 18.06(24) is renumbered UWS 18.07(5).

SECTION 31. UWS 18.06(25) is renumbered UWS 18.11(5), and UWS 18.11(5)(a)1., as renumbered, is amended to read:

UWS 18.11(5)(a)1. No person may use sound-amplifying equipment on any lands without the permission of the chief administrative officer, except as provided in par. (e) (b).

SECTION 32. UWS 18.06(26) is renumbered UWS 18.10(2).

SECTION 33. UWS 18.06(27) is renumbered UWS 18.10(9).

SECTION 34. UWS 18.06(28) is renumbered UWS 18.08(12), and UWS 18.08(12)(a), as renumbered, is amended to read:

UWS 18.08(11)(a) Every ticket or other evidence of the right of entry to any amusement, game, contest, exhibition, event, or performance given by or under the auspices of the ~~university~~ University of Wisconsin system System, or an institution or center of the ~~university~~ University of Wisconsin system System, shall be considered a revocable license to the person to whom the ticket has been issued and shall be transferable only on the terms and conditions prescribed on the ticket or other evidence of the right of entry.

SECTION 35. UWS 18.06(29) is renumbered UWS 18.10(8), and amended to read:

UWS 18.10(8) ~~SKATEBOARDS, ROLLER SKATES AND ROLLER BLADES PLAY VEHICLES.~~ No person may use a skateboard, roller skates, or use roller blades, in-line skates, or any other similar wheeled devices, a toboggan, or a sled in or anywhere on university ~~buildings, or on sidewalks, roadways or parking areas on university lands,~~ except in areas ~~as~~ designated for ~~this purpose~~ by the chief administrative officer.



SECTION 36. UWS 18.06(30) is renumbered UWS 18.11(2).

SECTION 37. UWS 18.06(31)(a) and (b) are renumbered 18.12(5)(a) and (c).

SECTION 38. UWS 18.06(32) is renumbered UWS 18.08(5), and UWS 18.08(5)(b) as renumbered is amended to read:

UWS 18.08(5)(b) No person may knowingly present a false, altered or duplicate university identification card with the intent that such card be relied upon by university employees, ~~or university agents, or state or local officials~~ in connection with obtaining ~~university~~ services, privileges or goods.

SECTION 39. UWS 18.06(33) is renumbered UWS 18.11(3).

SECTION 40. UWS 18.06(34)(a) and (b) are renumbered UWS 18.10(7)(a) and (b) and amended to read:

UWS 18.10(7) **RESISTING OR OBSTRUCTING ~~PEACE~~ POLICE OFFICERS.** (a) No person may knowingly resist or obstruct a university ~~peace~~ police officer while that officer is doing any act in an official capacity and with lawful authority.

(b) In this subsection, "obstruct" includes without limitation knowingly giving false information or knowingly placing physical evidence with the intent to mislead a university ~~peace~~ police officer in the performance of his or her duty.

SECTION 41. UWS 18.06(35) is renumbered UWS 18.09(2).

SECTION 42. UWS 18.06(36) is renumbered UWS 18.09(3).

SECTION 43. UWS 18.06(37) is renumbered UWS 18.12(3), and UWS 18.12(3)(a), as renumbered, is amended to read:

UWS 18.12(3)(a) No person may issue any check or other order for the payment of money ~~less than \$1000~~ in an amount not more than \$2,500 which, at the time of issuance, he or she intends shall not be paid.

SECTION 44. UWS 18.06(38)(a) and (b) are renumbered UWS 18.12(2)(a) and (b).

SECTION 45. UWS 18.06(39) is renumbered UWS 18.12(7).

SECTION 46. UWS 18.06(40) is renumbered UWS 18.10(6).

SECTION 47. UWS 18.06(41) is renumbered UWS 18.12(6), and UWS 18.12(6)(b), as renumbered, is amended to read:

UWS 18.12(6)(b) No person may intentionally take and carry away, use, transfer, conceal, or retain possession of movable property of another with a value of at least \$100 but not more than ~~\$500~~1,000, without consent and with the intent to deprive the owner permanently of such property.

SECTION 48. UWS 18.06(42) is renumbered UWS 18.10(1).

SECTION 49. UWS 18.06(43) is renumbered UWS 18.10(5) and amended to read:

UWS 18.10(5) OPERATION OF A MOTOR VEHICLE OFF ROADWAYS. No person shall operate an unauthorized motor vehicle or motorized device, including motorcycles, mopeds, motor scooters and self-balancing transportation devices, off designated roadways, paved or unpaved, or on service roads or pedestrian paths, regardless of the surface, on university lands, ~~in a manner that may cause damage to property or endanger the safety of any person.~~ This subsection does not apply to motorized wheelchairs or other mobility devices which have the primary design function of assisting the physically challenged.

SECTION 50. UWS 18.06(44) is renumbered UWS 18.08(8).

SECTION 51. UWS 18.06(45) is renumbered UWS 18.12(1).

SECTION 52. UWS 18.06(46) is renumbered UWS 18.11(1).

SECTION 53. UWS 18.06(47) is renumbered UWS 18.08(4).

SECTION 54. UWS 18.06(48) is renumbered UWS 18.08(7), and UWS 18.08(7)(b), as renumbered, is amended to read:

UWS 18.08(7)(b) This subsection shall not apply to minors returning home from functions authorized by any ~~public or parochial school or church~~ religious organization and carrying proof of identification on their persons, or to currently enrolled university students.

SECTION 55. UWS 18.06(49) is renumbered UWS 18.08(2).

SECTION 56. UWS 18.06(50) is renumbered UWS 18.12(4).

SECTION 57. UWS 18.07 is renumbered UWS 18.13 and amended to read:

UWS 18.13. Unless otherwise specified, the penalty for violating any of the rules in ss. UWS 18.06 to 18.12 shall be a forfeiture of not more than \$500, as provided in s. 36.11(1)(c), Stats.

SECTION 58. UWS 18.09 is renumbered UWS 18.14 and amended to read:

UWS 18.14. Institutional regulations promulgated under ss. UWS 18.04 to ~~18.06~~ 18.12 shall take effect when filed with the secretary of the board.

SECTION 59. UWS 18.10 is renumbered UWS.18.15, and UWS 18.15(title), 18.15(1), and 18.15(2), as renumbered, are amended to read:

UWS 18.15. ADDITIONAL STATUTORY PENALTY PROVISIONS REGULATING CONDUCT ON UNIVERSITY LANDS. (1) CONTROLLED SUBSTANCES. The use or possession of controlled substances as defined in s. 961.01(4), Stats., is prohibited on all university property with the specific exemptions set forth in ch. 961, Stats., and as permitted under s. 961.34, Stats. The penalty provisions of ch. 961, Stats., and chs. UWS 17 and 18 may apply to violations occurring on university lands.

~~(2) PERSONS PROHIBITED FROM ENTERING CAMPUSES. Student convicted of dangerous and obstructive crime.~~ STUDENT CONVICTED OF DANGEROUS AND OBSTRUCTIVE CRIME. Section 36.35(3), Stats., provides: “Any person who is convicted of any crime involving danger to property or persons as a result of conduct by him which obstructs or seriously impairs activities run or authorized by an institution and who, as a result of such conduct, is in a state of suspension or expulsion from the institution, and who enters property of that institution without permission of the chief administrative officer of the institution within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both.”

SECTION 60. UWS 18.07(title) is created to read:

**UWS 18.07. Use of Campus Resources.**

SECTION 61. UWS 18.08(title) is created to read:

**UWS 18.08. Personal Conduct Prohibitions.**

SECTION 62. WS 18.08(6) is created to read

UWS 18.08(6) PHYSICAL SECURITY COMPLIANCE. (a) No person may ignore, bypass, circumvent, damage, interfere with, or attempt to deceive by fraudulent means, any university authorized security measure or monitoring device, whether temporary or permanent, that is intended to prevent or limit access to, or enhance the security of, university lands, events, facilities or portions thereof.

(b) No person may duplicate, falsify or fraudulently obtain a university key or access control device, or make any unauthorized attempt to accomplish the same.

(c) No person who is authorized to possess a university key or access control device may transfer a university key or access control device to an unauthorized person, nor may any unauthorized person be in possession of a university key or access control device.

(d) Any university key or access control device in the possession of an unauthorized person may be confiscated by any authorized university official.

SECTION 63. UWS 18.08(9)(b) is created to read:

(b) No person may fail to comply with a sign that reasonably conveys prohibited behavior and that has been approved and posted on university buildings or lands in compliance with the university's formal process for posting signs. This subsection does not apply to traffic related offenses (ch. 346, Stats.).

SECTION 64. UWS 18.08(11)(a) is created to read:

UWS 18.08(11) **SMOKING.** (a) No person may smoke in any residence hall or other university-owned or university-leased student housing or in any location that is 25 feet or less from such residence hall or housing.

SECTION 65. UWS 18.09(title) is created to read

UWS 18.09. **Alcohol and drug prohibitions.**

SECTION 66. UWS 18.10 (title) is created to read:

UWS 18.10. **Offenses against public safety.**

SECTION 67. UWS 18.11(title) is created to read:

UWS 18.11. **Offenses against public peace and order.**

SECTION 68. UWS 18.11(7)(d) and (e) are created to read:

UWS 18.11(7)(d) No person who has been determined to have committed serious or repeated violations of ss. UWS 18.06 to 18.12 and to whom the chief administrative officer has issued a written order prohibiting entry on university lands may enter the university lands of that institution.

(e) The provisions of this section in no way limit the chief administrative officer from issuing a written order barring any person from entering the university lands of that institution in accordance with the chief administrative officer's responsibility for the health, safety, and welfare of the university.

SECTION 69. UWS 18.12(title) is created to read:

UWS 18.12. **Property Offenses.**

SECTION 70. UWS 18.12(1)(e) is created to read:

UWS 18.12(1)(e) Cause an interruption in service by submitting a message or multiple messages to a computer, computer program, computer system, or computer network that exceeds the processing capacity of the computer, computer program, computer system, or computer network.

SECTION 71. UWS 18.12(2)(c) is created to read:

UWS 18.12(2)(c) In this subsection, prima facie evidence that the person intentionally absconded without paying for the food, lodging or other service or intentionally defrauded the university or its employees or agents has the meaning and includes the items of proof set forth in s. 943.21(2), Stats.

SECTION 72. UWS 18.12(5)(b) and (d) are created to read:

UWS 18.12(5)(b) No person may intentionally remove a theft detection device from merchandise, or use a theft detection shielding device, without the merchant's consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.

(d) In this subsection, "theft detection device" means any tag or other device that is used to prevent or detect theft and that is attached to merchandise held for resale by a merchant or to property of a merchant, and "theft detection shielding device" means any laminated or coated bag or device designed to shield such merchandise from detection by an electronic or magnetic theft alarm sensor.

SECTION 73. This rule first applies to conduct occurring on or after the effective date of this rule.

SECTION 74. EFFECTIVE DATE. 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.), Stats.

ATTACHMENT 2  
RECOMMENDED REVISIONS TO CHAPTERS UWS 17 AND 18, WIS. ADMIN. CODE  
MAY 2009

**Recommended Revisions to Chapter UWS 17, Wis. Admin. Code**

**17.01 Policy statement.** The missions of the University of Wisconsin System and its individual institutions can be realized only if the university's teaching, learning, research and service activities occur in living and learning environments that are safe and free from violence, harassment, fraud, theft, disruption and intimidation. In promoting such environments, the university has a responsibility to address student nonacademic misconduct; this responsibility is separate from and independent of any civil or criminal action resulting from a student's conduct. This chapter defines nonacademic misconduct, provides university procedures for effectively addressing misconduct, and offers educational responses to misconduct. The University of Wisconsin System is committed to respecting students' constitutional rights. Nothing in this chapter is intended to restrict students' constitutional rights, including rights of freedom of speech or to peaceably assemble with others.

**17.02 Definitions.** In this chapter:

**17.02(1)** "Chief administrative officer" means the chancellor of an institution or dean of a campus or their designees.

**17.02(2)** "Clear and convincing evidence" means information that would persuade a reasonable person to have a firm belief that a proposition is more likely true than not true. It is a higher standard of proof than "preponderance of the evidence."

**17.02(3)** "Days" means calendar days.

**17.02(4)** "Delivered" means sent by electronic means to the student's official university email address and, in addition, provided by any of the following methods:

**(a)** Given personally.

**(b)** Placed in the student's official university mailbox.

**(c)** Mailed by regular first class United States mail to the student's current address as maintained by the institution.

**(d)** Sent by electronic means to the student's official University email address.

**17.02(5)** "Disciplinary file" means the record maintained by the student affairs officer responsible for student discipline.

**17.02(6)** "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 or other requirements or restrictions on privileges, for a specified period of time, not to exceed two years.

**17.02(7)** "Disciplinary sanction" means any action listed in s. UWS 17.10(1) taken in response to student nonacademic misconduct.

**17.02(8)** "Expulsion" means termination of student status with resultant loss of all student rights and privileges.

**17.02(9)** "Hearing examiner" means an individual, other than the investigating officer, appointed by the chief administrative officer in accordance with s. UWS 17.06(2) for the purpose of conducting a hearing under s. UWS 17.12.

**17.02(10)** "Institution" means any university, or an organizational equivalent designated by the board, and

the university of Wisconsin colleges.

**17.02(11)** "Investigating officer" means an individual, or his or her designee, appointed by the chief administrative officer of each institution, to conduct investigations of nonacademic misconduct under this chapter.

**17.02(12)** "Nonacademic misconduct hearing committee" or "committee" means the committee appointed pursuant to s. UWS 17.07 to conduct hearings under s. UWS 17.12.

**17.02(13)** "Preponderance of the evidence" means information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than "clear and convincing evidence" and is the minimum standard for a finding of responsibility under this chapter.

**17.02(14)** "Student" means any person who is registered for study in an institution for the academic period in which the misconduct occurred, or between academic periods, for continuing students.

**17.02(15)** "Student affairs officer" means the dean of students or student affairs officer designated by the chief administrative officer to coordinate disciplinary hearings and carry out duties described in this chapter.

**17.02(16)** "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.

**17.02(17)** "University lands" means all real property owned by, leased by, or otherwise subject to the control of the board of regents of the University of Wisconsin System.

**17.03 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.

**17.04 Notice to students.** Each institution shall publish ch. UWS 17 on its website and shall make ch. UWS 17 and any institutional policies implementing ch. UWS 17 freely available to students through the website or other means.

**17.05 Designation of investigating officer.** The chief administrative officer of each institution shall designate an investigating officer or officers for allegations of student nonacademic misconduct. The investigating officer shall investigate student nonacademic misconduct and initiate procedures for nonacademic misconduct under s. UWS 17.11.

**17.06 Non-academic misconduct hearing examiner.**

**17.06(1)** The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the designation of a student nonacademic misconduct hearing examiner to fulfill the responsibilities of the nonacademic misconduct hearing examiner in this chapter.

**17.06(2)** A hearing examiner shall be selected by the chief administrative officer from the faculty and staff of the institution, pursuant to the policies adopted under sub. (1).

**17.07 Non-academic misconduct hearing committee.**

**17.07(1)** The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student nonacademic misconduct hearing committee to fulfill the responsibilities of the nonacademic misconduct hearing committee in this chapter.

**17.07(2)** A student nonacademic misconduct hearing committee shall consist of at least three persons,

including at least one student or students, except that no such committee shall be constituted with a majority of members who are students. The presiding officer shall be appointed by the chief administrative officer. The presiding officer and at least one other member shall constitute a quorum at any hearing held pursuant to due notice.

**17.08 Nonacademic misconduct occurring on or outside of university lands.**

**17.08(1) MISCONDUCT ON UNIVERSITY LANDS.** With the exception of the conduct described in s. UWS 17.08(2), the provisions contained in this chapter shall apply to the student conduct described in s. UWS 17.09 that occurs on university lands or at university-sponsored events.

**17.08(2) MISCONDUCT OUTSIDE OF UNIVERSITY LANDS.** The provisions contained in this chapter may apply to the student conduct described in s. UWS 17.09 that occurs outside of university lands only when, in the judgment of the investigating officer, the conduct adversely affects a substantial university interest. In determining whether the conduct adversely affects a substantial university interest, the investigating officer shall consider whether the conduct meets one or more of the following conditions:

- (a)** The conduct constitutes or would constitute a serious criminal offense, regardless of the existence of any criminal proceedings.
- (b)** The conduct indicates that the student presented or may present a danger or threat to the health or safety of himself, herself or others.
- (c)** The conduct demonstrates a pattern of behavior that seriously impairs the university's ability to fulfill its teaching, research, or public service missions.

**17.09 Conduct subject to disciplinary action.** Consistent with s. UWS 17.08, the university may discipline a student in nonacademic matters for engaging in, attempting to engage in, or assisting others to engage in any of the following:

**17.09(1) DANGEROUS CONDUCT.** Conduct that endangers or threatens the health or safety of oneself or another person.

**17.09(2) SEXUAL ASSAULT.** Conduct defined in s. 940.225, Stats.

**17.09(3) STALKING.** Conduct defined in s. 940.32, Stats.

**17.09(4) HARASSMENT.** Conduct defined in s. 947.013, Stats.

**17.09(5) HAZING.** Conduct defined in s. 948.51, Stats.

**17.09(6) ILLEGAL USE, POSSESSION, MANUFACTURE, OR DISTRIBUTION OF ALCOHOL OR CONTROLLED SUBSTANCES.** Use, possession, manufacture, or distribution of alcoholic beverages or of marijuana, narcotics, or other controlled substances, except as expressly permitted by law or university policy.

**17.09(7) UNAUTHORIZED USE OF OR DAMAGE TO PROPERTY.** Unauthorized possession of, use of, moving of, tampering with, damage to, or destruction of university property or the property of others.

**17.09(8) DISRUPTION OF UNIVERSITY-AUTHORIZED ACTIVITIES.** Conduct that obstructs or impairs university-run or university-authorized activities, or that interferes with or impedes the ability of a person to participate in university-run or university-authorized activities.

**17.09(9) FORGERY OR FALSIFICATION.** Unauthorized possession of or fraudulent creation, alteration, or misuse of any university or other governmental document, record, key, electronic device, or identification.

**17.09(10) MISUSE OF COMPUTING RESOURCES.** Conduct that involves any of the following:

- (a)** Failure to comply with laws, license agreements, and contracts governing university computer network, software, and hardware use.



- (b) Use of university computing resources for unauthorized commercial purposes or personal gain.
- (c) Failure to protect a personal password or university-authorized account.
- (d) Breach of computer security, invasion of privacy, or unauthorized access to computing resources.

**17.09(11) FALSE STATEMENT OR REFUSAL TO COMPLY REGARDING A UNIVERSITY MATTER.**

Making a knowingly false oral or written statement to any university employee or agent of the university regarding a university matter, or refusal to comply with a reasonable request on a university matter.

**17.09(12) VIOLATION OF CRIMINAL LAW.** Conduct that constitutes a criminal offense as defined by state or federal law.

**17.09(13) SERIOUS AND REPEATED VIOLATIONS OF MUNICIPAL LAW.** Serious and repeated off-campus violations of municipal law.

**17.09(14) VIOLATION OF CH. UWS 18.** Conduct that violates ch. UWS 18, including, but not limited to, provisions regulating fire safety, theft, and dangerous weapons.

**17.09(15) VIOLATION OF UNIVERSITY RULES.** Conduct that violates any published university rules, regulations, or policies, including provisions contained in university contracts with students.

**17.09(16) NONCOMPLIANCE WITH DISCIPLINARY SANCTIONS.** Conduct that violates a sanction, requirement, or restriction imposed in connection with previous disciplinary action.

**17.10 Disciplinary sanctions.**

**17.10(1)** The following are the disciplinary sanctions that may be imposed for nonacademic misconduct, in accordance with the procedures of ss. UWS 17.11 to 17.13, are any of the following:

- (a) A written reprimand.
- (b) Denial of specified university privileges.
- (c) Restitution.
- (d) Educational or service sanctions, including community service.
- (e) Disciplinary probation.
- (f) Imposition of reasonable terms and conditions on continued student status.
- (g) Removal from a course in progress.
- (h) Enrollment restrictions on a course or program.
- (i) Suspension.
- (j) Expulsion.

**17.10(2)** One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of nonacademic misconduct.

**17.10(3)** Disciplinary sanctions shall not include the termination or revocation of student financial aid; 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 a student for financial aid.

**17.11 Disciplinary procedure. (1)** 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 17.10(1).

**17.11(2) CONFERENCE WITH STUDENT.** When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly contact the student in person, by telephone, or by electronic mail to 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 basis for his or her belief that the student engaged in nonacademic misconduct, and to afford the student an opportunity to respond. If the student does not respond to the investigating officer's offer to discuss the matter, the investigating

officer may proceed to make a determination on the basis of the available information.

**17.11(3) DETERMINATION BY THE INVESTIGATING OFFICER THAT NO DISCIPLINARY SANCTION IS WARRANTED.** If, as a result of a discussion under sub. (2), or review of available information, the investigating officer determines that nonacademic 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.

**17.11(4) PROCESS FOLLOWING DETERMINATION BY THE INVESTIGATING OFFICER THAT NONACADEMIC MISCONDUCT OCCURRED.**

**17.11(4)(a)** If, as a result of a discussion or review of available information under sub. (2), or review of available information, the investigating officer determines that nonacademic misconduct did occur and that one or more of the disciplinary sanctions listed under s. UWS 17.10(1) should be recommended, the investigating officer shall prepare a written report which shall contain the following:

1. A description of the alleged misconduct;
2. Specification of the sanction sought;
3. Notice of the student's right to a hearing; and
4. A copy of this chapter and of the institutional procedures adopted to implement this section, as described in s. 17.03.

**17.11(4)(b)** The written report shall be delivered to the student.

**17.11(4)(c)** A student who receives a written report under this section has the right to a hearing under s. UWS 17.12 to contest the determination that nonacademic misconduct occurred, the choice of disciplinary sanction, or both.

1. Where the disciplinary sanction sought is one of those listed in s. UWS 17.10(1)(a) to (g), and if the student desires a hearing, the student shall file a written request with the student affairs officer within 10 days of the date the written report is delivered to the student. If the student does not request a hearing within this period, the determination of nonacademic misconduct shall be regarded as final, and the disciplinary sanction sought shall be imposed.
2. Where the disciplinary sanction sought is one of those listed in s. UWS 17.10(1)(h) to (j), the investigating officer shall forward a copy of the written report under par. (b) to the student affairs officer. The student affairs officer shall, upon receipt of the written report, proceed under s. UWS 17.12 to schedule a hearing on the matter. A hearing shall be conducted unless the student waives, in writing, the right to such a hearing.

**17.12 Hearing.**

**17.12(1)** A student who requests a hearing, or for whom a hearing is scheduled under s. UWS 17.11(3)(c)2., shall have the right to decide whether the matter will be heard by a hearing examiner or a hearing committee.

**17.12(2)** If a student requests a hearing under s. UWS 17.11(3)(c)1., or a hearing is required to be scheduled under s. UWS 17.11(3)(c)2., the student affairs officer shall take the necessary steps to convene the hearing and shall schedule it within 15 days of receipt of the request or written report. The hearing shall be conducted within 45 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the student and investigating officer, or is ordered or permitted by the hearing examiner or committee.

**17.12(3)** Reasonably in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide the student with access to or copies of the investigating officer's explanation, together with any other materials provided to the hearing examiner or committee by the

investigating officer.

**17.12(4)** The hearing shall be conducted in accordance with the following requirements:

**17.12(4)(a)** The student shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on his or her own behalf, and the right to be accompanied by an advisor of the student's choice. The advisor may be a lawyer. This advisor may counsel the student, but may not act on the student's behalf except at the discretion of the hearing examiner or committee, or when the student is subject to a sanction of suspension or expulsion or has been charged with a crime in connection with the same conduct for which the student is subject to disciplinary proceedings under ch. UWS 17.

**17.12(4)(b)** The hearing examiner or committee shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony. The hearing examiner or committee shall observe recognized legal privileges.

**17.12(4)(c)** The hearing examiner or 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. The student charged with misconduct may access the record, upon the student's request.

**17.12(4)(d)** The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.

**17.12(4)(e)** A hearing examiner's or committee's finding of nonacademic misconduct shall be based on one of the following:

1. Clear and convincing evidence, when the sanction to be imposed is one of those listed in s. UWS 17.10(1)(h) to (j).
2. A preponderance of the evidence, when the sanction to be imposed is one of those listed in s. UWS 17.10(1)(a) to (g).
3. A preponderance of the evidence, regardless of the sanction to be imposed, in all cases of sexual harassment and sexual assault.

**17.12(4)(f)** The hearing examiner or committee may impose one or more of the disciplinary sanctions listed in s. UWS 17.10(1)(a) to (g) that differs from the recommendation of the investigating officer. Sanctions under s. UWS 17.10(1)(h) to (j) may not be imposed unless previously recommended by the investigating officer.

**17.12(4)(g)** The hearing shall be conducted by the hearing examiner or committee, and the university's case against the student shall be presented by the investigating officer or his or her designee.

**17.12(4)(h)** The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered to the student. The decision shall become final within 14 days of the date of the written decision, unless an appeal is taken under s. UWS 17.13.

**17.12(4)(i)** If a party fails to appear at a scheduled hearing and to proceed, the hearing examiner or committee may either dismiss the case or, based upon the information provided, find that the student committed the misconduct alleged.

**17.12(4)(j)** Disciplinary hearings are subject to the Wisconsin open meetings law and may be closed if the student whose case is being heard requests a closed hearing or if the hearing examiner or committee determines that it is necessary to hold a closed hearing, as permitted under the Wisconsin open meetings law. Deliberations of the committee shall be held in closed session, in accordance with s. 19.85, Stats. As such, proper notice and other applicable rules shall be followed.

**17.13 Appeal to the chief administrative officer.**

**17.13(1)** Where the sanction prescribed by the hearing examiner or committee is one of those listed in s. UWS 17.10(1)(h) through (j), the student may appeal to the chief administrative officer within 14 days of the date of the written decision to review the decision of the hearing examiner or committee, based upon the record. In such a case, the chief administrative officer has 30 days from receipt of the student's appeal to respond and shall sustain the decision of the nonacademic misconduct hearing examiner or committee unless the chief administrative officer finds any of the following:

- (a)** The information in the record does not support the findings or decision of the hearing examiner or committee.
- (b)** Appropriate procedures were not followed by the nonacademic misconduct hearing examiner or committee and material prejudice to the student resulted.
- (c)** The decision was based on factors proscribed by state or federal law.

**17.13(2)** If the chief administrative officer makes a finding under sub. (1), he or she may return the matter for consideration by a different hearing examiner or committee, or may invoke an appropriate remedy of his or her own.

**17.14 Discretionary appeal to the board of regents.** Institutional decisions under ss. UWS 17.11 to 17.13 shall be final, except that the board of regents may, at its discretion, grant a review upon the record.

**17.15 Settlement.** The procedures set forth in this chapter allow the university and a student to enter into a settlement agreement regarding the alleged misconduct, after proper notice has been given. Any such agreement and its terms shall be in writing and signed by the student and the investigating officer or student affairs officer. The case is concluded when a copy of the signed agreement is delivered to the student.

**17.16 Effect of discipline within the institution.** A student who, at the time of commencement, is subject to a continuing disciplinary sanction under s. UWS 17.10(1) or unresolved disciplinary charges as a result of a report under s. UWS 17.11, shall not be awarded a degree during the pendency of the sanction or disciplinary proceeding.

**17.17 Effect of suspension or expulsion within the university system. (1)** Suspension or expulsion shall be systemwide in effect and shall be noted on an individual's transcript, with suspension noted only for the duration of the suspension period.

**17.17(2)** A student who is suspended from one institution in the University of Wisconsin System may not enroll in another institution in the system until the suspension has expired by its own terms, except as provided in s. UWS 17.18.

**17.17(3)** A student who is expelled from one institution in the University of Wisconsin System may not enroll in another institution in the system, except as provided in s. 17.18.

**17.17(4)** A person who is in a state of suspension or expulsion from the university under this chapter, or who leaves or withdraws from the university while under nonacademic misconduct charges under this chapter, may not be present on any campus without the written consent of the chief administrative officer of that campus.

**17.17(5)** Upon completion of a suspension period, a student who is academically eligible may re-enroll in the institution which suspended him or her, provided all conditions from previous disciplinary sanctions have been met.

**17.18 Petition for restoration of rights after suspension or expulsion.**

A student who has been suspended may petition to have his or her student status, rights, and privileges restored before the suspension has expired by its own terms under s. 17.17(1). A student who has been

expelled may petition for the right to apply for readmission. The petition shall be in writing and directed to the chief administrative officer of the institution from which the student was suspended or expelled or of a different university of Wisconsin institution to which the student seeks admission. The chief administrative officer shall make the readmission decision.

**17.19 Emergency Suspension. (1)** The chief administrative officer may impose an emergency suspension on a student, pending final institutional action on a report of nonacademic misconduct, in accordance with the procedures of this section.

**17.19(2)** The chief administrative officer of each institution may impose an emergency suspension on a student when all of the following conditions are met:

- (a)** The investigating officer has made a reasonable attempt to offer the student the opportunity for discussion, either in person or by telephone;
- (b)** The investigating officer recommends a sanction of suspension or expulsion; and
- (c)** The chief administrative officer concludes, based on the available information, that the misconduct occurred and that the student's continued presence on campus meets one or more of the following conditions:

- 1. Would constitute a potential for serious harm to the student;
- 2. Would constitute a potential for serious harm to others;
- 3. Would pose a threat of serious disruption of university-run or university-authorized activities; or
- 4. Would constitute a potential for serious damage to university facilities or property.

**17.19(3)** If the chief administrative officer determines that an emergency suspension is warranted under sub. (1), he or she shall promptly have written notification of the emergency suspension delivered to the student. The chief administrative officer's decision to impose an emergency suspension shall be effective immediately when delivered to the student and is final.

**17.19(4)** Where an emergency suspension is imposed, the hearing on the underlying allegations of misconduct shall be held, either on or outside of university lands, within 21 days of the imposition of the emergency suspension, unless the student agrees to a later date.

**17.19(5)** An emergency suspension imposed in accordance with this section shall be in effect until the decision in the hearing on the underlying charges pursuant to s. UWS 17.12 is rendered or the chief administrative officer rescinds the emergency suspension. In no case shall an emergency suspension remain in effect for longer than 30 days, unless the student agrees to a longer period.

**17.19(6)** If the chief administrative officer determines that none of the conditions specified in sub. (1)(c) are present, but that misconduct may have occurred, the case shall proceed in accordance with s. UWS 17.12.

## Recommended Revisions to Chapter UWS 18, Wis. Admin. Code

**18.01 Jurisdiction.** These rules shall regulate conduct on all lands subject to the control of the board of regents of the University of Wisconsin System.

**18.02 Definitions** For purposes of this chapter:

**18.02(1)** “Board of regents” or “board” means the board of regents of the University of Wisconsin System.

**18.02(2)** “Building” means any structure, including stadia, on university lands.

**18.02(3)** The “chief administrative officer” means the chancellor of an institution or dean of a campus or their designees.

**18.02(4)** “Discharge pollutants into storm sewers” means placing pollutants or water containing pollutants into any storm sewer on or serving university lands.

**18.02(5)** “Discharge pollutants to storm water” means placing pollutants onto university lands so that they are carried by storm water to waters of the state.

**18.02(6)** “Pollutants” has the meaning described in s. 283.01(13), Stats.

**18.02(7)** “University lands” means all real property owned by, leased by, or otherwise subject to the control of the board of regents.

**18.03 Law enforcement.**

**18.03(1)** The board may designate police officers who are authorized to enforce these rules and regulations and to police all lands under the control of the board. These officers shall have all the powers provided in s. 36.11(2), Stats., except where such powers are specifically limited or modified by the board. These officers may accept concurrent appointments as deputy sheriffs.

**18.03(2)** Uniformed police officers shall be identified by an appropriate shield or badge bearing the word “Police” and a number or name plate, which shall be conspicuously worn when enforcing this chapter. Police officers assigned to non-uniformed duties shall identify themselves with an appropriate badge or police identification card when enforcing this chapter.

**18.03(3)** Parking attendants are authorized to enforce the parking regulations in s. UWS 18.05.

**18.04 Traffic rules.**

**18.04(1)** No person may operate any motor vehicle (self-propelled vehicle) on any roadway under the control of the board without a valid and current operator’s license issued under ch. 343, Stats., except a person exempt under the provisions of s. 343.05, Stats.

**18.04(2)** No person may operate any motor vehicle on any roadway under the control of the regents unless the same has been properly registered as provided by ch. 341, Stats., unless exempt under the provisions of s. 341.05, Stats.

**18.04(3)** All provisions of ch. 346, Stats., entitled “Rules of the Road,” which are applicable to highways as defined in s. 340.01(22), Stats., and which are not in conflict with any specific provisions of these regulations, are hereby adopted for the regulation of all vehicular traffic, including bicycles, on all roadways, including those off-street areas designated as parking facilities, under the control of the board and are intended to apply with the same force and effect. All traffic shall obey the posted signs approved by the chief administrative officer regulating such traffic.

**18.04(4)** All provisions of ch. 347, Stats., entitled "Equipment of Vehicles" which are applicable to highways as defined in s. 340.01(22), Stats., are hereby adopted for the regulation of all vehicular traffic on the roadways under the control of the board and are intended to apply with the same force and effect, except those provisions of ch. 347, Stats., which conflict with specific provisions of these regulations.

**18.04(5)** The chief administrative officer may require the registration of all student, faculty, or staff motor vehicles or bicycles on university lands under said officer's jurisdiction and may limit or prohibit their use in designated areas during designated hours. Any person who violates institutional regulations promulgated under this subsection may be fined up to \$25.

**18.05 Parking rules.**

**18.05(1)** Parking is prohibited at all times on roads, drives and fire lanes traversing university lands, except that the chief administrative officer is authorized to establish parking areas, parking limits, and methods of parking on the lands under said officer's jurisdiction, and may designate parking areas for specific groups at specific times, providing such areas are properly posted as parking areas. Parking in university parking facilities may be restricted or prohibited as required for reasons of maintenance and snow removal.

**18.05(2)** Except as provided in sub. (3), parking in university parking areas shall be prohibited during posted times to persons other than those specifically assigned to those areas. Motor vehicles so assigned to any parking areas shall be identified by a valid parking permit affixed to the vehicle in a manner prescribed by the chief administrative officer.

**18.05(3)(a)** In order to provide parking in university parking facilities for patrons of public university events, motor vehicles may be permitted to park in facilities designated for this purpose by the chief administrative officer. Public events parking shall be for a limited time only, not exceeding 12 hours continuously, and appropriate fees may be established. Otherwise valid permits are voidable during this period.

**18.05(3)(b)** The chief administrative officer may establish visitor parking lots and set appropriate fees for parking in those lots.

**18.05(3)(c)** Unrestricted and unassigned parking areas for students, faculty, staff and visitors may be established by the chief administrative officer.

**18.05(4)(a)** Parking shall be prohibited at all times in areas which must be kept clear for the passage of fire apparatus. These areas shall be designated by standard signs reading "Fire Zone, No Parking at Any Time, Day or Night" or "Fire Lane, No Parking at Any Time, Day or Night."

**18.05(4)(b)** Parking is prohibited at all times in areas which must be kept clear for vehicles to load and unload. These areas shall be designated by appropriate signs.

**18.05(5)** Motor vehicles parked in a restricted parking area without a valid permit or motor vehicles parked in a fire zone, fire lane, loading zone, or no parking zone, and unlicensed or partially dismantled motor vehicles may, at the owner's expense, be towed from the restricted parking areas and stored. Towed vehicles, if not claimed after notice to the owner, shall be considered abandoned and shall be disposed of as provided in s. 20.909 (1), Stats.

**18.05(6)** Any person who violates any of the provisions of this section may be fined up to \$200. Each institution shall establish a schedule of fines, which may include penalties for late payment.

**18.06(1) Prohibited Acts; Land.** No person may remove any shrubs, vegetation, wood, timber, rocks, stone, earth, signs, fences, or other materials from university lands, unless authorized by the chief administrative officer.

<p><b>18.06(2) Prohibited Acts; Wildlife.</b> No person may remove, destroy, or molest any bird, animal or fish life within the boundaries of university lands except as authorized by the chief administrative officer or except when this provision conflicts with a special order of the department of natural resources.</p>
<p><b>18.06(3) Prohibited Dumping; Prohibited Discharges to Storm Water.</b>  <b>18.06(3)(a)</b> No person may dump or deposit any garbage, waste, hazardous material, rubbish, brush, earth or other debris or fill into any university dumpster or garbage receptacle or on any university lands unless authorized by the chief administrative officer.   <b>18.06(3)(b)</b> No person may discharge pollutants to storm water or storm sewers on or serving university lands, except where authorized by the chief administrative officer and in conformance with state law.</p>
<p><b>18.07(1) Access to Roofs, Service Tunnels, and Maintenance Facilities Prohibited.</b> No person may climb into, out of, or onto any university buildings, service tunnels or maintenance facilities, or walk or climb upon any university building or roof, except when emergency access to a fire escape is necessary, for required maintenance, or when authorized by the chief administrative officer.</p>
<p><b>18.07(2) Closing Hours.</b>  <b>18.07(2)(a)</b> Except as specifically provided in this code, the chief administrative officer may establish closing hours and closed periods for university lands, buildings, or portions thereof. These closing hours and closed periods shall be posted in at least one conspicuous place adjacent to or at the periphery of the area to be closed or, in the case of buildings, on the building.   <b>18.07(2)(b)</b> No person, unless authorized to be present during closed periods, may enter or remain within the designated university lands, buildings, or portions thereof during a closed period established under this section.   <b>18.07(2)(c)</b> For the purpose of par. (b), "person authorized to be present" means a person authorized to be present by an order issued pursuant to par. (a) or s. 36.35(2), Stats.   <b>18.07(2)(d)</b> No person, except those authorized to be present after the posted closing hour, may enter or remain in any university arboretum or picnic area unless traversing those areas or on park roads at the times the roads are open to the public.</p>
<p><b>18.07(3) Limited Entrance.</b> The chief administrative officer may, by posting appropriate signs, limit or prohibit entrance to university lands, or portions thereof, in order to maintain or preserve an instruction or research area.</p>
<p><b>18.07(4) Picnicking and Camping.</b> No person may picnic or camp on university lands, except in those areas specifically designated as picnic or camping grounds, or as authorized by the chief administrative officer. No person may violate any rules and regulations for picnicking or camping established and posted by the chief administrative officer. For purposes of this subsection, camping shall include the pitching of tents or the overnight use of sleeping bags, blankets, makeshift shelters, motor homes, campers or camp trailers.</p>
<p><b>18.07(5) Prohibitions on Blocking Entrances.</b> No person may intentionally physically block or restrict entrance to or exit from any university building or portion thereof with intent to deny to others their right of ingress to, egress from, or use of the building.</p>
<p><b>18.07(6) Restricted Use of Student Centers or Unions.</b> No person, except members of the student center or union, university faculty and staff, invited guests, and university-sponsored conference groups, may use student center or union buildings and grounds except on occasions when, and in those areas where, the buildings or grounds are open to the general public.</p>
<p><b>18.07(7) Structures.</b> No person may place or erect any facility or structure upon university lands unless</p>



authorized by the chief administrative officer.

**18.08(1) Animals**

**18.08(1)(a)** The presence of dogs, cats, and other pets is prohibited in all university buildings and in arboretums at all times except as authorized by the chief administrative officer. The chief administrative officer may also prohibit the presence of dogs, cats, and other pets on other designated university lands.

**18.08(1)(b)** The presence of dogs, cats and other pets is prohibited on all other university lands not described in sub. (1) unless the animal is on a leash which is physically controlled by the individual responsible for the animal, except as authorized by the chief administrative officer.

**18.08(1)(c)** The chief administrative officer may not grant the exceptions allowed under par. (a) and (b) in any outdoor area where food is being served or where animals are otherwise prohibited by signage.

**18.08(1)(d)** Any pet waste deposited on university lands shall be removed and properly disposed of by the individual responsible for the animal.

**18.08(1)(e)** Any individual found in violation of this subsection may have the animal for which they are responsible impounded and be subject to the penalty provisions in s. UWS 18.13.

**18.08(1)(f)** This section does not apply to police and service animals, when those animals are working.

**18.08(2) Athletic Events.**

**18.08(2)(a)** No person may enter onto the playing surface of an officially sanctioned athletic event while the event is in progress without prior authorization from the chief administrative officer. An event is in progress from the time when teams, officials, trainers, support staff, or bands first reach the playing surface until the time when they have left.

**18.08(2)(b)** As used in this subsection, "playing surface" means that area on which the event is contested, together with the contiguous area used by teams, officials, trainers, and support staff.

**18.08(3) Bicycles.** No person may park or store a bicycle in buildings, on sidewalks or driveways, or in motor vehicle parking spaces, except in areas designated for that purpose or in bicycle racks, or as authorized by university housing policies. Bicycles shall be parked so as not to obstruct free passage of vehicles and pedestrians. Bicycle riding is prohibited on university lands when and where the intent is to perform tricks or stunts and those tricks or stunts may result in injury to any person or cause damage to property.

**18.08(4) Deposit of Human Waste Products.** No person may deposit human waste products upon, nor urinate or defecate upon, any university lands or facilities other than into a toilet or other device designed and intended to be used to ultimately deposit such human waste products into a septic or sanitary sewer system.

**18.08(5) Improper Use of University Identification Cards.**

**18.08(5)(a)** No person may falsify, alter or duplicate, or request the unauthorized falsification, alteration or duplication, of a university identification card.

**18.08(5)(b)** No person may knowingly present a false, altered or duplicate university identification card with the intent that such card be relied upon by university employees, university agents, or state or local officials in connection with obtaining services, privileges or goods.

**18.08(5)(c)** No person may knowingly use or permit another person to use a university identification card for the purpose of making a false statement with respect to the identity of the user, and with the intent that such statement be relied upon by university employees or agents in connection with obtaining university services, privileges or goods.

**18.08(5)(d)** University officials may confiscate false, altered or duplicate university identification cards, or university identification cards used in violation of par. (c).

**18.08(6) Physical Security Compliance.**

**18.08(6)(a)** No person may ignore, bypass, circumvent, damage, interfere with, or attempt to deceive by fraudulent means, any university authorized security measure or monitoring device, whether temporary or permanent, that is intended to prevent or limit access to, or enhance the security of, university lands, events, facilities or portions thereof.

**18.08(6)(b)** No person may duplicate, falsify or fraudulently obtain a university key or access control device, or make any unauthorized attempt to accomplish the same.

**18.08(6)(c)** No person who is authorized to possess a university key or access control device may transfer a university key or access control device to an unauthorized person, nor may any unauthorized person be in possession of a university key or access control device.

**18.08(6)(d)** Any university key or access control device in the possession of an unauthorized person may be confiscated by any authorized university official.

**18.08(7) Loitering.**

**18.08(7)(a)** No minor person may loiter, idle, wander or play, either on foot or in or on any vehicle of any nature, on university lands between the hours of 11:00 p.m. and 5:00 a.m. on Sunday through Thursday, and the hours of midnight through 5:00 a.m. on Friday and Saturday, unless accompanied by a parent, guardian, or other adult person having care and custody of the minor.

**18.08(7)(b)** This subsection shall not apply to minors returning home from functions authorized by any school or religious organization and carrying proof of identification on their persons, or to currently enrolled university students.

**18.08(8) Misuse of Parking Services.**

**18.08(8)(a)** No person may falsify, alter or duplicate or request the unauthorized falsification, alteration or duplication of any type of university parking permit.

**18.08(8)(b)** No person may knowingly display on a vehicle, or knowingly allow another person to display on a vehicle, a falsified, altered, duplicated, stolen, lost or found parking permit.

**18.08(8)(c)** No person may knowingly provide false information to any university employee or agent with the intent to obtain a valid university parking permit.

**18.08(9) Postings and Signage.**

**18.08(9)(a)** No person may erect, post or attach any notices, posters, pictures or any item of a similar nature in or on any building or upon other university lands except on regularly established bulletin boards, or as authorized by the provisions of this code or by the chief administrative officer.

**18.08(9)(b)** No person may fail to comply with a sign that reasonably conveys prohibited behavior and that has been approved and posted on university buildings or lands in compliance with the university's formal process for posting signs. This subsection does not apply to traffic related offenses (ch. 346, Stats.).

**18.08(10) Recreational Activities.**

**18.08(10)(a)** No person may swim, fish, boat, snowmobile, ride horseback or use any type of all-terrain or off-road vehicle on university lands except in those areas and at times expressly designated by the chief administrative officer and denoted by official signs.

**18.08(10)(b)** No person may dock, moor, park, or store any boats, boating gear, snowmobiles, or similar equipment on university lands except under conditions specified by the chief administrative officer.

**18.08(11) Smoking.**

**18.08(11)(a)** No person may smoke in any residence hall or other university-owned or university-leased student housing or in any location that is 25 feet or less from such residence hall or housing.

**18.08(11)(b)** No person may smoke in any nonresidential university building except in those areas designated for that purpose.

**18.08(12) Ticket Scalping.**

**18.08(12)(a)** Every ticket or other evidence of the right of entry to any amusement, game, contest, exhibition, event, or performance given by or under the auspices of the University of Wisconsin System, or an institution of the University of Wisconsin System, shall be considered a revocable license to the person to whom the ticket has been issued and shall be transferable only on the terms and conditions prescribed on the ticket or other evidence of the right of entry.

**18.08(12)(b)** No person may buy or sell a ticket or other evidence of the right of entry for more than the price printed upon the face of the ticket.

**18.09(1) Alcohol Beverages.**

**18.09(1)(a)** The use or possession of alcohol beverages is prohibited on all university premises, except in faculty and staff housing and as permitted by the chief administrative officer, subject to statutory age restrictions. The chief administrative officer may generally permit the use or possession of alcohol beverages by promulgating institutional regulations in consultation with appropriate staff and students, or in specific instances by written permission.

**18.09(1)(b)** No person may procure, sell, dispense or give away alcohol beverages to any person contrary to the provisions of ch. 125, Stats.

**18.09(1)(c)** In this subsection, "alcohol beverages" means fermented malt beverages and intoxicating liquors containing 0.5% or more of alcohol by volume.

**18.09(1)(d)** Notwithstanding s. UWS 18.14, institutional regulations developed pursuant to this subsection shall be reported to the president of the system for review and approval.

**18.09(2) Possession of Drug Paraphernalia.**

**18.09(2)(a)** No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of ch. 961, Stats.

**18.09(2)(b)** In this subsection, the term "drug paraphernalia" has the meaning specified in s. 961.571(1), Stats.; the term "controlled substance" has the meaning specified in s. 961.01(4), Stats.; and the term "controlled substance analog" has the meaning specified in s. 961.01(4m), Stats.

**18.09(2)(c)** In determining whether an object is drug paraphernalia under this subsection, the factors listed in s. 961.572, Stats., and all other legally relevant factors, shall be considered.

**18.09(3) Possession of Marijuana.**

**18.09(3)(a)** No person may intentionally use or possess marijuana on university lands, except when such use or possession is authorized under ch. 961, Stats. or is permitted under s. 961.34, Stats.

**18.09(3)(b)** In this subsection, the term "marijuana" has the meaning specified in s. 961.01(14), Stats.

**18.10(1) Assaultive Behavior.**

**18.10(1)(a)** No person may intentionally strike, shove, hit, punch, kick or otherwise subject another person to physical contact or cause bodily harm without the consent of the person.

**18.10(1)(b)** This subsection shall not be applicable if the individuals involved have a relationship, as defined in s. 968.075(1)(a), Stats., which requires a law enforcement officer to investigate the matter as a domestic abuse incident.

**18.10(2) Containers in Spectator Facilities.** No person may carry or possess any disposable container within the confines of public areas in spectator facilities. As used in this subsection "disposable container" means any bottle, can, or other container designed or used for carrying liquids or solids, but does not include a personally owned container designed for reuse and originally sold or purchased exclusively as a refillable container. The provisions of this section shall not apply to containers used or supplied by authorized concessionaires who are required to dispense beverages to consumers in either paper or plastic containers.

**18.10(3) Dangerous Weapons.**

**18.10(3)(a)** No person may carry, possess or use any dangerous weapon on university lands or in university buildings or facilities, except with the written approval of the chief administrative officer or for law enforcement purposes.

**18.10(3)(b)** No person may display or portray as real any object that resembles a dangerous weapon on university lands or in university buildings or facilities, except with the written approval of the chief administrative officer.

**18.10(3)(c)** Dangerous weapons in violation of this subsection may be confiscated and removed from university lands by police.

**18.10(3)(d)** In this subsection, the term "dangerous weapon" has the meaning specified in s. 939.22(10), Stats.

**18.10(4) Fire Safety.**

**18.10(4)(a)** No person may light, build or use, or cause another to light, build or use, any fires, including but not limited to burning candles, burning incense or gas or charcoal cooking appliances, on university lands or in university facilities except in such places as are established for these purposes and designated by the chief administrative officer.

**18.10(4)(b)** No person may handle burning material in a highly negligent manner. In this subsection, burning material is handled in a highly negligent manner if it is handled under circumstances in which the person should realize that a substantial and unreasonable risk of serious damage to property is created.

**18.10(4)(c)** No person may throw away any cigarette, cigar, pipe ash or other burning material without first extinguishing it.

**18.10(4)(d)** No person may interfere with, tamper with or remove, without authorization, any smoke detector, fire extinguisher, fire hose, fire hydrant, fire sprinkler, or other fire fighting equipment.

**18.10(4)(e)** No person may intentionally give a false fire alarm, whether by means of a fire alarm system or otherwise.

**18.10(4)(f)** No person may deface, remove, tamper with or obstruct from view any sign which has been posted to provide directions for fire or emergency exits from university facilities.

**18.10(4)(g)** No person may remain in any university facility or on university lands when an audible or visual fire alarm has been activated or upon being notified by fire fighting, law enforcement or security

personnel to evacuate.

**18.10(5) Operation of a Motor Vehicle Off Roadways.**

No person shall operate an unauthorized motor vehicle or motorized device, including but not limited to motorcycles, mopeds, motor scooters and self-balancing transportation devices, off designated roadways, paved or unpaved, or on service roads or pedestrian paths, regardless of the surface, on university lands. This section does not apply to motorized wheelchairs or other mobility devices which have the primary design function of assisting the physically challenged.

**18.10(6) Possession of Fireworks.**

**18.10(6)(a)** No person may possess or use fireworks on university lands without authorization from the chief administrative officer.

**18.10(6)(b)** In this subsection, the term "fireworks" has the meaning specified in s. 167.10(1), Stats.

**18.10(7) Resisting or Obstructing Police Officers.**

**18.10(7)(a)** No person may knowingly resist or obstruct a university police officer while that officer is doing any act in an official capacity and with lawful authority.

**18.10(7)(b)** In this subsection, "obstruct" includes without limitation knowingly giving false information or knowingly placing physical evidence with the intent to mislead a university police officer in the performance of his or her duty.

**18.10(8) Play Vehicles.** No person may use a skateboard, roller skates, in-line skates or any similar wheeled devices, a toboggan, or a sled anywhere on university lands, except as designated by the chief administrative officer.

**18.10(9) Throwing Hard Objects.** No person may, in a manner likely to cause physical harm or property damage, throw, drop, kick, hit or otherwise project any hard object, bottle, can, container, snowball or other item of a similar nature on university lands or within, or from within, university buildings or facilities.

**18.11(1) Computer Use.**

**18.11(1)(a)** No person may, with intent to harass, annoy or offend another person, send a message to the person on an electronic mail or other computerized communication system and in that message use any obscene, lewd or profane language or suggest any lewd or lascivious act.

**18.11(1)(b)** No person may, with intent to harass, annoy or offend another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message and in that message use any obscene, lewd or profane language or suggest any lewd or lascivious act.

**18.11(1)(c)** No person may, with intent solely to harass another person, send repeated messages to the person on an electronic mail or other computerized communication system.

**18.11(1)(d)** No person may, with intent solely to harass another person, send repeated messages on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the messages.

**18.11(1)(e)** No person may, with intent to harass or annoy another person, send a message to the person on an electronic mail or other computerized communication system while intentionally preventing or attempting to prevent the disclosure of his or her own identity.

**18.11(1)(f)** No person may, while intentionally preventing or attempting to prevent the disclosure of his or her identity and with intent to harass or annoy another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive

the message.

**18.11(1)(g)** No person may knowingly permit or direct another person to send a message prohibited by this subsection from any computer terminal or other device that is used to send messages on an electronic mail or other computerized communication system and that is under his or her control.

**18.11(2) Disorderly Conduct.** No person may engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance, in university buildings or on university lands.

**18.11(3) Improper Use of Telephones.**

**18.11(3)(a)** No person may make or cause the telephone of another repeatedly to ring with intent to harass any person at the called number.

**18.11(3)(b)** No person may make repeated telephone calls, whether or not conversation ensues, with intent to harass any person at the called number.

**18.11(3)(c)** No person may intentionally use an emergency telephone in a university building or on university lands when the person knows or reasonably should know that no emergency exists.

**18.11(3)(d)** No person, with the intent to harass or offend, may telephone another and use any obscene, lewd or profane language or suggest any lewd or lascivious act.

**18.11(3)(e)** No person, with the intent to harass any person at the called number, may make a telephone call, whether or not conversation ensues, without disclosing his or her identity.

**18.11(3)(f)** No person may knowingly permit any telephone under his or her control to be used for any purpose prohibited by this subsection.

**18.11(4) Picketing, Rallies, Parades, Demonstrations and Other Assemblies.**

**18.11(4)(a)** In order to preserve the order which is necessary for the enjoyment of freedom by members of the university community, and in order to prevent activities which physically obstruct access to university lands or buildings and prevent the university from carrying on its instructional, research, public service, or administrative functions, any picketing, rally, parade, demonstration, other assembly, or congregation of spectators to such activity may be declared unlawful if its participants:

**1.** Intentionally gather or intentionally remain assembled outside any university building in such numbers, in such proximity to each other or in such fashion as to physically hinder entrance to, exit from, or normal use of the building.

**2.** Intentionally congregate or assemble within any university building in such fashion as to obstruct or seriously impair university-sponsored or university-authorized activities, or in such fashion as to violate any of the following conditions:

**a.** No group may be admitted into the private office of any faculty member or other university employee unless invited by the authorized occupant of that office, and then not in excess of the number designated or invited by that person.

**b.** No group may obstruct or seriously impair passage through corridors, stairways, doorways, building entrances, fire exits, and reception areas leading to offices.

**c.** No group, not authorized to do so by the person in immediate charge of the room, or by a person designated by the chief administrative officer to approve requests for the use of rooms for meetings, may enter or occupy any university building or part thereof.

**d.** No group may assemble immediately outside rooms at times when they are normally in use for classes, study, or research.

**e.** No signs supported by standards or sticks shall be permitted in any assembly in a university building.

**3.** Intentionally create a volume of noise that unreasonably interferes with university-sponsored or university-authorized activities.

**4.** Intentionally employ force or violence, or intentionally constitute an immediate threat of force or violence, against members of the university community or university property.

**18.11(4)(b)** For the purpose of par. (a), "intentionally" means that the participant or spectator knew or reasonably should have known that his/her conduct by itself or in conjunction with the conduct of others would have the prohibited effect.

**18.11(4)(c)** The chief administrative officer may designate a university official or officials who shall have primary authority to implement par. (a). He/she may prescribe limitations for any picketing, rally, parade, demonstration or other assembly in order that it will meet the requirements of par. (a). When informed of any picketing, rally, parade, demonstration, or other assembly which may not comply with par. (a), the chief administrative officer or the designee may proceed immediately to the site and determine if there is compliance with par. (a). If he/she finds a violation of par. (a), he/she may declare the assembly unlawful or he/she may prescribe those limitations on numbers, location or spacing of participants in the demonstration which are reasonably necessary to ensure compliance with par. (a). If he/she prescribes limitations, and if his/her limitations are not observed by the assembly, he/she may then declare the assembly unlawful. Any declaration of illegality or prescription of limitations shall be effective and binding upon the participants in the assembly unless and until modified or reversed.

**18.11(4)(d)** Any participant or spectator within the group constituting an unlawful assembly who intentionally fails or refuses to withdraw from the assembly after it has been declared unlawful under this section shall be subject to immediate arrest and liable to the penalties of s. UWS 18.13.

**18.11(5) Sound-Amplifying Equipment**

**18.11(5)(a)** In order to permit the use of sound-amplifying equipment on university lands, if needed for the dissemination of ideas to large audiences, but to prevent its use from interfering with university functions which inherently require quiet, the following provisions shall apply:

**1.** No person may use sound-amplifying equipment on any lands without the permission of the chief administrative officer, except as provided in par. (b).

**2.** In granting or denying permission, the following principles shall govern:

**a.** Except in extraordinary circumstances, permission may be granted to use the equipment only during the following hours, 12 noon to 1:30 p.m. and 5:00 p.m. to 7:00 p.m. every day, and only when the equipment is more than 50 feet from and directed away from any classroom building, residence hall, library or building being used as a study hall.

**b.** An applicant for permission shall have the burden of establishing the need for amplification to communicate with the anticipated audience. In particular, the applicant must show that the audience can reasonably be anticipated to include at least 250 people.

**c.** An applicant for permission shall have the burden of establishing that the volume and direction of the sound from the equipment will minimize interference with other activities.

**3.** Any request for the permission required by this section must be submitted in writing to the chief administrative officer at least 24 hours prior to the intended use of the sound-amplifying equipment and must be signed by a student or employee of the institution where the equipment is to be used. The request shall contain:

**a.** The proposed hours, date and location where the equipment is to be used.

**b.** The size of the anticipated audience and the reasons why the equipment is needed.

**c.** A description of the proposed equipment which includes the manufacturer, model number, and wattage.

**d.** The names of the owner of the equipment and of any person or persons, in addition to the person

signing the application, who will be responsible for seeing that the equipment is operated in compliance with the terms of the permit and the provisions of this rule. The chief administrative officer may require the presence of additional persons if said officer believes this is necessary to ensure compliance.

**18.11(5)(b)** Permits issued by the chief administrative officer shall not be required for the use of university sound-amplifying equipment used with the permission of the university employee having control of the equipment for authorized university classes, research, or meetings in university buildings, or for university sponsored academic, recreational or athletic activities, or for crowd control by authorized university officials.

**18.11(5)(c)** For the purpose of this section, "sound-amplifying equipment" means any device or machine which is capable of amplifying sound and capable of delivering an electrical input of one or more watts to the loudspeaker.

**18.11(6) Persons Prohibited from Entering University Buildings.**

**18.11(6)(a)** University buildings and the university-authorized activities that occur therein are primarily dedicated to the support of the university mission of teaching, research and service. No person may be present in any university building if his or her presence and/or behavior interferes with this purpose or with the university's administrative operations, is in violation of a university policy, rule, regulation or any other provision of this chapter, or is without the consent of an authorized university official or faculty member.

**18.11(6)(b)** Persons present in any class, lecture, laboratory, orientation, examination, or other instructional session shall be enrolled and in good standing or shall have the consent of an authorized university official or faculty member to be considered legally present.

**18.11(7) Persons Prohibited from Entering University Lands.**

**18.11(7)(a)** No person who is in a state of suspension or expulsion from the university under ch. UWS 17, or who takes leave or resigns under charges after being charged by the university under ch. UWS 17, may enter the university lands of any institution without the written consent of the chief administrative officer.

**18.11(7)(b)** No person who is convicted of any crime involving danger to property or persons as a result of conduct by him or her on university lands may enter any university lands within 2 years of the effective date of his or her conviction without the written consent of the chief administrative officer.

**18.11(7)(c)** In granting or denying consent to enter a campus under s. 36.35(3), Stats., or par. (a) or (b), the following shall be considered:

1. The probability that the offensive conduct will be continued or repeated by the applicant.
2. The need for the applicant to enter university lands, for example, to attend a university disciplinary hearing in which the applicant is being tried or is to be a witness, or to receive treatment in university hospitals.

**18.11(7)(d)** No person who has been determined to have committed serious or repeated violations of ss. UWS 18.06 to 18.12 and to whom the chief administrative officer has issued a written order prohibiting entry on university lands may enter the university lands of that institution.

**18.11(7)(e)** The provisions of this section in no way limit the chief administrative officer from issuing a written order barring any person from entering the university lands of that institution in accordance with the chief administrative officer's responsibility for the health, safety, and welfare of the university.

**18.11(7)(f)** For the purposes of s. 36.35(3), Stats., and par. (b), "crime involving danger to property or persons" shall mean any crime defined in ch. 940, Stats. (crimes against life and bodily security); s. 941.12, Stats. (interfering with fire fighting); s. 941.13, Stats. (false alarms); s. 941.20, Stats. (endangering safety by use of dangerous weapon); s. 941.21, Stats. (disarming a peace officer); s.



941.23, Stats. (carrying concealed weapon); s. 941.235, Stats. (carrying firearm in public building); s. 941.24, Stats. (possession of switchblade knife); s. 941.26, Stats. (machine guns and other weapons); s. 941.28, Stats. (possession of short-barreled shotgun or short-barreled rifle); s. 941.29, Stats. (possession of firearm); s. 941.295, Stats. (possession of electric weapon); s. 941.30, Stats. (recklessly endangering safety); s. 941.32, Stats. (administering dangerous or stupefying drug); s. 941.37, Stats. (obstructing emergency or rescue personnel); s. 943.01, Stats. (criminal damage to property); s. 943.02, Stats. (arson of buildings; damage of property by explosives); s. 943.03, Stats. (arson of property other than building); s. 943.05, Stats. (placing of combustible materials an attempt); s. 943.06, Stats. (Molotov cocktails); s. 943.10, Stats. (burglary); s. 943.11, Stats. (entry into locked vehicle); s. 943.14, Stats. (criminal trespass to dwellings); s. 943.32, Stats. (robbery); s. 944.20, Stats. (lewd and lascivious behavior); s. 946.41, Stats. (resisting or obstructing officer); s. 947.015, Stats. (bomb scares); s. 167.10, Stats. (fireworks regulated); or attempts to commit any of the above crimes as defined in s. 939.32, Stats.

**18.11(8) Selling, Peddling and Soliciting.** No person may sell, peddle or solicit for the sale of goods, services, or contributions on any university lands except in the case of:

**18.11(8)(a)** Specific permission in advance from a specific university office or the occupant of a university house, apartment, or residence hall for a person engaged in that activity to come to that particular office, house, apartment, or residence hall for that purpose.

**18.11(8)(b)** Sales by an individual of personal property owned or acquired by the seller primarily for his/her own use pursuant to an allocation of space for that purpose by an authorized university official.

**18.11(8)(c)** Sales of newspapers and similar printed matter outside university buildings.

**18.11(8)(d)** Subscription, membership, ticket sales solicitation, fund-raising, selling, and soliciting activities by or under the sponsorship of a university or registered student organization pursuant to a contract with the university for the allocation or rental of space for that purpose.

**18.11(8)(e)** Admission events in a university building pursuant to contract with the university, and food, beverage or other concessions conducted pursuant to a contract with the university.

**18.11(8)(f)** Solicitation of political contributions under ch. 11, Stats., and institutional regulations governing time, place and manner.

**18.11(9) Campaigning in State-owned Residence Halls.**

**18.11(9)(a)** The residence halls students of each institution, subject to the approval of the chief administrative officer, shall establish policies and procedures assuring that political literature may be distributed and political campaigning may be conducted in state-owned residence halls consistent with the rights of residence halls students, and prescribing the time, place and manner in which these activities may be conducted.

**18.11(9)(b)** Where appropriate and consistent with the rights of residence halls students, the policies and procedures developed under this subsection shall apply to all residence halls at an institution. Matters to be addressed in institutional policies and procedures shall include at least the following:

1. The hours of the day and the time of year, if any, to which particular activities shall be limited.
2. The locations in residence halls, if any, to which particular activities shall be limited.
3. Any requirement for registering or obtaining permission to enter a residence hall before engaging in a particular activity.

**18.11(9)(c)** Notwithstanding s. UWS 18.14, institutional policies and procedures developed pursuant to this subsection shall be reported to the board of regents for approval.

**18.11(9)(d)** Institutional policies and procedures developed pursuant to this subsection shall be available at each residence hall, at the office of each chief administrative officer of an institution, and at the office of the secretary to the board of regents.

**18.12(1) Computer Data, Programs, Equipment or Supplies.** No person may willfully, knowingly and without authorization do or attempt to do any of the following:

**18.12(1)(a)** Modify, destroy, access, take possession of or copy data, computer programs or supporting documentation;

**18.12(1)(b)** Disclose restricted access codes or other restricted access information to a person not authorized to possess such codes or information;

**18.12(1)(c)** Modify, destroy, use, take or damage a computer, computer system or computer network;

**18.12(1)(d)** Modify, destroy, use, take or damage any equipment or supplies used, or intended to be used, in a computer, computer system or computer network.

**18.12(1)(e)** Cause an interruption in service by submitting a message or multiple messages to a computer, computer program, computer system, or computer network that exceeds the processing capacity of the computer, computer program, computer system, or computer network.

**18.12(2) Fraud in University Accommodations or Eating Places.**

**18.12 (a)** No person may, after having received any food, lodging or other service or accommodation at any university facility or eating place, intentionally abscond without paying.

**18.12(b)** No person may, while in any university facility or eating place, intentionally defraud the university or its employees or agents in charge of the facility or eating place, in any transaction arising out of the relationship as a user of the facility or eating place.

**18.12(c)** In this subsection, prima facie evidence that the person intentionally absconded without paying for the food, lodging or other service or intentionally defrauded the university or its employees or agents has the meaning and includes the items of proof set forth in s. 943.21(2), Stats.

**18.12(3) Issue of Worthless Check.**

**18.12(3)(a)** No person may issue any check or other order for the payment of money in an amount not more than \$2,500 which, at the time of issuance, he or she intends shall not be paid.

**18.12(3)(b)** In this subsection, prima facie evidence that the person, at the time he or she issued the check or other order for the payment of money, intended it should not be paid, has the meaning and includes the items of proof set forth in s. 943.24, Stats.

**18.12(3)(c)** This subsection does not apply to a postdated check or to a check given for past consideration, except a payroll check.

**18.12(4) Library Materials.**

**18.12(4)(a)** No person may intentionally take, carry away, transfer, conceal or retain possession of any library material without the consent of a library official, agent or employee and with the intent to deprive the library of possession of the material.

**18.12(4)(b)** The concealment of library material beyond the last station for borrowing library material in a library is evidence of intent to deprive the library of possession of the material. The discovery of library material which has not been borrowed in accordance with the library's procedures or taken with consent of a library official, agent or employee and which is concealed upon the person or among the belongings of the person or concealed by a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing the material.

**18.12(5) Retail Theft.**

**18.12(5)(a)** No person may intentionally alter indicia of price or value of merchandise or take and carry away, transfer, conceal or retain possession of merchandise held for resale by a merchant, or property of the merchant, without his or her consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.

**18.12(5)(b)** No person may intentionally remove a theft detection device from merchandise, or use a theft detection shielding device, without the merchant's consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.

**18.12(5)(c)** In this subsection, "merchant" includes any "merchant" as defined in s. 402.104(3), Stats., and any vendor or bookstore authorized to sell in university buildings or on university lands.

**18.12(5)(d)** In this subsection, "theft detection device" means any tag or other device that is used to prevent or detect theft and that is attached to merchandise held for resale by a merchant or to property of a merchant, and "theft detection shielding device" means any laminated or coated bag or device designed to shield such merchandise from detection by an electronic or magnetic theft alarm sensor.

**18.12(6) Theft.**

**18.12(6)(a)** No person may intentionally take and carry away, use, transfer, conceal, or retain possession of movable property of another with a value of under \$100, without consent and with the intent to deprive the owner permanently of such property.

**18.12(6)(b)** No person may intentionally take and carry away, use, transfer, conceal, or retain possession of movable property of another with a value of at least \$100 but not more than \$1,000, without consent and with the intent to deprive the owner permanently of such property.

**18.12(7) Use of Cheating Tokens.** No person may obtain the property or services of another by depositing anything which he or she knows is not lawful money or is an unauthorized token in any receptacle used for the deposit of coins or tokens.

**18.12(8) Vandalism.** No person may break, tear up, mar, destroy or deface any notice, tree, vine, shrub, flower or other vegetation, or dislocate any stones, or disfigure natural conditions, or deface, alter, destroy or damage in any way any other property, real or personal, within the boundaries of any university lands unless authorized by the chief administrative officer.

**18.13 Penalties.** Unless otherwise specified, the penalty for violating any of the rules in ss. UWS 18.06 to 18.12 shall be a forfeiture of not more than \$500, as provided in s. 36.11(1)(c), Stats.

**18.14 Institutional regulations.** Institutional regulations promulgated under ss. UWS 18.04 to 18.12 shall take effect when filed with the secretary of the board.

**18.15 Additional Statutory Penalty Provisions Regulating Conduct on University Lands.**

**18.15(1) CONTROLLED SUBSTANCES.** The use or possession of controlled substances as defined in s. 961.01(4), Stats., is prohibited on all university property with the specific exemptions set forth in ch. 961, Stats., and as permitted under s. 961.34, Stats. The penalty provisions of ch. 961, Stats., and chs. UWS 17 and 18 may apply to violations occurring on university lands.

**18.15(2) STUDENT CONVICTED OF DANGEROUS AND OBSTRUCTIVE CRIME.** Section 36.35(3), Stats., provides: "Any person who is convicted of any crime involving danger to property or persons as a result of conduct by him which obstructs or seriously impairs activities run or authorized by an institution and who, as a result of such conduct, is in a state of suspension or expulsion from the institution, and who enters property of that institution without permission of the chief administrative officer of the institution within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both."

Approval of Appointments to  
Natural Areas Preservation Council

EDUCATION COMMITTEE

Resolution I.1.c.:

That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves the appointments of Dr. Evelyn Howell and Mr. Patrick Robinson, for terms effective immediately, and ending July 1, 2012, as University of Wisconsin System representatives to the Natural Areas Preservation Council.

## **UW SYSTEM APPOINTMENTS TO THE NATURAL AREAS PRESERVATION COUNCIL**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

At its February 5, 2009, meeting of the Education Committee of the UW System Board of Regents, the Committee deferred action on the approval of two proposed appointments to the Natural Areas Preservation Council (NAPC). The Regents raised several questions focused on their role in appointing Council members, and in ensuring that new ideas and different perspectives were represented on the Council over time. In the effort to fulfill their stewardship roles in approving such appointments, Committee members asked for additional information before taking action.

Additional information was requested from the NAPC and a comprehensive response was provided in March 2009 (the letter follows). At its May 7, 2009, meeting, the Education Committee will again consider the two appointments to the NAPC.

#### **REQUESTED ACTION**

Approval of Resolution I.1.c., authorizing the appointments of Dr. Evelyn Howell and Mr. Patrick Robinson as University of Wisconsin System representatives to the Natural Areas Preservation Council.



STATE OF WISCONSIN

# Natural Areas Preservation Council

P.O. BOX 7921 · MADISON · WISCONSIN · 53707



March 16, 2009

Rebecca R. Martin  
Senior Vice President for Academic Affairs  
UW-Madison  
1620 Van Hise Hall  
1220 Linden Drive  
Madison WI 53706

Dear Ms. Martin,

This letter is in response to your letter of February 19 addressed to Signe Holtz, Secretary of the Natural Areas Preservation Council (hereafter NAPC, or Council), in which the Education Committee of the UW System Board of Regents requests more information pertaining to the appointment of two Council members, Dr. Dennis Yockers and Dr. Evelyn Howell, through different agencies. I apologize for the delayed response, but I have been away for several weeks and am just getting back to your letter.

As the Board of Regents indicates, it is important to bring new ideas and perspectives to the Council. With that specific intention in mind, NAPC did a needs assessment/gap analysis of Council membership within the last year to identify skills, knowledge and experience that might be missing and that would enhance the effectiveness of the Council. The Council had several openings last year, and we saw that as an opportunity to invite new members with different perspectives and skills. We identified the following criteria that we seek in new members:

- \* young members with qualities that would complement the existing council knowledge base and experiences, including natural areas management and restoration skills and from fields of science currently unrepresented
- \* a representative of the land trust community, as land trusts play an ever-expanding role in the acquisition and management of state natural areas
- \* an educator with natural areas experience outside of formal academia (i.e. Cooperative Extension)
- \* geographic diversity, i.e., members from different parts of the state that bring their unique geographic perspective to the table.

Following this analysis, we identified two individuals that could serve the needs we identified: Mike Strigel, executive director of Gathering Waters Conservancy (the statewide umbrella group for land trusts), and Pat Robinson, former DNR ecologist and current educator with UW-Extension, Green Bay. As the structure of the Council is established by statute, the Council attempts to maximize its flexibility in seeking new appointments. In order for these nominees to be considered for membership, NAPC needed to request modifications in agency appointments of other members to accommodate the new recruits.

By transferring the appointment of Dr. Howell from the Wisconsin Academy of Sciences, Arts and Letters to the UW-System (for which she works), this allows NAPC to seek another member outside of the UW community (in this case, Strigel, who, coincidentally, served as the immediate past director of the Academy) to assume one of the Academy appointments. Similarly, by changing the appointment authority for Yockers, an environmental educator (formerly employed with DPI), from the UW-System to the Wisconsin Department of Public Instruction, Robinson is able to be appointed to the Council through the UW-System for which he works.

The Council also recognizes the need to have a balanced membership that includes several long-term members who have a historical perspective and vast "institutional knowledge" of the Council, in order to ensure consistency in policy and procedure, in addition to occasional new appointees with fresh perspectives.

In Dr. Howell, the Council maintains an historic link to its first chairperson when the Council was established in 1951, UW ecologist John Curtis. Howell studied under UW professors Grant Cottam and Virginia Kline (both NAPC members in the 1980s), who in turn were students of Curtis. The Council views this connectivity to its past as an important legacy to maintain.

Dr. Yockers served on the Council for 3 years in the early 1990s, but was off the council for 10 years before being reappointed several years ago. Two other members served terms between his appointments.

Over the past 15 years, 23 different scientists have voluntarily served on the Council, with eight people having served terms as UW appointees. The turnover is slow, but consistent. In 2009, the eleven member council will welcome three new members. Two of those will be UW-appointees (Robinson, as mentioned, and an as-yet-to-be-named candidate), and one from the Wisconsin Academy (Strigel).

I trust this explanation clarifies for the Education Committee the reasoning behind our proposing the shift in appointments that the Board has been presented with. If the Board has further questions, I'd be more than happy to address them. You can call me directly at: (608)261-4384.

Thank you for your interest in the Council, and I await word of the Board's decision on these appointments

Yours sincerely,

Charles S. Luthin  
Chair, NAPC

Cc: Signe Holtz, DNR-BER

Wisconsin Partnership Program  
UW School of Medicine and Public Health  
Oversight and Advisory Committee  
Appointment

EDUCATION COMMITTEE

Resolution I.1.f.(2):

That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Board of Regents approves the appointment of Christine Holmes to the UW School of Medicine and Public Health Oversight and Advisory Committee of the Wisconsin Partnership Program as a children's health advocate beginning May 11, 2009, through October 31, 2012.



**APPOINTMENT TO THE  
UW SCHOOL OF MEDICINE AND PUBLIC HEALTH  
OVERSIGHT AND ADVISORY COMMITTEE OF  
THE WISCONSIN PARTNERSHIP PROGRAM**

**EXECUTIVE SUMMARY**

**BACKGROUND**

The Wisconsin Insurance Commissioner's Order of March 2000 approved the conversion of Blue Cross and Blue Shield United of Wisconsin to a for-profit stock corporation, and the distribution of the proceeds from the sale of stock to the UW School of Medicine and Public Health (SMPH) and the Medical College of Wisconsin. The Order required the respective governing body of each school to create a public and community health oversight and advisory committee consisting of nine members. The Board of Regents appointed the SMPH Oversight and Advisory Committee (OAC) in August 2002. The OAC consists of four public members (health advocates) and four SMPH representatives appointed by the UW System Board of Regents, and one member appointed by the Insurance Commissioner. In accordance with the Order, the OAC is responsible for directing and approving the use of funds for public health. The committee also reviews, monitors, and reports to the Board of Regents on funds committed for medical education and research.

The SMPH, in collaboration with the OAC, developed the inaugural 2004-2009 Five-Year Plan describing the uses of the funds which was subsequently reviewed and approved by both the Board of Regents in April 2003 and the Wisconsin United for Health Foundation, Inc. (WUHF) in March 2004. Immediately thereafter, WUHF transferred the funds to the UW Foundation for management and investment based on the Agreement between the UW Foundation, the Board of Regents, and WUHF. Since March 2004, the OAC has been actively engaged in seeking proposals and making awards in accordance with the current Five-Year Plan and the Agreement. Information on the awards and related programmatic processes are presented annually to the Board of Regents.

Following extensive planning, evaluation, and information-seeking, the OAC, in conjunction with the SMPH Medical Education and Research Committee (MERC), developed the Wisconsin Partnership Program's 2009-2014 Five-Year Plan. This Plan was reviewed and approved by the Board of Regents in December 2008, and provides the direction and categories of investments for the OAC and MERC as they move forward.

**REQUESTED ACTION**

Approval of Resolution I.1.f.(2), appointing Christine Holmes to the UW School of Medicine and Public Health Oversight and Advisory Committee for a four-year term.

## **DISCUSSION**

In accordance with the Insurance Commissioner's Order and the Bylaws of the Oversight and Advisory Committee (OAC) approved by the Board of Regents in February 2001, the Regents are being asked to approve the appointment Christine Holmes to the OAC as one of the four public members (health advocates).

After a call for nominations from community organizations, the OAC chose to interview three candidates. Following the interviews, the OAC reached unanimous agreement to forward the name of Christine Holmes to the Board of Regents for consideration. The OAC enthusiastically endorses the nomination of Christine Holmes, President and CEO of the Penfield Children's Center in Milwaukee, to fill the vacant public member position. Ms. Holmes is an advocate for child health and well-being with nearly three decades of national leadership and advocacy experience in health and human services. Since receiving her master's degree in social work from the UW-Milwaukee Helen Bader School of Social Welfare in 1982, Ms. Holmes has expanded her capacity and skills as a direct service provider, a grant manager, and as an agency chief executive. Before assuming her leadership position at Penfield Children's Center, she was employed by Children's Hospital and Health System as a manager in Child Abuse Prevention and Community Relations.

Ms. Holmes' dedication and commitment to improving health for children and families is exemplified in her involvement on the Executive Committee of the Board of Children's Family and Community Partnership, Inc., the United Way of Greater Milwaukee's Teen Pregnancy Oversight Committee, the Wisconsin Council for Children and Families Early Learning Coalition, the Latina Family Resource Center Advisory Board, and the Multicultural Services Center Board of Directors. As President and CEO of Penfield Children's Center, a non-profit organization aimed at helping infants and young children with and without disabilities reach their full potential, Ms. Holmes has maintained a strong commitment to improving the lives of children and their families by strengthening the quality of activities and programs offered by the Center.

Ms. Holmes' perspective as a children's health advocate will be especially valuable as OAC launches a long-term funding initiative to reduce health disparities in birth outcomes. In addition, her leadership and experience will be important as OAC initiates a strategic planning process to consider the results of a program-wide evaluation and implement the initiatives set forth in the 2009-2014 Five-Year Plan.

Ms. Holmes' resume follows.

## **RECOMMENDED ACTION**

The University of Wisconsin System recommends approval of Resolution I.1.f.(2), authorizing the appointment of Christine Holmes to the UW School of Medicine and Public Health Oversight and Advisory Committee of the Wisconsin Partnership Program as a children's health advocate beginning May 11, 2009, through October 31, 2012.

**CHRISTINE P. HOLMES**  
**Penfield Children's Center**  
**833 N. 26<sup>th</sup> Street**  
**Milwaukee, WI 53233**  
**chrisholmes@penfieldchildren.org**

**Professional Objective: To advance the fields of health care and human services through leadership and community development.**

**SUMMARY OF PROFESSIONAL EXPERIENCE AND SKILLS**

- ◆ Advocacy and Government Relations
- ◆ Board Leadership and Development
- ◆ Children with Special Needs Programming
- ◆ Community Organization
- ◆ Executive Leadership-Health & Human Serv.
- ◆ Financial Management/Budgeting, Fundraising
- ◆ Grants Management and Grant Writing
- ◆ Managed Care for Foster Children
- ◆ Mergers, Acquisitions and Partnerships
- ◆ Organizational Development
- ◆ Policy Development
- ◆ Professional Training/Technical Assistance
- ◆ Program Development and Evaluation
- ◆ Media Relations, Marketing, Public Relations
- ◆ Research
- ◆ Strategic Planning

**EMPLOYMENT HISTORY**

<b>President and CEO</b>	Penfield Children's Center Milwaukee, WI May 2008-Present
<b>Director, Community Ventures &amp; Advocacy</b>	Children's Hospital and Health System Milwaukee, WI September 1997 – May 2008
<b>Prevention Coordinator and Grant Manager</b>	Children's Hospital of Wisconsin, Child Abuse Prevention (CAP) Fund Milwaukee, WI September 1994 - September 1997
<b>Independent Contractor</b>	Wisconsin Partnership for Youth, Children's Hospital of Wisconsin, National Committee to Prevent Child Abuse April 1987 - September 1994
<b>Director of Communications</b>	Family Service America (Alliance for Families and Children) Milwaukee, WI March 1986 - December 1986
<b>Director of Public Awareness</b>	National Committee to Prevent Child Abuse (Prevent Child Abuse America) Chicago, IL August 1984 - March 1986

**Child Welfare Specialist**

Region IV Resource Center-Children, Youth & Families  
Knoxville, TN  
October 1982 - August 1984

**Prevention Project Director  
Staff Development Coordinator**

Child Abuse Self-Referral Project  
Eau Claire County Department of Human Services  
Eau Claire, WI  
January 1980 - August 1981

**RELATED WORK EXPERIENCE**

Wisconsin Partnership for Youth Consultant for the following private foundations: S.C. Johnson, Greater Milwaukee, Helen Bader, Faye Mc Beath, La Crosse, Fox Valley, Wausau, Janesville, Kenosha, Madison, Ashland/Superior

Interim Executive Director - Wisconsin Family and Community Partnership Child Welfare subsidiary of CHHS, 2004

**EDUCATION**

Master of Social Work  
1982

Social Welfare Administration, Helen Bader School of Social Welfare  
University of Wisconsin - Milwaukee

Bachelor of Science  
1977

Social Work  
University of Wisconsin - La Crosse

**RELATED EXPERIENCE**

0-5 Peer Roundtable-Buffer Family Foundation, Wisconsin Delegate, 2008-Present

Children's Family and Community Partnership, Inc., Secretary of the Board, 2001-Present

IMPACT/211-Alcohol and Other Drug Abuse Services, Board Member, 2003-2006, President's Council, 2006-Present

Latina Family Resource Center, Advisory Board, 2002-Present

Meta House, Board of Directors, 1997-1999

Milwaukee County Early Childhood Council Member-2003-2008

Multicultural Community Services, Board Member 2001-Present

NACHRI Child Advocacy Council, 2006-2008

United Way Funding Collaborative for Teen Pregnancy, 2007-2008

United Way, Healthy Girls Initiative Grants Review Committee, Co-chair, 2004-2008

United Way of Greater Milwaukee, Teen Pregnancy Oversight Committee, 2008-Present

Wisconsin Association of Family and Child Service Agencies, Board Member, 2003-2008

Wisconsin Committee to Prevent Child Abuse, Board Member 1989-1991

Wisconsin Council for Children and Families, Early Learning Coalition, Legislative Action Committee, 2008-Present



833 North 26<sup>th</sup> Street  
Milwaukee, WI 53233

Phone 414-344-7676  
Fax 414-344-7739  
[www.penfieldchildren.org](http://www.penfieldchildren.org)

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***“Never underestimate the capacity of the very young and never, never let them down.”***

Wilder Penfield, M.D. (1891-1976)

#### **History**

One of the leading providers of *Birth-to-3* early intervention services in the State of Wisconsin, for the past 40 years Penfield Children's Center has helped infants and young children reach their full potential. In 2007, Penfield Children's Center helped 1,379 infants and young children to a brighter future.

#### **Mission**

Penfield Children's Center is a nonprofit organization whose mission is to help infants and young children with and without disabilities to reach their full potential through education, therapy services and family programs.

#### **Goals**

To succeed in its mission, Penfield works with children at the critical time of early brain development when they are learning physical, cognitive, language, social, and self-help skills. Penfield provides therapy and special education services for children with developmental delays and/or disabilities and provides fully accredited childcare for children up to age nine, integrating special needs children with those who are typically developing. Penfield's goal is to help all children who can benefit from these services without regard to their families' ability to pay.

#### **Programs**

- Birth-to-Three services that include special education and speech, physical, and occupational therapies
- Groundbreaking Behavior Clinic addressing the emotional and socialization needs of young children
- Special Care Nursery for medically fragile infants and young children
- Fully accredited child care for all children through age nine
- Outpatient Therapy Clinic for children with disabilities age 3-18
- Family support services, educational programming and parent peer mentoring.

#### **Accomplishments**

- Since 2000, Penfield has been accredited through the National Association for the Education of Young Children (NAEYC). This year we have earned the longest accreditation status possible.
- In partnership with Robert Fox, Ph.D. and Marquette University, Penfield initiated an innovative Behavior Clinic. Penfield's Behavior Clinic provides services to families whose young children are experiencing significant behavior and emotional problems including aggression, major temper tantrums, high non-compliance, hyperactivity, separation anxiety, reactive attachment disorder, and physical self abuse. Launched in September, 2003, this much needed program served over 100 families this year in their homes and has achieved unparalleled success in eliminating the presenting diagnosis.
- Partnerships with over 43 community based organizations to ensure that Penfield children and their families receive holistic care.
- Business Journal CFO of the year 2008 – Non-Profit Organizations (Annual Income Less than \$25 Million).

Program Authorization (Implementation)  
B.S. in Community and Nonprofit Leadership  
University of Wisconsin-Madison

EDUCATION COMMITTEE

Resolution I.1.f.(3):

That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Chancellor be authorized to implement the B.S. in Community and Nonprofit Leadership.

**NEW PROGRAM AUTHORIZATION**  
**Bachelor of Science-Community and Nonprofit Leadership**  
**University of Wisconsin-Madison**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a B.S. in Community and Nonprofit Leadership at University of Wisconsin-Madison is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. UW-Madison and System Administration will conduct that review jointly, and the results will be reported to the Board.

The Community and Nonprofit Leadership (CNPL) major will prepare graduates for work in nonprofit and community-based organizations and programs. Students will gain knowledge and skills enabling them to create, support, and lead innovative community-based efforts to support, empower, and serve youth, adults, and families. They will work in nonprofit organizations that address such human and family issues as child and family development, consumer resources, housing, food security and nutrition, family-school relations, and family and community organizing. A paid and/or unpaid internship with responsibilities for programming related to family/human issues in the community in a nonprofit setting is a required component. Growth in the nonprofit sector and a refocusing of scholarly activity in the School of Human Ecology to expand emphasis on nonprofit organizations are among factors that provide the impetus for this proposal. There are over two million nonprofit organizations operating nationally, with 31,000 in Wisconsin and an estimated 900 charitable nonprofit organizations in Dane County. Moreover, the sector has been growing steadily. This activity presents a tremendous opportunity for scholarship and research for faculty and students, for educational activity, and for future employment opportunities for graduates from this program.

**REQUESTED ACTION**

Approval of Resolution I.1.f.(3), authorizing the implementation of the B.S. in Community and Nonprofit Leadership at UW-Madison.

**DISCUSSION**

**Program Description**

The CNPL major is a 124-credit program. It can be completed in eight fall/spring semesters with careful planning; many students will need an additional semester to complete the internship requirement. Students apply and are admitted to the program in their sophomore (preferred) or junior year. Students will complete 31 credits of general study, and the UW-Madison general education requirements. Subsequently, they will take 33 credits of prescribed courses on leadership and management, community issues, philanthropy and service, planning,

facilitation and evaluation, and nonprofit communications. An additional 15 credits are required for breadth in the disciplines of human ecology (family development, communities, food science, nutrition, consumer studies). Three courses (9 credits) are selected by the student and the advisor to strengthen the focus of the student in selected professional practice competencies. All students will complete an internship in a community or nonprofit organization (6 credits). The internship is intended as a vehicle for students to integrate and apply their previous program learning. In concert with their site supervisor, the student will propose and conduct a special project providing value to the site. In their final narrative report, students will describe and discuss their internship site, their activities, their contributions to the nonprofit organization and its service population, and their perspectives on their own learning.

The proposed CNPL major is a product of curricular reorganization within the School of Human Ecology. A version of the CNPL curriculum has been offered for several years as a Community Leadership track within the Family, Consumer, and Community Education major. In developing the curriculum for the CNPL major, some courses were included that were formerly offered in the context of the Family and Consumer Journalism major and the Human Ecology major. Both of those majors were discontinued in 2007. The transition from a track to a full major is expected to increase program visibility and to improve advising and timely progress to degree.

### **Program Goals and Objectives**

The CNPL curriculum is arranged under four topical areas: 1) nonprofit leadership and management; 2) community issues, philanthropy, and service; 3) planning, facilitation, and evaluation; and 4) nonprofit communications. The CNPL curriculum and the general education and elective requirements are structured for students to achieve the following 12 outcomes:

1. Know and appreciate the complex nature of today's communities, key sectors, institutions and their interrelationships.
2. Have a broad knowledge of nonprofit organizations, including purposes, types, structures, and variations.
3. Have knowledge and understanding of community issues and of continuing concerns of children, adults, and families.
4. Know how to define and analyze issues, including analysis of human and broader community dimensions, historical antecedents, and future projections.
5. Understand and appreciate the importance of diversity, including cultural, economic, gender, and other forms of diversity at individual, group, and community levels.
6. Understand the importance of communication for community support, engagement, and program effectiveness.
7. Understand the role of philanthropy in community and nonprofit work, and have an ethic of service to families and communities.
8. Know how to plan, implement, and evaluate programs addressing human and community needs.
9. Know how to participate in and organize groups, and how to facilitate learning and action by groups.



10. Have a basic knowledge of nonprofit management challenges, strategies, and methods regarding organization, finance, human resources, and governance, and entry-level skills for meeting these challenges.
11. Have a basic knowledge of community leadership challenges, strategies, and methods, and entry-level skills for meeting these challenges.
12. Have a philosophy of community and nonprofit leadership, comprising clarity regarding one's values, leadership competencies, longer-term leadership aspirations, commitment to ongoing learning, and reflective practice.

### **Relation to Institutional Mission**

The UW-Madison mission calls for providing a learning environment in which faculty, staff, and students discover, examine, preserve, and transmit knowledge, and in which the University helps students to appreciate the complex world and to reach their highest potential. Part of the mission is also to serve students from diverse backgrounds and to be responsive to those which have been underserved. The mission of the School of Human Ecology is to understand the complex relationships and interdependence among individuals, groups, and families, and to focus on quality-of-life issues through research, creative innovation, education, and outreach. The CNPL major will expand the university's response to community issues and to the needs of the nonprofit sector, which are of increasing importance to broader societal health. Students of diverse backgrounds will gain knowledge and leadership skills to serve the non-profit sector. The CNPL major will coordinate with the recently established Center for Nonprofits, which is based in the School of Human Ecology, and is intended to serve units across campus.

### **Program Assessment**

To assess achievement of the program outcomes (listed above) and inform decisions about how to improve learning and program delivery, program faculty will use several methods, sometimes in partnership with the School's Student Academic Affairs staff. The focus will be on CNPL major courses and on the internship experience. For CNPL courses, the outcomes have been mapped to the twelve core courses. Embedded assignments in the courses will be used to directly evaluate student learning related to the outcomes specific for the given course. Samplings of student work will be collected from instructors and reviewed by the curriculum committee for evidence of progress to the stated outcomes. A second direct assessment of learning will draw on the internship reports that are completed by all students. The curriculum committee will review the reports annually to identify evidence of learning across the 12 intended outcomes, with a special focus on outcomes that are emphasized in internships. These two forms of direct assessment will be supplemented with three additional information sources: 1) student perceptions of their learning described in the students' final narrative reports in which they reflect on their internship experience; 2) student perceptions of learning reported on course evaluations; and 3) results from the alumni survey conducted every three years in which alumni report their perception of learning as an undergraduate and its value in a professional setting. Progress on outcomes will be considered for relevant subpopulations (e.g. ethnic/racial background, first-generation, low-income background, disability, returning adult, etc.) when background information is available, in order to highlight success and concerns of sub-groups for

further examination and improvement. Collectively, these analyses will be used to identify outcomes that are being met effectively and those that need to be improved. Information will be used to identify and amplify successful curricular elements, to enhance areas of the curriculum where outcomes are not meeting expectations, to improve site selection for internships, and to improve all aspects of the program.

## Need

Nonprofit organizations are tremendously diverse and vary in origins, size, finances, and types of activities; most are small to mid-sized while some have large staff and budgets. Nationally, there are 2 million non-profit organizations with paid staff and an additional 7.5 million grassroots associations. The number of Americans employed in the nonprofit sector has doubled in the last 25 years. The nonprofit sector accounts for 9.5% of total U.S. employment with employees numbering 12.5 million. Wisconsin is home to 31,000 nonprofit organizations, 17,000 of which are registered IRS charitable organizations, and 2,300 of which are private foundations. The sector provides nearly 250,000 jobs in the state. A 2005 study found that there are 900 registered IRS charitable nonprofit organizations in Dane County (with gross receipts of \$5,000 or more), and 431 additional ones in the 8 adjoining counties. In addition to nonprofit organizations, many government agencies and businesses partner with nonprofit organizations or conduct programs using community-based approaches. Community and nonprofit organizations and programs face distinct challenges and utilize distinct strategies to mobilize and deploy resources effectively. The CNPL program is intended to prepare graduates for entry-level positions in these organizations. Given these trends in the non-profit sector, an undergraduate program focused on community and nonprofit leadership at UW-Madison is well situated to address an important societal need by preparing graduates for work in this sector.

Students will enter the CNPL program as sophomores or juniors. Projections are for enrollments of about 40-50 students total and a graduating class of 15 to 20 annually. Maximum capacity for the program is 60.

## Projected Enrollment (5 years)

Year	Implementation year	2nd year	3rd year	4th year	5th year
New students admitted	16	19	22	22	24
Continuing students	25*	24	25	27	28
Total enrollment	41	43	47	49	52
Graduating students	14*	15	16	17	18

\*Continuing students and graduates who are in the Community Leadership track.

## Comparable Programs

Questions of how the CNPL program potentially overlaps with other programs at UW-Madison were key considerations in its planning. CNPL program faculty and faculty from across campus recognized that there was some overlap with some other programs at UW-Madison. The planning process was used to distinguish the CNPL major from other undergraduate programs and to clarify that the CNPL major is not intended to substitute for

master's-level training that may be necessary for certain roles in non-profit organizations, nor is it intended to replace programs in business, government and public policy, education, social work, or healthcare. The CNPL program is distinguished from other majors by a more applied focus on nonprofit leadership and management, community issues, philanthropy, facilitation, evaluation, and nonprofit communications, along with distinctive coursework in the human ecology disciplines (human development, families, community, and consumer studies) that frame the students' learning experience. Baccalaureate graduates in CNPL will be distinctively prepared for program leadership roles in community-based nonprofit organizations.

There are no programs in Wisconsin at the undergraduate level that are designed to fill the same niche as the CNPL program. UW-Oshkosh's Bachelor of Applied Studies in Leadership and Organizational Studies has some similarities. St. Norbert College offers a Leadership Studies minor. In adjoining states, there are few undergraduate programs with a focus on community and/or nonprofit leadership or both. One related program is a B.S in Human Services with a nonprofit management concentration at Aurora University in Illinois. The University of Minnesota has a Leadership Studies minor. There are related programs in schools/colleges of human, family or consumer studies at other institutions, usually addressing human or family services. Texas Tech University and Michigan State University are two examples. Such programs usually do not share the emphasis on organizational and community leadership that is distinctive to the CNPL program.

## **Collaboration**

The CNPL program will coordinate with several other units including: the Center for Nonprofits (based in the School of Human Ecology), which is a hub for campus-wide engagement of scholarly activity related to nonprofit organizations; the Professional Development and Applied Studies Department of the Division of Continuing Studies on outreach to the nonprofit sector; faculty and staff in UW-Extension Cooperative Extension, who provide programs and services for communities and nonprofit organizations; and the Morgridge Center for Public Service, which serves as UW-Madison's focal point for service learning and community-based research. Exploratory conversations have taken place with the UW-Milwaukee Helen Bader Institute for Nonprofit Management, regarding possibilities for future collaborations.

## **Diversity**

Attracting and serving diverse students is a key priority of the CNPL major. Students of color comprised one quarter of the students in the existing Community Leadership track in 2007, and approximately one-third of Community Leadership graduates have been students of color. Those strong levels of participation by students of color are expected to continue for the CNPL program. By comparison, about 9% of undergraduates in the School of Human Ecology are students of color. The CNPL major addresses diversity in several ways. One of the 12 intended learning outcomes focuses on enhancing understanding of diversity and its importance. The admission process is a holistic one which aims to admit students who represent a breadth of experience and backgrounds. Faculty and staff conduct research, education, and service that address diverse families. Courses in the major include diversity topics, readings, and speakers,

which seek to develop cultural competence and promote leadership thinking and action that attends to diversity.

Attention is given to the gender and race/ethnic diversity of the faculty and staff throughout the School of Human Ecology. Among the six faculty and four academic staff instructors most closely associated with the CNPL program there is an even split between men and women, which is significant in a field traditionally dominated by women. Two of the ten instructors are from non-white race/ethnic groups. The School of Human Ecology has implemented several hiring practices that value diversity in recruiting and hiring practices. The opportunity to hire new faculty happens relatively infrequently (less than one per year) and the pools of qualified applicants for this specialty area are small so thorough recruiting is especially important. The School consults with UW-Madison's recruitment manager to make sure advertising reaches a broad base of professionals across demographic lines. Personal contacts are also important in expanding the distribution of position vacancy notices to diverse audiences. The School assigns an equity and diversity officer to sit on each search committee to assist the committee in recruiting from the widest possible pool and to support the use of equitable review and hiring processes.

### **Evaluation from External Reviewers**

Letters from three external evaluators endorsed the need for the program and the expectation of strong student interest. They affirmed that the program faculty are qualified to deliver the program. Several suggestions from the reviewers for improving the curricular structure and for clarifying program goals and outcomes were incorporated into the proposal. One reviewer observed that program graduates will be competing with social work graduates and graduates of liberal arts social science majors for employment. The CNPL program faculty and staff acknowledge the validity of this observation and that they will need to educate employers about the nature of the educational experience in this program and the distinctive competence that graduates bring to the community and nonprofit workforce.

### **Resource Needs**

The CNPL program will be funded by reallocating resources from the existing Community Leadership track and by using resources that were freed up by closing the Family and Consumer Journalism major and the Human Ecology major in 2007. One more faculty line is available for the CNPL program than for the Community Leadership program because of the School of Human Ecology's expansion in this area related to the implementation of the Center for Nonprofits. The budget for the CNPL program will be \$187,260 in the first year, \$202,870 in the second year, with inflationary increases after that. The increase in the second year funds occurs because the 2010 summer course will be budgeted in the second year of the CNPL program. Six faculty, including two new faculty from 2008-09 searches, will provide instruction in the core courses and mentoring for students: these faculty members will contribute a total of 1.86 FTE to program. Instructional academic staff have provided some instruction in the Community Leadership track, and their instructional contributions will amount to 0.83 FTE in the CNPL program. Support staff will be shared with other programs in the School (0.285 FTE).

Additional support for advising and internship coordination will be provided by the Student Academic Affairs Office.

**University of Wisconsin-Madison, BS-Community and Nonprofit Leadership**  
**BUDGET FORMAT: AUTHORIZATION TO IMPLEMENT**

	First Year		Second Year		Third Year	
<b>CURRENT COSTS</b>	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
<b>Personnel</b>						
Faculty and Instructional Staff	2.691	\$174,630	2.691	\$189,540	2.691	\$192,540
Non-instructional academic/classified staff	0.285	9630	0.285	\$9,830	0.285	\$10,030
<b>Non-personnel</b>						
Supplies & Expenses		\$3,000		\$3,500		\$3,500
Equipment						
Library						
Computing/IT support						
Other (Define)						
Subtotal		\$187,260		\$202,870		\$206,070
<b>ADDITIONAL COSTS</b>	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
<b>Personnel</b>						
<b>Non-personnel</b>						
Subtotal		\$0		\$0		\$0
<b>TOTAL COSTS</b>		\$187,260		\$202,870		\$206,070
<b>CURRENT RESOURCES</b>						
General Purpose Revenue (GPR )		\$187,260		\$202,870		\$206,070
Gifts and Grants						
Fees						
Other (Define)						
Subtotal		\$187,260		\$202,870		\$206,070
<b>ADDITIONAL RESOURCES</b>						
Subtotal						
<b>TOTAL RESOURCES</b>		\$187,260		\$202,870		\$206,070

## RECOMMENDATION

The University of Wisconsin System recommends approval of Resolution I.1.f.(3), authorizing the implementation of the B.S. in Community and Nonprofit Leadership program at UW-Madison.

## RELATED REGENT POLICIES

University of Wisconsin System Academic Planning and Program Review (November 10, 1995)  
 Academic Informational Series #1 (ACIS-1.0 revised June 2006)

Program Authorization (Implementation)  
Collaborative Online B.S. in Sustainable Management  
University of Wisconsin-Parkside, -River Falls, -Stout, and -Superior

EDUCATION COMMITTEE

Resolution I.1.f.(4):

That, upon recommendation of the Chancellors of the University of Wisconsin-Parkside, -River Falls, -Stout, and – Superior, and the President of the University of Wisconsin System, the Chancellors be authorized to implement the Collaborative Online B.S. in Sustainable Management, with administrative and financial support from UW-Extension.

## **NEW PROGRAM AUTHORIZATION**

### **Collaborative Online Bachelor of Science Degree in Sustainable Management**

**University of Wisconsin-Parkside**

**University of Wisconsin-River Falls**

**University of Wisconsin-Stout**

**University of Wisconsin-Superior**

With administrative and financial support from UW-Extension Division of Continuing Education, Outreach and E-Learning

## **EXECUTIVE SUMMARY**

### **BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a collaborative, online Bachelor of Science (B.S.) Degree in Sustainable Management at the University of Wisconsin-Parkside, the University of Wisconsin-River Falls, the University of Wisconsin-Stout, and the University of Wisconsin-Superior, with administrative and financial support from UW Extension, is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. The four partner campuses, UW-Extension, and System Administration will conduct that review jointly, and the results will be reported to the Board.

The B.S. in Sustainable Management was initiated as a part of the UW-Extension Adult Student Initiative, created to better serve adult and nontraditional students in Wisconsin. Following the identification of a potential interest in sustainability among adult and non-traditional students, UW-Extension conducted market research to ascertain the extent of that interest. The result of the research indicated interest from both employers and students, and was shared with all UW campuses. Based on the research results, the idea for a collaborative online program on sustainability, aimed at adults students, was proposed to interested UW institutions.

UW-Eau Claire, UW-Parkside, UW-River Falls, UW-Stout, and UW-Superior self-selected to work together to develop a collaborative, online program. Subsequently, due to a number of administrative challenges occurring at the same time as the program was being developed, UW-Eau Claire chose to withdraw. During 2008, faculty representatives from the partner institutions convened in 3 two-day retreats to develop the curriculum. Business representatives were invited to the first retreat to share their views on the competencies that this type of degree should build, and several nontraditional students were consulted for their input into the structure of a degree that would be most suitable to nontraditional audiences.

Once the competencies were identified, the faculty representatives constructed the curriculum to meet the needs of nontraditional students, consisting of 21 three-credit courses. During this development phase, faculty discussed the curriculum and reviewed courses to minimize redundancies, clarify prospective student audiences, and discuss issues related to teaching online. UW-Extension staff conducted several demonstration and training sessions

focusing on online course development, online pedagogy, and how to provide strong student support to online students. Following implementation, program faculty and administrators plan to meet semi-annually to evaluate the progress of the program and to adjust it to changing needs and circumstances.

## **REQUESTED ACTION**

Approval of Resolution I.1.f.(4), authorizing the implementation of a collaborative, online Bachelor of Science Degree in Sustainable Management at the University of Wisconsin-Parkside, the University of Wisconsin-River Falls, the University of Wisconsin-Stout, and the University of Wisconsin-Superior, with administrative and financial support from UW Extension.

## **DISCUSSION**

### **Program Description**

The collaborative Sustainable Management program is intended primarily for adult and nontraditional students. The program will be a 63-credit collaborative, online, degree-completion program in Sustainable Management, offered jointly by four UW institutions: UW-Parkside, UW-River Falls, UW-Stout and UW-Superior. Students entering the program will select an administrative home institution from among the four partner institutions. Admission to the program will be through the student's administrative home institution. To be eligible for admission, students will be required to have an Associate's Degree from an accredited institution or 60 credits of equivalent coursework. Prerequisites for admission will be College Algebra, Statistics, General Chemistry, Introductory Biology, and Introductory Communications, or their equivalents, passed with grades of C or better. In addition, students entering the program must have satisfied minimum general education breadth requirements in humanities and fine arts, natural science/mathematics, social science, and integrated studies, as defined in the minimum requirements for a UW System Associate Degree, or as determined by the general education and graduation requirements of the specific home institution. Students wishing to complete the entire degree online may do so by entering through UW Colleges Online and then gaining admission to the online Sustainable Management program.

The program will have an academic director at each institution. Students will receive academic advising regarding admissions, graduation requirements, and financial aid through the administrative home campus. Faculty and academic advisors at each campus will offer virtual office hours through SKYPE and online chat capabilities, as well as by telephone and email. Students will have online library access through the home institution. An advisor assigned specifically to the program will be housed at UW-Extension and work in concert with student services staff at the four partner institutions to provide general program information, problem resolution, and career advising online, by phone, or in person for students near Madison. The program advisor will be in close contact with the enrolled students and with the academic program directors to provide the hands-on, active support that has been shown to be important for adult and non-traditional learners. Students enrolled in this program will have access to an



extensive array of online student services including writing labs, learning readiness assessments, and career advising offered by UW-Extension.

## **Program Curriculum**

The curriculum for the Sustainable Management program consists of 21 three-credit courses divided evenly among the four partner institutions. Students may take the courses in any order as long as the prerequisites are met. The critical thinking requested of students across the curricular offerings will pertain to sustainable management and not replicate courses already offered online in the UW System. The program's courses include basic theoretical information, but once students gain the basic knowledge, the content will be comprehended, applied, analyzed, synthesized, and evaluated using sustainable examples and issues.

### **PROGRAM COURSE LIST**

SMGT 115 Environmental Science and Sustainability  
SMGT 230 Triple Bottom Line Accounting for Managers  
SMGT 235 Economics in Society and Sustainability  
SMGT 240 Technical Writing for Sustainable Management  
SMGT 310 Ecology for Sustainable Management  
SMGT 315 Global Environmental Chemistry  
SMGT 320 Energy for Sustainable Management  
SMGT 325 Natural Resource Management  
SMGT 330 Marketing for a Sustainable World  
SMGT 331 Sustainable Organizational Finance  
SMGT 332 Economics of Environmental Sustainability  
SMGT 335 Management & Environmental Information Systems  
SMGT 340 Organizational Behavior and Sustainability  
SMGT 350 Operations Management and Sustainability  
SMGT 360 Environmental and Sustainability Policy  
SMGT 370 Logistics, Supply Chain Management, and Sustainability  
SMGT 430 International Management for a Sustainable World  
SMGT 435 International Development and Sustainability  
SMGT 440 Systems Thinking  
SMGT 460 Environment and Society  
SMGT 495 Sustainable Management Capstone

### **CAMPUS**

UW-River Falls  
UW-Superior  
UW-Superior  
UW-Parkside  
UW-Stout  
UW-Superior  
UW-River Falls  
UW-Parkside  
UW-Stout  
UW-River Falls  
UW-Parkside  
UW-Parkside  
UW-Stout  
UW-Parkside  
UW-River Falls  
UW-Superior  
UW-Stout  
UW-Superior  
UW-River Falls  
UW-Parkside  
UW-Stout

## **Program Learning Outcomes**

Students completing the program will understand the following:

### *Technical areas of competence*

- Carbon trading and carbon credits: how the economy is expected to react to this new currency, and how corporations can be part of the process.
- Climate change and global warming: the science behind both; and the policy and economic implications of global warming on businesses and societies.

- Water policy and water science: how to reduce water use; how to increase efficiencies of water use; what is dry-base processing; how water policy and water law function are implemented and enforced.
- Logistics and transportation of raw materials: the processes of just-in-time logistics, transportation by rail, shipping, etc.
- Supply chain structures: how they function, and how opportunities to brand are identified and created.
- Energy generation: the mechanics of energy generation, energy infrastructure, energy management, energy policy, and energy purchasing.
- Marketing, communications, and public affairs with a focus on the human impacts of manufacturing.

#### *General areas of competence*

- World geography: the differences among world cultures, the differences among world religions, and the connections among cultures, religions, and economic forces.
- Cultural understanding: how to apply cultural understanding to real-life business issues.
- Political awareness: how to navigate political landscapes at various levels (local, state, national, international); how politics functions at various levels; and how individuals can engage and impact that process.
- Geopolitical dynamics: how global political issues work, the components of international politics, and the connections among politics, the environment, economics, and human welfare.
- Global gender issues: how gender is perceived in various parts of the world; the impacts of gender roles on the environment, politics, and economics; and how to function within those cultural differences most effectively.
- Opportunity analysis: how to identify potential, innovative, and symbiotic relationships between producers and manufacturers.

#### **Relation to Institutional Mission**

The Sustainable Management program will contribute directly to the mission of the University of Wisconsin System by supporting the UW Growth Agenda. The three goals of the Growth Agenda are to increase the number of degree-holders in Wisconsin, to increase the number of high-paying jobs, and to build stronger communities. The Sustainable Management program will contribute to all three components of the Growth Agenda by providing a degree that is in demand, supported by Wisconsin businesses, and develops competencies that enable graduates to help Wisconsin employers meet the triple bottom line (strong profitability, healthy environment, and vital communities). More specifically, the Sustainable Management program will support UW System efforts to create more flexible pathways for older, non-traditional students, as well as new venues specifically designed for working adults.

At UW-Parkside, the Sustainable Management program aligns well with Parkside's commitment to high-quality educational programs, creative and scholarly activities, and services responsive to its diverse student population. This major will support the campus's efforts to be responsive to local, national, and global communities, and utilize technology creatively and

effectively. For UW-Stout, as a comprehensive polytechnic university, this program aligns with its commitment to learning that involves combining theory, practice, and experimentation. Modeling sustainability principles is one of the goals of the UW-River Falls strategic plan, “Living the Promise.” The goal states that the university will “promote sustainability across all dimensions of the campus and beyond” including incorporating sustainability into the curriculum. The mission of UW-Superior is to foster intellectual growth and career preparation within a liberal arts tradition that emphasizes individual attention and embodies respect for diverse cultures and multiple voices. This program aligns perfectly with UW-Superior’s 30-year history of meeting the needs of adult students through distance education. Additionally, UW-Superior’s Chancellor signed the American College and University Presidents Climate Commitment, which includes a commitment to incorporate sustainability into the curriculum.

### **Program Assessment**

This program will be assessed through multiple qualitative and quantitative evaluation tools. These tools include but are not limited to: course evaluations; interviews and discussions with faculty, academic advisors, students and employers; and surveys from campus Career Services. UW-Extension is also working to establish a Sustainable Management Advisory Board consisting of employers in Wisconsin. One of the responsibilities of the Advisory Board will be to help assess the continuing relevancy of the curriculum and whether it fosters the competencies needed to fill key jobs in Wisconsin. The Advisory Board will provide feedback about the program to the Academic Directors for their annual program review meeting.

To determine how well the learning outcomes are being met, and how well students are mastering the areas of competence, each course will assess student mastery using methods identified by the instructor, using papers, class projects, exams, community-based activities, and internships, for example. Students will also complete course evaluations according to the process used at each respective campus. Academic directors will communicate regularly, and meet formally semi-annually to discuss data on each course and how well students have reached the course objectives and the relevant program learning outcomes. In addition, the faculty teaching in the degree program will meet annually to discuss the program, its effectiveness as a collaborative degree, how well students are meeting the identified learning outcomes, and related issues. Each course will be reviewed annually for immediate minor revisions. It is expected that each course will undergo major revision every three years.

Student satisfaction and success will also be measured. Each semester, UW-Extension will collect and monitor data on new enrollments, retention rates, and graduation rates. Since this program is part of the UW Growth Agenda and Adult Student Initiative, pertinent student demographics will also be collected to determine whether the degree is reaching adult students, and if students in the program are part of a traditionally underserved demographic (as defined by the UW System). Program graduates will be surveyed to determine success in securing employment related to the major, and regarding the types of roles and careers that graduates have entered. Program evaluation regarding the collaborative nature of the model will help assess processes critical to the success of the collaboration, such as the financial model, student recruitment and advising, admission and enrollment processes and trends, and curriculum design. Student services, instructional, and business office personnel from each institution have

committed to maintaining annual contact to review processes and concerns, and to make adjustments as necessary.

## Need

The Green Economy is the newly emerging, global, economic future. National job forecasts suggest that the need for individuals with the kinds of competencies that the Sustainable Management major is designed to instill will increase over the next 5-10 years. Bureau of Labor Statistics data estimate a 28% increase in environmental science and protection technicians. Wisconsin occupational projections are similar. Environmental engineering positions are expected to increase 16.1% by 2016; Environmental Engineering technician positions are expected to increase by 12.5%; environmental scientist and specialist jobs are expected to increase 15.3%; geologists, geographers, and hydrologists positions are expected to grow by 24.4% combined. While these employment titles are not identified specifically as *environmental management* positions, graduates of the Sustainable Management program will be likely to find employment in these areas, as well as in a number of others.

In addition, organized labor has become actively engaged in working to “green” the manufacturing industry. At a February 2009 meeting of labor leaders in Washington, D.C., the focus of the conference was on green jobs. Graduates of the Sustainable Management degree will have broad topical knowledge related to geography, geology, environmental science, and business, and will be able to serve as informed managers of the businesses and enterprises in the green economy. Jobs in energy supply, creation and alternatives, construction and efficiency, transportation, and manufacturing are all expected to require significant “greening” with strong need for management and leadership with sustainability knowledge at all levels. The Obama Administration and many members of Congress recognize the importance of energy independence, water conservation, and climate change, and a significant federal focus is taking shape on how to increase the sustainability of the U.S. while creating thousands of new jobs in the process. Graduates of this program will be able to have a role in an economy that requires workers to understand sustainability issues.

## Projected Enrollment (5 years)

It is anticipated that the program will have strong enrollment growth in the early years, with the rate of growth leveling in the third through fifth years, then picking up again once the first graduates enter the workplace. The five-year enrollment projection patterns shown in the following table are consistent with those of adult students in other University of Wisconsin online programs. It is anticipated that the attrition will be moderate—15 percent—for students moving from their first year to their second year in the program, but very low—less than 5 percent—as they progress beyond their second year.

Students/Year	Year 1	Year 2	Year 3	Year 4	Year 5
New	53	106	88	62	59
Continuing		45	135	210	222
Total	53	151	223	272	281
Graduating				41	86

The projections in this chart are conservative, assuming that most students will enroll part-time and take an average of six courses per year. The projections further assume that all students who remain in the program after their first year will graduate—90 percent within four years, 100 percent within five years, or 76 percent and 85 percent, respectively, of the students entering the program.

### **Comparable Programs**

There are no degrees in Sustainable Management in Wisconsin. Undergraduate degrees that are related to the Sustainable Management degree include: a B.S. in Environmental Public Health at UW-Eau Claire; B.S. degrees in Environmental Science at UW-Green Bay, UW-Oshkosh, UW-Stevens Point, and UW-Superior; a B.S. in Conservation and a B.S. in Environmental Science at UW-River Falls; and a B.S. in Conservation and a B.S. in Natural Resource Management at UW-Stevens Point.

Only seven undergraduate degrees that bring together sustainability and business exist nationally. They include: Sustainable Business Degree, Aquinas College, Michigan; Bachelor of Science in Business Green and Sustainable Enterprise Management, University of Phoenix; Bachelor of Science in Business, Green Mountain College, Vermont; Bachelor of Science in Business/Environmental Management, Green Mountain College, Vermont; Bachelor of Science in Business Management with a Specialization in Sustainable Business, State University of New York-Stony Brook, New York; Bachelor of Science in Sustainable Business (Interdisciplinary), Catawaba College, North Carolina; and a Bachelor of Applied Science in Sustainable Management, St. Petersburg College, Florida (to begin in 2009). Only the Business Green and Sustainable Enterprise Management degree from the University of Phoenix is online. Unlike the Sustainable Management program, however, the Phoenix program is a business degree with a science component; it is not an interdisciplinary degree focused on creating competencies in managing for the triple bottom line.

### **Collaboration**

The Sustainable Management program is only possible through collaboration. The four partner comprehensive institutions will jointly develop, approve, and offer the Sustainable Management curriculum. Each institution will offer 5-6 courses each fall and spring, and all four institutions will share equally in the academic oversight of the degree. UW-Extension will provide administrative support, financial investment, fiscal management, technical support, and selected student services for all partner institutions. All of the curriculum will be approved through the usual governance processes at each institution. All partners will share equally in net revenues relative to the number of courses they offer in the program.

### **Diversity**

This degree is designed to serve nontraditional student populations. Many students of color, first-generation Americans, first-generation college students, and low-income students tend to be nontraditional students by necessity because they have family or work responsibilities

that prevent them from attending school in traditional formats. The online delivery method provides access for these individuals who live distant from residential institutions, or who have various home responsibilities that prevent attending classes during traditional day programs. This basic premise of serving underserved populations is inherent in the definition of sustainability—to ensure that the needs of the present do not compromise the ability of future generations to meet their own needs. Recognition of an increasingly global and diverse economy is necessary if the UW System and Wisconsin are to meet the needs of future generations. Diversity also carries over into the tenets of the triple bottom line (social responsibility, environmental stewardship, and economic prosperity) which will be featured throughout the curriculum.

Recruitment and marketing efforts for this degree will focus on under-represented populations. UW-Extension will leverage advertising space on multiple partner sites in the “Diversity & Inclusion Network,” for example on BlackPlanet.com, AsianAvenue.com, MiGente.com, and others. UW-Extension will also advertise this program in minority-focused newspapers, periodicals, and websites. UW-Extension has several initiatives currently underway to attract more students of color into the UW System in general. Through UW HELP, brochures focusing on attracting Hispanic and Hmong students to the UW System are sent to community organizations. UW-Extension also employs a field recruiter who works with employers to encourage them to support the education of their employees, especially focusing on underrepresented minorities. This recruiter will have detailed information about this major and share it as part of his outreach activities. UW-Extension is also maintaining data that will allow for marketing to specific cultural/ethnic audiences.

In addition, the Sustainable Management Advisory Board, now being formed, will work closely with employers who have an interest in this major to encourage them to send their employees to school. Many of these companies have a high percentage of employees of color. The Advisory Board will invite representation from minority-owned businesses. Their input will be important to ensure that the program reaches out to people of color and other under-represented groups.

The partner institutions are committed to recruiting for diversity, and that commitment will apply should this program have hiring opportunities. Currently, there is near equity in the gender distribution of faculty.

### **Evaluation from External Reviewers**

Two external reviewers commented on the program positively. One reviewer focused on the importance of the sciences in this major, and specifically on the inclusion of geoscience. To ensure that this program does focus on science, introductory biology and chemistry are prerequisites for admission to the program, and geoscience is incorporated in both the Environmental Science and Sustainability and the Natural Resource Management courses. The second reviewer suggested that the areas of competence be reworded and renamed to better reflect their emphasis. Those suggestions were incorporated. Two reviewers from industry also contributed very positive comments. A fifth reviewer from the Wisconsin Department of Natural Resources also reviewed the program favorably, noting the importance of environmental justice as a component of the curriculum. That component is reflected in several courses:

Environmental and Sustainability Policy, International Development and Sustainability, and Environment and Society.

## **Resource Needs**

The initial development and launching of the program is possible due to the 2007-09 Growth Agenda GPR funding for the UW-Extension Adult Student Initiative. These funds will provide start-up resources until the program can be self-supporting. The budget is built on the program being self-supporting within five years of implementation. UW-Extension is underwriting the investment to develop the program's 21 courses and will also fund UW institutions and UW-Extension program support costs until the program begins to generate revenues in excess of expenses. Thus, current and additional expenses will be funded through a combination of GPR and program revenues. Revenue surpluses will be shared equally amongst the participating partners.

Program tuition will be set at \$350/credit for FY09-10, and will be the same among all four partner campuses. Students will not be charged any additional fees as part of the program, except for the costs of their books. If students live near their home campus and wish to pay segregated fees for the use of recreational and other facilities, they may do so. However, they will not be required to pay these fees if they do not take advantage of those resources. This tuition rate is based on market demand estimates as well as comparisons with other online programs in the UW System and nationally.

This budget model is conservative with enrollment estimates well below the expected enrollments for the first three years. If the program does not generate the expected enrollments, the marketing effort will be reevaluated and adjusted to better reach the intended students.

Because this will be a collaborative program, the course development and teaching load is shared among the four partner institutions. Faculty FTEs to teach in this program will be reallocated from each institution and no new faculty are required. The partner institutions expect that initial funding from UW-Extension will cover the costs of faculty teaching in this program during the first five years. As the program grows and additional faculty are needed, their salary costs, including fringe benefits, will be covered by program revenue to ensure full cost recovery. Some costs—such as costs to convert classes to online formats—will decrease over time as the online conversion and development process is completed. Other costs—such as faculty instruction—will increase over time as more classes are taught or as new sections are added.

### **In FY9-10, a total of 7.625 FTEs**

Current costs represent a total of 3.250 FTEs:

- .25 FTE academic program director at each campus representing the campus interests in the program for a total of 1.0 FTE (Campuses)
- 1.25 FTE: academic staff to convert courses to online formats (Extension)
- 1.0 FTE: academic program advisor (Extension)

Additional Costs represent a total of 4.375 FTEs:

- 1.75 FTE: faculty for content development (Campuses)
- 1.875 FTE: faculty for course instruction (15 courses in year 1) (Campuses)

- 0.5 FTE: registration services at partner campuses (.125 FTE per campus) (Campuses)
- 0.25 FTE: learner services for call center, book store, tech support (Extension)

**In FY10-11, a total of 9.625 FTE**

Additional costs represent a total of 6.875

- .875 FTE: faculty for content development (Campuses)
- 4.5 FTE: faculty for course instruction (36 courses in year 2) (Campuses)
- 0.5 FTE: registration services at partner campuses (.125 FTE per campus) (Campuses)
- 0.25 FTE course revisions (Extension)
- 0.75 FTE: learner services for call center, book store, tech support (Extension)

**In FY11-12, a total of 9.0 FTEs**

Additional costs represent a total of 7.0

- 5.25 FTE: faculty for course instruction (42 courses in year 3) (Campuses)
- 0.5 FTE: registration services at partner campuses (.125 FTE per campus) (Campuses)
- 0.25 FTE: course revisions (Extension)
- 1.0 FTE: learner services for call center, book store, tech support (Extension)



### Estimated Total Costs and Resources

	First Year		Second Year		Third Year	
CURRENT COSTS	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
Personnel						
Faculty/Instructional Staff	1.000	\$100,000	1.00	\$100,000	1.00	\$140,000
Academic/Classified Staff	2.250	\$247,000	1.75	\$152,500	1.00	\$81,200
Non-personnel		0		0		0
Subtotal	3.250	\$347,000	2.75	\$252,500	2.0	\$221,200
ADDITIONAL COSTS	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
Personnel	4.375	\$281,250	6.875	\$635,050	7.0	\$875,000
Non-personnel		0		0		0
Other - (S&E)		\$82,500		\$93,000		\$96,000
Subtotal	4.375	\$363,750	6.875	\$728,050	7.0	\$971,000
TOTAL COSTS	7.625	\$710,750	9.625	\$980,550	9.000	\$1,192,200
CURRENT RESOURCES						
Adult Student Initiative		\$521,750		\$389,250		\$234,600
Subtotal		\$521,750		\$389,250		\$234,600
ADDITIONAL RESOURCES						
Program Revenue-tuition		\$189,000		\$591,300		\$957,600
Subtotal		\$189,000		\$591,300		\$957,600
TOTAL RESOURCES		\$710,750		\$980,550		\$1,192,200

### RECOMMENDATION

The University of Wisconsin System recommends approval of Resolution I.1.f.(4), authorizing the implementation of the Collaborative, Online Bachelor of Science Degree in Sustainable Management at the University of Wisconsin-Parkside, the University of Wisconsin-River Falls, the University of Wisconsin-Stout, and the University of Wisconsin-Superior, with administrative and financial support from UW Extension.

### RELATED REGENT POLICIES

University of Wisconsin System Academic Planning and Program Review (November 10, 1995)  
Academic Informational Series #1 (ACIS-1.0 revised June 2006)

Program Authorization (Implementation)  
M.S. in Technical and Professional Communication  
University of Wisconsin-Stout

EDUCATION COMMITTEE

Resolution I.1.f.(5):

That, upon recommendation of the Chancellor of the University of Wisconsin-Stout and the President of the University of Wisconsin System, the Chancellor be authorized to implement the M.S. in Technical and Professional Communication.

**NEW PROGRAM AUTHORIZATION**  
**Master of Science in Technical and Professional Communication**  
**University of Wisconsin-Stout**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a Master of Science in Technical and Professional Communication at UW-Stout is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. UW-Stout and System Administration will conduct that review jointly, and the results will be reported to the Board.

The Master of Science in Technical and Professional Communication (MSTPC) builds on UW-Stout's experience in offering a 124-credit baccalaureate degree in technical communication. The program has produced 79 graduates over the past nine years. According to UW-Stout's Office of Career Services, the placement rate of this program is high with 80% of the graduates working in the area of their degree six months after graduation. Currently, more than 15 faculty from eight areas/disciplines teach in the undergraduate program, which comprises 15 core courses and 15 supporting courses. UW-Stout has offered undergraduate courses in technical communication and technical writing since the 1950s. In 1979, faculty from the Department of English and Philosophy established a minor in Technical Communication to provide UW-Stout's undergraduates the opportunity "to enhance their on-the-job writing skills." The Bachelor of Science in Technical Communication was instituted in 2000 in order to serve a growing regional job market and currently enrolls an average of 65 undergraduate students, making it one of the ten largest Technical Communication undergraduate programs in the country.

The MSTPC will become a part of UW-Stout's long history of delivering hybrid and online graduate programs, including master's degrees in Career and Technical Education, Information and Communication Technology, Education, Training and Development, Manufacturing Engineering, Vocational Rehabilitation, Technology Management, and Technology Education. Enrollments in online graduate programs have grown much more rapidly than enrollment in campus-based graduate programs. Student learning, progress, and satisfaction are measured in online programs using the same methods as campus-based graduate programs. Assessment results indicate that student learning and satisfaction in UW-Stout's online programs are equal to or higher than student learning and retention in UW-Stout's traditional graduate programs.

Developed in response to strong alumni interest, enthusiastic support from the College of Arts, Humanities, and Social Sciences, and from university leadership, the MSTPC provides a necessary and expedient addition to the undergraduate degree option. Faculty qualified to teach graduate courses, advise students, and mentor research have already been recruited, and currently teach in the undergraduate program.

## REQUESTED ACTION

Approval of Resolution I.1.f.(5), authorizing the implementation of the M.S. in Technical and Professional Communication at UW-Stout.

## DISCUSSION

### Program Description

The MSTPC is an online professional development degree designed to provide working professionals who currently hold a baccalaureate degree in technical communication or a related field the preparation to advance in their careers to a higher level of responsibility. This graduate-level technical and professional communication program prepares advanced students to communicate effectively using a variety of media and prepares them to succeed in the workplace broadly conceived. The focus on technical communication (rather than technical *writing*) emphasizes that professionals in the field focus on the "user experience in all its forms" and that they create everything from print documents to podcasts (*Society for Technical Communication*). Technical communicators work not only in technical industries but also in professional settings of all kinds.

The MSTPC's curriculum focuses on the theories and research under-girding the writing, designing, and editing of print and electronic texts. This knowledge will sharpen graduates' communication, management, and decision-making skills. Students will conduct independent research about technical and professional communication practices, enabling them to become practitioner-scholars who will also further knowledge in the discipline. Students will have opportunities to practice strategies for communicating in the global economy, to advance their knowledge of project management, and to master relevant emerging technologies.

The MSTPC is a 30-credit program with 12 credits of Core Courses and 15 credits of Advanced Study. The remaining credits comprise the research component required by UW-Stout's Graduate School, and will be satisfied through ENGL-770 Thesis or ENGL-735 Project. Per UW-Stout's Graduate School policy, students are required to take 15 credits of 700-level coursework. With effective advising by the program director and the inclusion of the new 700-level courses proposed in the curriculum, all students will meet this requirement.

### Program Goals and Objectives

After completing the core courses in the proposed MSTPC curriculum, students will be able to demonstrate the following skills and competencies:

1. Demonstrate advanced skills in *writing, designing, editing, and managing* the production of technical and professional print and electronic documents for various audiences.
2. Demonstrate advanced skills in *oral presentation* of technical and professional information for various audiences.
3. Understand *visual communication* theories, principles, and research, and apply this knowledge to the design of print and electronic documents.

4. Design and develop print and electronic documents for a range of established and emerging *technologies* relevant to technical and professional communication.
5. Understand *research* methods and methodologies of the discipline of technical and professional communication and effectively conduct research investigations.
6. Understand and apply *user-centered design* principles to document- and product-development.
7. Understand *international and intercultural issues* in technical and professional communication, and pose strategies for effectively addressing these issues.
8. Understand various *theoretical and cultural perspectives* in technical and professional communication, and apply these perspectives to projects across technological and cultural boundaries.

### **Relation to Institutional Mission**

The proposed MSTPC program aligns well with UW-Stout's mission. The Select Mission Statement notes that UW-Stout's program array focuses on "programs leading to professional careers focused on the needs of society." The proposed program in Technical and Professional Communication is directly aligned with UW-Stout's focus on programs that "are presented through an approach to learning which involves combining theory, practice and experimentation." As Wisconsin's Polytechnic University, UW-Stout focuses on enabling students to pursue "professional careers in industry, commerce, education and human services through the study of technology, applied mathematics and science, art, business, industrial management, human behavior, family and consumer sciences, and manufacturing-related engineering and technologies."

UW-Stout maintains a formal academic plan (<http://www.uwstout.edu/provost/currhb/accplan.htm>). Its goals are to increase the number of all programs in alignment with the UW-Stout Mission and Strategic Plan to meet the changing needs of students, employers, and society. To use campus resources most effectively, the proposed MSTPC is designed as a logical extension of the successful undergraduate degree program which is designed as a hybrid, online or degree completion program.

### **Program Assessment**

The program director will direct all program assessment activities for the MSTPC. One direct measure that will help to assess the program and the student learning outcomes is the review of electronic portfolios of students' coursework. The program director will ask students to select one piece of work (artifact) from each course in their MSTPC program and to archive it in an electronic portfolio. Students will accompany each artifact with a short written narrative, describing the rhetorical context of the artifact, the process they used to complete it, and what they learned. Annually, the program director will coordinate a portfolio assessment involving professors teaching courses in the program. A sample of student portfolios will be collected to provide a view of the curriculum and student performance at multiple years and levels: i.e., by examining comparatively the portfolios of students who have obtained 15 credits in the program and of students who have completed all of their coursework. The program director and program faculty will assess the sample, using a rubric of the program objectives to measure performance.

The program director will collect the data and issue individual reports to those students whose portfolios were assessed. The compiled data from multiple and multi-level reviews will be published in the Assessment in the Major report required by the Provost's office and shared with MSTPC faculty.

One indirect measure to assess the program will be to coordinate student course evaluations. During the final week of class during each semester, the program director will distribute to students online course evaluations for each MSTPC course offered that semester, asking students for their feedback about the ways objectives were met in that course. Additionally, when students graduate, they will take an exit survey, containing questions specifically linked to the objectives, and students will be asked to provide perceptions of their learning. Another indirect measure to assess the program will be to survey current employers of MSTPC graduates, asking questions specifically linked to program objectives. UW-Stout's Office of Budget, Planning, and Analysis also surveys graduates one and five years after graduation. Subsequently, the program director will tailor these survey responses to align with the program's student learning outcomes.

The MSTPC's annual assessment report will include results from the portfolio assessment, student surveys, alumni surveys, employer surveys, and other relevant program data. The MSTPC program director and program faculty will analyze these data and identify improvement actions relative to teaching, learning, and the program itself. The Associate Vice Chancellor will review each report for Academic Affairs, who provides each program director with feedback. Information from all assessment activities in the major reports will also be shared with the Academic Affairs Administrative Team on an annual basis and included in annual Academic Quality Improvement Program reports.

UW-Stout's Planning and Review Committee (PRC) conducts formal reviews of all degree programs every seven years. The program director develops a self-assessment report that is reviewed in a formal hearing conducted by the PRC and with final results presented to the Faculty Senate and the Provost. The PRC uses the following direct and indirect measures and performance indicators: program enrollment, program retention, student learning as measured by program-specific assessment tools, program graduation rates, graduate placement rates, student surveys, instructor surveys, program advisory committee surveys, alumni follow-up surveys, and employer follow-up surveys.

## **Need**

The MSTPC is an online professional development degree designed to provide working professionals who currently hold a baccalaureate degree in technical communication or in a related field the preparation to advance in their careers to a higher level of responsibility. UW-Stout's enrollment target for this program is set at a relatively modest 35 students per year (by year 4). In contradistinction to an undergraduate program, the MSTPC program will not produce a sizable contingent of new graduates each year seeking employment in this field.

The baccalaureate program in technical communication has an advisory board of industry experts and practitioners who provide guidance concerning curriculum, program goals, and

market trends. The advisory board has been apprised of the planned MSTPC since its inception and members have indicated that they believe it to be a strong offering with good job placement prospects for graduating students. In fact, one board member, the managing director of the legal web services operation at Thomson Reuters, confirmed that employers like him would support ongoing education of their employees. Advisory council members were optimistic that the online delivery of the program is tailored to the needs of workers who would like to make use of online education and employee tuition reimbursement programs.

The overall UW-Stout job placement rate for graduates has been above 95 percent for the past decade. According to the 2008 annual report, 95.9 percent of 2006-2007 graduates were employed, including 88 percent of the B.S. in Technical Communication graduates. Employers are also very satisfied with the performance of UW-Stout graduates in the workplace. According to the 2008 employer follow-up survey (11% response rate), employers rated the educational preparation of UW-Stout graduates 4.43 on a 5-point scale. Graduate skills in organization, project management, team work, and technology utilization were all rated above 4.4 on a 5-point scale. Preliminary discussions with potential employers as well as managers at internship sites of the undergraduate program indicate that they are enthusiastic about the new MSTPC program and anticipate hiring graduates from this program. The manager of the technical communications group at Datatel, for example, asked for details about the MSTPC as soon as planning began because of the ongoing need for professional development among their employees. UW-Stout will draw upon the industry advisory board, internship sites, and the network of alumni to recruit students for the program.

Growth of careers in the field of technical and professional communication is projected nation-wide and in Wisconsin. According to the *Occupational Outlook Handbook*, "[e]mployment of writers and editors is expected to grow 10 percent, or about as fast as the average for all occupations, from 2006 to 2016." According to *Bureau of Labor Statistics*, the "nation's businesses employed 46,740 technical writers in 2007, a 3.1 percent increase from the 45,330 employed in 2006. The 2007 gains offset the previous year's losses, bringing the number of technical writers employed in the United States to the highest reported level so far this decade."

The *State Occupational Projections* site indicates that demand for technical communicators in Wisconsin will increase at the rate of approximately 50 openings per year, and in Minnesota at the rate of 80 openings a year through 2012. Although technical communication is not mentioned by name, the US Department of Labor indicates that the fastest-growing industries 2002-2012 will include software publishers, management, scientific, and technical consulting services, computer systems design and related services, and Internet services, data processing, and other information services. All of these are areas in which technical communicators, often designated by a different job title (e.g. Web Designer, Usability Specialist, Information Developer), are employed. Figures about trends of hiring in this field can be affected by the numerous titles held by employees with a technical communication degree.

In tough economic times, an excellent way to increase one's marketability and job security is to obtain a graduate degree. UW-Stout expects to see increasing interest in the MSTPC program in coming years as more and more companies move ever more sophisticated

jobs offshore, and working technical communicators search for ways to increase their marketability.

In the 2007 *Salary Survey*, the summary noted that higher-level positions in technical communication (e.g., those earned by graduate degree holders) did not suffer job losses as did lower-level positions. The *Salary Survey* also indicates that holders of a master's degree earn approximately \$5,000 a year more than holders of the bachelor's, and graduate degrees are usually needed for advancement into management.

The MSTPC program plans to recruit working professionals by developing a pipeline from its alumni base.

### **Projected Enrollment (5 years)**

Projections allow for a 20% attrition in continuing students (based upon rates in a similar online program at UW-Stout).

Year	Implementation year	2nd year	3rd year	4th year	5th year
Continuing students	0	8	17	20	20
New students admitted	10	12	15	15	15
Total enrollment	10	20	32	35	35
Graduating students	0	0	8	12	15

### **Comparable Programs in Wisconsin**

In Wisconsin, two UW System institutions offer comparable master's degrees in English with concentrations in professional writing: UW-Eau Claire and UW-Milwaukee. Neither program is offered as an online distance education program. During the 2008/09 academic year, the UW-Eau Claire program did not offer graduate courses online, while the UW-Milwaukee program offered a selection of its graduate courses online. UW-Whitewater and UW-Platteville also offer online graduate courses in speech communication and engineering communication. The MSTPC curriculum includes three online professional writing courses and two organizational communication courses from UW-Milwaukee. One online course delivered by UW-Whitewater and three online courses delivered by UW-Platteville are included in the MSTPC curriculum.

UW-Eau Claire's English Department offers a Master of Arts in English and Master of Science in Teaching, which require courses in Critical Thinking, Critical Theory, Research Methods, and a thesis. The MSTPC takes a more practical approach through the teaching of more polytechnic aspects of technical communication such as information design and user-centered design. It also approaches emerging technologies through a cultural lens, giving students a well-rounded and practical education. UW-Milwaukee offers a Master of Arts in Professional Writing, grounded in professional practice and with a wide range of courses from



which to select. The UW-Stout MSTPC differs significantly from this program in that its curriculum prepares students to be not just effective professional writers, but *technical communicators* able to undertake projects in cutting-edge technological environments and diverse cultural contexts.

### **Comparable Programs outside Wisconsin**

Of the 76 comparable Master of Science programs offered in Technical and Professional Communication in the United States and Canada, only 7% of those (11 programs) are offered online. One of those 11, the only program located in the Upper Midwest, is the Master of Arts in Technical Communication offered by the Minnesota State University at Mankato.

The graduate degree from Minnesota State is different from the MSTPC in that it is a Master of Arts degree and not a Master of Science, and lacks the emphasis on technology, international communication, and rhetoric that the MSTPC would provide. In addition, the Minnesota State degree does not appear to be designed to attract working professionals as is the MSTPC.

Texas Tech University and East Carolina University, both well respected for their quality programs, boast a long history of offering similar graduate degrees online. These programs, target a different population than the MSTPC. Both offer PhDs in Technical and Professional Communication; thus, their master's degrees are primarily pipelines for the terminal degree. A potential graduate student would find a comparable curriculum and a greater value with the UW-Stout MSTPC.

### **Collaboration**

The MSTPC faculty are currently collaborating with three UW System institutions to deliver its online curriculum. In the MSTPC curriculum, three online professional writing courses and two organizational communication courses are delivered by UW-Milwaukee, one course is provided by UW-Whitewater, and three courses are from UW-Platteville's graduate online curriculum. UW-Stout is in discussions with these schools to include the courses in the program plan. UW-Stout is enthusiastic about these collaborations and plans to continue coordinating with other UW System institutions to support and extend the MSTPC curriculum. MSTPC students may transfer appropriate selected graduate coursework from UW System and other institutions (10 credits maximum), including online courses intended for specific professions, writing for medical fields, etc, that could be aligned with their current or future professions. The MSTPC also is collaborating with another UW-Stout program: the curriculum includes two project management courses from UW-Stout's Technology Management program.

### **Diversity**

*Perspectives.* The MSTPC program and its faculty are dedicated to executing Inclusive Excellence in three ways: (a) by infusing program curriculum with diverse perspectives including but not limited to race, sex, gender identity, sexual orientation, religion, socioeconomic status, and age; (b) by recruiting a diverse student population; and (c) by taking advantage of

diversities within the program faculty and by encouraging faculty to contribute these to the program.

The MSTPC program includes the following as a learning outcome for its students: “understand international and intercultural issues in technical and professional communication, and pose strategies for effectively addressing these issues.” Its inclusion in the curriculum is a strong indication to prospective students that the MSTPC takes diversity related to race and ethnicity seriously and works to prepare students to be practitioners in the multicultural U.S. and global economy. To this end, over one third of the courses listed in the program curriculum ask students to achieve this outcome (two of the four required Core Courses include it, and six of the 18 Advanced Study and Research courses include it). Additionally, ENGL-512 International Technical Communication is listed in the Advanced Studies component. In this course, theories and practical approaches to writing international professional documents are discussed, including issues concerning globalization, localization, and translation preparations and procedures. The course makes extensive use of case studies and cultural models to enable students to write and design for international audiences.

*Students.* The MSTPC program director will market the program to populations beyond the typical UW-Stout catchment area, including urban centers, tribal reservations, and other geographical areas of the region with underserved and diverse populations. The Diverse Advertising Resources information sheet made available by UW-Stout’s Affirmative Action office helps to target recruitment of diverse populations. As an online program, the MSTPC will be able to reach students across the globe. The Society for Technical Communication (STC) that may be of assistance in disseminating application information includes over 15,000 members worldwide. The majority of program faculty members are STC members, and these faculty members will take advantage of recruiting opportunities to cast an international recruitment net. Resources are budgeted to advertise to these populations, and program advertising materials will be designed to be inclusive and to attract diverse audiences. The MSTPC program director plans to work with several offices on campus to aid in recruitment efforts. UW-Stout’s Multicultural Student Services Office works with minority students who currently attend UW-Stout. The MSTPC needs to be visible to graduating seniors in other majors who, after some work experience, might find the MSTPC a viable option. The program director also will work with the Alumni Office to help recruit minority alumni.

To help retain students, the MSTPC program director plans to engage in three activities recommended by a recent study of 11 departments and programs making “exemplary efforts to recruit and retain minority students” (Rogers and Molina, 2006). First, faculty members, and especially the program director, will make personal contact with students not only in the recruitment process but also throughout their program. Second, the program director and faculty will provide opportunities to engage students in diversity issues research as it relates to technical and professional communication. Students have many opportunities throughout the program curriculum to conduct research. Third, the program director plans to work with UW-Stout’s Multicultural Student Services to connect students with financial assistance opportunities such as the Advanced Opportunity Program Grant, which competitively offers financial aid assistance to qualified minority graduate students.

*Faculty and Staff.* Program faculty members are diverse, and their diverse perspectives inform faculty research and scholarship, enriching the MSTPC program courses they will teach.

Half of the program faculty members are women, one is native-born Chinese, and three of the program faculty members are bilingual (all three pursue research interests related to that language and culture).

Additionally, these individual faculty members are among the most recent hires in the department and accepted positions at Stout in anticipation of this new program, which speaks to the cross-cultural/cross-gender appeal of the MSTPC program.

The department and university are also committed to advancing diversity as well through professional development workshops on addressing ageism and search committee training focused on equity and diversity. In February 2009, UW-Stout was placed on the "Honor Roll" of the "LGBT-Friendly Campus Climate Index," earning three out of five stars.

### **Evaluation from External Reviewers**

Two external reviewers evaluated the program, offering overall support for its design and specific feedback for its improvement. Their feedback has been incorporated into the final program proposal. One reviewer identified several concerns with the program's alignment of its curriculum with its stated program objectives. Her feedback resulted in adding courses that would address more specifically the program's objectives in strengthening oral communication skills and international and intercultural issues, as well as its focus on professional communication. The second reviewer raised concerns about the prevalence of cross-listed courses and the hiring of additional instructors to teach freshmen composition so that program faculty could teach Master's level courses. The program faculty addressed his first concern through an expansion of the course array. The second concern will be alleviated through UW-Stout's customized tuition model, which allows allocation of funding to hire "backfill" instructional staff as needed.

### **Resource Needs**

Regent resolution 1.2f(2) passed on February 5th, 1999, granted UW-Stout differential tuition flexibility to determine and charge market rates for customized degree programs, certifications, and credit courses beginning in 1999-2000. UW-Stout is currently offering 19 customized instruction programs, including seven Master of Science degree programs. The tuition revenue from these customized programs is distributed and shared among Stout's colleges, the Academic and Student Affairs Division, and the University Administration. Seventy-two percent of the revenue is returned to the college to pay for instruction, supplies, travel, and program support.

The MSTPC will be self-funded through customized tuition, a pricing model which was approved by the Board of Regents in December 2001 (Resolution 7841). Customized tuition will provide salaries for 1.25 FTE instructional faculty, .3 FTE graduate assistant, and LTE clerical support by year three. The graduate tuition rate of \$440 per credit will be proposed for customized tuition for this program. This rate is consistent with other graduate distance education programs offered through UW-Stout. Programs supported by customized tuition are

assessed 28 percent in indirect costs to support the administrative expenses incurred by the institution in serving these students.

The College of Arts, Humanities, and Social Sciences will provide start-up funds for the first semester of the program. Revenue generated by customized tuition will help to offset these costs beginning in the second semester. As the program enrollment increases, it will continue to become self-sufficient and by year three of operation will be able to cover its program costs.

Budget projections are based on the average number of students enrolled in the program per year, the average number of credits taken per year, and the cost per credit. Because this is a self-funded program the cost of faculty benefits has also been included. The cost in the budget reflects a 2 percent increase in wages per year. Customized tuition revenue was calculated as follows:

First year: 10 students x 6 credits x \$440 per credit;

Second year: 20 students x 9 credits x \$440 per credit;

Third year: 32 students x 9 credits x \$440 per credit.

## **RECOMMENDATION**

The University of Wisconsin System recommends approval of Resolution I.1.f.(5), authorizing the implementation of Master of Science in Technical and Professional Communication at UW-Stout.

## **RELATED REGENT POLICIES**

University of Wisconsin System Academic Planning and Program Review (November 10, 1995)  
Academic Informational Series #1 (ACIS-1.0 revised June 2006).

**PROPOSED BUDGET**  
**Estimated Total Costs and Resources**

	FIRST YEAR		SECOND YEAR		THIRD YEAR	
<b>CURRENT COSTS</b>	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
<b>Personnel</b>						
Faculty/Instructional Staff	0.25	\$18,218	0.25	\$18,583	0.25	\$18,955
Graduate Assistants	0	\$0	0	\$0	0	\$0
Non-instructional Academic/Classified Staff	0	\$12,024	0	0	0	0
<b>Non-personnel</b>						
Supplies & Expenses		\$2,000		\$0		\$0
Capital Equipment		\$0		\$0		\$0
Library		\$3,000		\$3,000		\$3,000
Computing		\$0		\$0		\$0
Other (Define)		\$0		\$0		\$0
Subtotal		\$35,242		\$21,583		\$21,955
<b>ADDITIONAL COSTS</b>	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
<b>Personnel</b>						
Faculty/Instructional Staff	0.375	\$20,625	0.875	\$49,088	1.25	\$71,528
Graduate Assistants	0	\$0	0	\$0	.333	\$9,461
Non-instructional Academic/Classified Staff (LTE)		\$0		\$9,275		\$11,011
<b>Nonpersonnel</b>						
Supplies and Expenses		\$0		\$3,512		\$7,000
Capital Equipment		\$0		\$0		\$0
Library		\$0		\$0		\$0
Computing		\$0		\$0		\$0
Other (28% Customized Overhead)		\$5,775		\$17,325		\$27,720
Subtotal		\$26,400		\$79,200		\$126,720
<b>TOTAL COSTS</b>		\$61,642		\$100,783		\$148,675
<b>CURRENT RESOURCES</b>						
General Purpose Revenue (GPR)		\$35,242		\$21,583		\$21,955
Gifts and Grants		\$0		\$0		\$0
Fees		\$0		\$0		\$0
Other (Define)		\$0		\$0		\$0
Subtotal		\$35,242		\$21,583		\$21,955
<b>ADDITIONAL RESOURCES</b>						
GPR Reallocation (Specify source)		\$0		\$0		\$0
Gifts and Grants		\$0		\$0		\$0
Fees		\$0		\$0		\$0
Other (Customized Tuition: Year 1 includes Spring semester only, program won't be fully operational until fiscal year 2010)		\$26,400		\$79,200		\$126,720
Subtotal		\$26,400		\$79,200		\$126,720
<b>TOTAL RESOURCES</b>		\$61,642		\$100,783		\$148,675

Program Authorization (Implementation)  
Master of Physician Assistant Studies  
University of Wisconsin-Madison

EDUCATION COMMITTEE

Resolution I.1.f.(6):

That, upon recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Chancellor be authorized to implement the Master of Physician Assistant Studies.

**NEW PROGRAM AUTHORIZATION  
Master of Physician Assistant Studies  
University of Wisconsin-Madison**

**EXECUTIVE SUMMARY**

**BACKGROUND**

In accordance with the procedures outlined in Academic Planning and Program Review (ACIS-1.0 revised June 2006), the new program proposal for a Master of Physician Assistant Studies (MPAS) at the University of Wisconsin-Madison is presented to the Board of Regents for consideration. If approved, the program will be subject to a regent-mandated review to begin five years after its implementation. The University of Wisconsin-Madison and System Administration will conduct that review jointly, and the results will be reported to the Board.

The proposed MPAS will provide professional, graduate-level education for the training of physician assistants (PAs) who practice medicine with physician supervision. The MPAS is designed to produce a generalist practitioner with the capacity for specialty practice. The curriculum is built on a competency-based training and practice model. The MPAS will provide educational experiences through which students acquire and demonstrate competencies in six areas: medical knowledge, interpersonal and communication skills, patient care, professionalism, practice-based learning and improvement, and systems-based practice. Competencies in these six areas will assure that the graduates meet professional standards established by the Accreditation Review Commission for Education of the Physician Assistant (ARC-PA) and other PA professional organizations.

The UW-Madison Physician Assistant Program was established in 1973 under a legislative mandate. UW-Madison currently offers a B.S.-Physician Assistant (BS-PA), which will be discontinued upon implementation of the MPAS. The MPAS curriculum will more effectively promote analytical and critical thinking skills, prepare students for the increasing complexity of the practice of medicine and the maturing PA profession, and provide training to match the increasing levels of responsibility that PAs assume in practice.

**REQUESTED ACTION**

Approval of Resolution I.1.f.(6), authorizing the implementation of the Master of Physician Assistant Studies at UW-Madison.

**DISCUSSION**

**Program Description**

The MPAS is structured as an 85-credit program to be completed in 24 months of full-time study. A 12-month didactic year devoted primarily to classroom and laboratory experiences (45 credits) will be followed by 12 months of clinical study (40 credits). The first, didactic year curriculum is designed to build a foundation of medical knowledge. The second, clinical year

includes focused clinical rotations in primary care, medical practice specialties, and additional elective specialties. A professional seminar is a venue for students to conduct an evidence-based research capstone project and to explicitly prepare for the transition from student to professional.

The MPAS builds on the curricular strengths of the existing bachelor's program, but it has been reorganized and redesigned to reflect masters-level training. Curricular efficiency is increased by organizing clinical medicine, laboratory medicine, diagnostic studies, and pharmacotherapeutic courses into a longitudinally integrated curriculum. New curriculum has been added in population health (e.g., prevention, epidemiology) and public health (e.g., health policy and ethics, health care access, health care systems). The MPAS curriculum expands upon genetics, primary care, family medicine, underserved and rural health, evidence-based medicine, and clinical research methods/design. In addition, the master's level program is more focused on preparing MPAS graduates for leadership in the profession.

In addition to the traditional on-campus format, the MPAS will be offered in a community-based format (distance-education), just as the BS-PA has been since 2001, in order to extend PA education into medically underserved communities. The community-based format is especially useful for serving place-bound students who want to advance their medical careers. UW-Madison's PA Program is the only program in the country to offer the community-based option in its distinct format. Community-based students receive 80% of their didactic year education in their home community over a two-year period through web-based applications. They spend the first summer in residence at UW-Madison to work face-to-face with faculty and campus classmates. They attend campus twice each semester for educational, enrichment, and evaluation activities. Clinical rotations are done at, or near the student's home community.

After implementation, the MPAS anticipates developing a curricular format for alumni of UW-Madison's BS-PA program who seek to up-grade their credentials to the MPAS.

## **Program Goals and Objectives**

Among the PA program's guiding principles are a commitment to: demonstrate dedication to improving the health and welfare of patients; strive for excellence; demonstrate personal integrity and ethical conduct; foster and model professionalism; embrace individual differences and enhance cultural awareness; and advocate for a collaborative approach in providing high-quality, efficient, and effective healthcare. The MPAS will place emphasis on six professional competencies (paralleling the six general competencies that are the professional standard): 1) medical knowledge; 2) patient care; 3) practice-based learning and improvement; 4) systems-based practice; 5) professionalism; and 6) interpersonal and communication skills. Those competencies are embedded in a set of ten objectives, listed below. Each objective is elaborated on in a series of detailed outcome statements (which are not itemized here because of space constraints). The primary objectives are:

1. Physical History: Elicit an appropriate complete, interval, or acute history from patients of any age and either sex in any setting.
2. Physical Examination: Perform, as appropriate, a complete or partial physical examination of a patient of any age, sex, or condition in any setting.



3. Diagnostic Studies: Identify, perform, and/or interpret routine diagnostic procedures based on history and physical examination findings and be able to assist the physician with other diagnostic procedures as directed.
4. Differential Diagnosis/Diagnostic Impression: Develop a differential diagnosis and diagnostic impression considering the data base.
5. Therapeutics: Identify, perform, and/or order routine physician-delegated therapeutic procedures and, as directed, assist the physician with other therapeutic procedures.
6. Emergency Skills: Recognize life-threatening emergencies and manage them in the absence of the physician.
7. Communication: Communicate in a medically professional manner both orally and in writing.
8. Attitude: Appreciate the health problems of the individual patient as well as those of population groups and approach each with an attitude of professional concern.
9. Professionalism: Demonstrate the skills, attributes and behaviors of a competent physician assistant and serve as a member of the professional medical community.
10. Evidence Based Learning: Engage in critical analysis of ones own practice experience, medical literature, and other information sources for the purpose of self-improvement.

### **Relation to Institutional Mission**

UW-Madison offers the most complete set of health professions programs in Wisconsin: the School of Medicine and Public Health (SMPH) and the UW Hospitals and Clinics comprise a nationally recognized academic health center. The mission of the PA program—to educate primary health professionals committed to the delivery of comprehensive, preventive, and therapeutic healthcare in a culturally and ethnically sensitive manner—is congruent with the mission of the SMPH and UW-Madison. Common themes in mission emphasize collaboration and interdisciplinary experiences, diversity, outreach, promotion of research, delivery of exemplary educational programs, and the importance of the Wisconsin Idea. The MPAS will advance these congruent elements of mission by advancing health, medicine, and quality care in the PA profession, in collaboration with other health professions, and with community partners. The community-based (distance-delivered) program is designed to strengthen connections to students in communities that are traditionally underserved, especially rural communities.

### **Program Assessment**

Assessment of student learning in the context of program objectives will be evaluated through: 1) competency-based courses, which assess student outcomes in individual courses; 2) course examinations of student learning; 3) patient logs; 4) preceptor evaluations of how students do in clinical performance; 5) Objective Structured Clinical Examinations (OSCEs) and other skill assessments; and 6) the program's summative exam (which includes multiple choice tests, OSCEs, and the WISPAAR assessment of clinical experience levels). In addition, graduates must take the National Commission on Certification of Physician Assistants PANCE board exam for licensure. The rates and patterns of success on the PANCE exams are a strong direct indicator of how effectively the program is delivering the curriculum to students, and how well students, both individually and collectively, have achieved learning at the level of the national standards.

The progress of each student is monitored by all instructional faculty, by the Director of Clinical Education, by the Clinical Oversight Team, and through feedback from preceptors and patients. Overall student progress is informally considered biweekly at faculty/staff meetings.

Student feedback and evaluation is collected through program, course, and preceptorship evaluations that have both subjective and objective components, as well as components related to program engagement and satisfaction. Graduates are surveyed at graduation and one year later to provide a perspective on attainment of program objectives. The Director of Distance Education and the Distance Education Oversight Team meet weekly to evaluate and coordinate community-based student educational plans and to address any potential concerns. The curriculum committee compiles information from all of these sources and regularly reviews the PA curriculum to evaluate if it is achieving the stated goals. Biannually, the PA Program Faculty/Staff Retreat provides a venue to review overall student learning, programmatic operations, policies, and processes. An annual “State of the Program” report and presentation provide the broadest level of program review annually.

## **Need**

The demand for Physician Assistants remains strong. A 2005 report of the Council on Graduate Medical Education predicted a national shortfall of 85,000 physicians and a potential need for 150,000 more physician assistants, nurse practitioners, and certified midwives, nationally, by 2020. The US Bureau of Labor Statistics ranks the PA as one of the fastest growing occupations and employment of PAs is expected to grow much faster than the average for all occupations due to anticipated expansion of the health care industry and an emphasis on cost containment, leading to increased utilization of PAs. The Bureau of Labor Statistics estimates the number of PA positions will grow 50% over the coming decade. The rapid and significant expansion of new medical knowledge provides new opportunities for PAs in emerging specialties. Health care access disparities with regard to geographic, racial/ethnic, and socioeconomic factors are apparent throughout Wisconsin. While 28% of Wisconsin citizens live in rural areas, only 11% of physicians have rural underserved practices. Medically underserved communities also exist in urban areas. Health care delivery models that will leverage physician resource and broaden “team care models” are likely to expand. These models depend on advanced practice professionals such as PAs. Consequently, there is a strong need for the UW-Madison PA program to continue to educate these health professionals.

Since the early 2000’s, physician assistant professional organizations have endorsed graduate-level training as the appropriate level of preparation for the profession. Within the upper Midwest, UW-Madison has the only PA program still offered at the bachelor’s level. Over the past five years, more than 30 of the 34 new students admitted to the BS-PA program have already earned a bachelor’s degree before they enter the program; these students could be earning a master’s-level degree in another program rather than a second bachelor’s degree. Over time, it has become necessary to move to the master’s-level program to attract students and to provide an educational experience that meets the contemporary demands of the profession.

The MPAS plans to enroll the same number of students as in the BS-PA program—34 new students annually—which is the maximum enrollment allowed for accreditation. Retention and graduation rates in the BS-PA program are high—nearly 100%—and the same pattern is expected for the MPAS. Because the MPAS will enroll the same number of students as the bachelor’s program, the MPAS does not increase competition for clinical sites among the Wisconsin programs.

### **Projected Enrollment (5 years)**

Year	Implementation year	2nd year	3rd year	4th year	5th year
New students admitted	34	34	34	34	34
Continuing students		33	33	33	33
Total enrollment	34	67	67	67	67
Graduating students		34	34	34	34

### **Comparable Programs**

There are four PA programs in Wisconsin:

1. the BS-PA at UW-Madison that admits 34 students annually;
2. the MS-Physician Assistant Studies at UW-La Crosse that was implemented in 2004 and admits 14 students annually;
3. a Master of Physician Assistant Studies at Marquette, which admits 50 new students annually, a number of whom come from other states; and
4. a nascent master’s program at Carroll University that is awaiting final approval (as of March) for a planned 2009 implementation.

There are 142 PA programs in the USA, 120 of which offer a master’s level program. There are 12 programs in Illinois, Iowa, Michigan, and Minnesota, all offered at the master’s level.

Tuition for the MPAS program is planned to be the same rate as UW-Madison graduate tuition. If the MPAS were in place now, a Wisconsin resident would pay \$27,500 tuition for the two-year program. Tuition at UW-La Crosse would be similar (\$28,800). Tuition at Marquette would be much higher, about \$69,300. The average PA program resident tuition nationally is substantially higher than the UW programs: \$45,700.

### **Collaboration**

The MPAS will be integrated into medical education at UW-Madison to maximize the efficient use of resources. For example, PA students will take gross human anatomy with MD students. PAs and Nurse Practitioners share a pharmacology course. The PA program will participate as part of health care teams in the context of the SMPH’s programs for serving rural Wisconsin and urban populations. The UW-Madison PA program has sustained a collegial relationship with the UW-La Crosse PA program. Distance education capabilities associated with UW-Madison’s community-based format provide a venue for sharing certain courses. For

example, there is an emerging opportunity to share clinical pharmacology and rural curriculum between the two programs.

## **Diversity**

The PA program has undertaken active measures to increase the racial/ethnic diversity of students and to serve underserved communities. Some of these recruiting efforts have been sponsored through training grants. The community-based (distance education) option was developed in 2001 as a result of federal grant funding to address the needs of medically underserved communities. Over the past five years, the PA program has enrolled up to 20% of its students from Medically Underserved Communities (MUCs). Previously, minority applicants had comprised only a small percent of the applicant pool and only one-to-three new minority students enrolled (representing a low of 3% and a high of 9%). In contrast, for the most recent year, 15% of new students were from minority racial/ethnic groups, which is more consistent with the state demographics than enrollments in previous years.

The PA program received federal funding for the period 2008-2011 to support programmatic initiatives to recruit more targeted minority enrollees over the next three years. The grant supports two part-time staff positions dedicated to recruitment, outreach, and developing community partnerships in rural and medically underserved communities. In addition, the PA program has made curricular enhancements in cultural competency to better prepare graduates for serving minority populations. Through direct instruction, workshops, clinical vignettes, use of standardized patients/interpreters, and on-line curriculum, the program continues to enhance the cultural competence of preceptors, faculty, and students.

In the 2007-2008 academic year, all instructional faculty completed a diversity workshop. PA students actively team up with other healthcare professional students and faculty to serve in Madison's MEDiC outreach clinics for the uninsured and under-insured population. Additionally, PA program students have annually engaged in international healthcare experiences in Belize and Guatemala to serve medically underserved villages in these countries. These service-learning activities contain cultural training and diversity curricular components through direct interaction with persons of differing cultures.

The UW-Madison Physician Assistant program has paid special attention to gender and race/ethnic diversity among its faculty, as well as its students. Of 5.7 FTE instructional faculty, 2.2 FTE are men and 2.5 FTE are women, showing an even gender split. Because there has been low attrition of PA faculty, the opportunity for recruitment and hiring has been limited over the years. Last year, the program lost a diverse faculty member, who enrolled in a doctoral program, and a diverse support staff member, who did not successfully complete the probationary period. Recently, two faculty positions have been filled and despite significant targeted recruitment efforts, the Program was not able to fill these positions with diversity candidates. The PA program is housed in the Department of Family Medicine (DFM) in the School of Medicine and Public Health (SMPH). The Program consults with DFM and SMPH Human Resources regarding the Program's valuing of diversity prior to each search. HR offices have utilized advertising approaches to announce and distribute faculty opportunities across demographic lines, including specific journals and publications to diverse audiences. All recruiting efforts

identify UW-Madison as an equal opportunity/affirmative action employer, while promoting excellence through diversity and encouraging all qualified individuals to apply. Personal contacts were utilized in the recent faculty position recruitments in an effort to assure a diverse pool of candidates. Overall, there is a shortage of PA educators and the shortage is even more pronounced for diverse PA educators, which compounds the challenges of recruiting. Despite intensive recruitment efforts, there were very limited qualified applicants overall for the recent PA faculty positions. The PA program remains committed to recruitment and hiring across demographic lines, while ensuring equitable review and hiring processes.

### **Evaluation from External Reviewers**

Three external reviewers provided positive comments on the proposal. They confirmed a strong demand for master's-prepared PAs and the transition in the profession to master's-level preparation for practice. The curriculum was recognized as well-designed and consistent with other master's-level PA programs. Reviewers noted the commitment, experience, and stability of the faculty as strengths of the program.

### **Resource Needs**

The MPAS will be funded from the resources currently used to support the BS-PA program, which is supported by the SMPH and grant support. The additional costs for a new faculty member will be reallocated from other sources in the SMPH. A federal grant also supports the program. The PA program has had exceptional success in acquiring federal grant support in seven of the past eight years. This grant support is supplemental to state funding and is geared toward grant initiatives, not for base funding of the educational program. The program has plans for ongoing application for HRSA (Health Resources and Services Administration) Title VII Training grants for physician assistant training programs, as well as for exploring other extramural grant funding. In the absence of federal funding, state funding will sustain the program. The program also has opportunities for credit-outreach funding and for initiatives such as a master's-completion program that will generate revenue. "Supplies and expenses" represents costs related to routine program operations, including administrative supplies, computers and computer supplies, telephone expenses, forms and printing, postage, and professional development. The annual increase in the category of the "supplies and expenses" budget represents a normal rate of inflation.

### **RECOMMENDATION**

The University of Wisconsin System recommends approval of Resolution I.1.f.(6), authorizing the implementation of the Master of Physician Assistant Studies at the University of the Wisconsin-Madison.

### **RELATED REGENT POLICIES**

University of Wisconsin System Academic Planning and Program Review (November 10, 1995)  
Academic Informational Series #1 (ACIS-1.0 revised June 2006)

## BUDGET

	First Year		Second Year		Third Year	
<b>CURRENT COSTS</b>	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
<b>Personnel</b>						
Faculty (assumes 2% annual increases)	5.2	\$528,325	5.2	\$538,892	5.2	\$549,670
Noninstructional Academic & Classified Staff (includes student workers)	6	\$316,773	6	\$323,108	6	\$329,570
<b>SUBTOTAL</b>		\$845,098		\$862,000		\$879,240
<b>Non-personnel</b>						
Supplies & Expenses		\$84,537		\$86,228		\$87,953
<b>Subtotal</b>		\$929,635		\$948,228		\$967,193
<b>ADDITIONAL COSTS</b>	#FTE	Dollars	#FTE	Dollars	#FTE	Dollars
<b>Personnel</b>						
Faculty/Instructional Staff	1	\$138,500	1	\$141,270	1	\$144,095
<b>Non-personnel</b>						
<b>Subtotal</b>		\$138,500		\$141,270		\$144,095
<b>TOTAL COSTS</b>		\$1,068,135		\$1,089,498		\$1,111,288
<b>CURRENT RESOURCES</b>						
Reallocation from BS-PA budget		\$788,595		\$804,367		\$820,454
Gifts and Grants (HRSA Grant)		\$141,040		\$143,861		\$146,739
<b>Subtotal</b>		\$929,635		\$948,228		\$967,193
<b>ADDITIONAL RESOURCES</b>						
SMPH Reallocation (101)		\$138,500		\$141,270		\$144,095
<b>Subtotal</b>		\$138,500		\$141,270		\$144,095
<b>TOTAL RESOURCES</b>		\$1,068,135		\$1,089,498		\$1,111,288

EDUCATION COMMITTEE

Resolution I.1.f.(7):

That, upon recommendation of the Chancellors of the University of Wisconsin-Madison and the University of Wisconsin-Milwaukee and the President of the University of Wisconsin System, the Board of Regents approves the request to the Trustees of the William F. Vilas Trust Estate for \$5,316,899 for fiscal year July 1, 2009, to June 30, 2010, subject to availability, as provided by the terms of the William F. Vilas Trust, for Support of Scholarships, Fellowships, Professorships, and Special Programs in Arts and Humanities, Social Sciences, Biological Sciences, Physical Sciences and Music.

**APPROVAL OF REQUESTS TO  
TRUSTEES OF THE WILLIAM F. VILAS TRUST ESTATE  
FOR SUPPORT OF SCHOLARSHIPS, FELLOWSHIPS, PROFESSORSHIPS, AND  
SPECIAL PROGRAMS IN ARTS AND HUMANITIES, SOCIAL SCIENCES AND  
MUSIC**

**EXECUTIVE SUMMARY**

**BACKGROUND**

The terms of the Deed of Gift and Conveyance of the estate of William F. Vilas, subsequently validated and accepted by an act of the Legislature of Wisconsin, provides in part that the trustees of the estate may proffer in writing to the Board of Regents funds for the maintenance of scholarships, fellowships, professorships, with their respective auxiliary allowances, and other like endowments specifically enumerated, defined, and provided for by the Deed.

At the beginning of each calendar year, the trustees of the William F. Vilas Trust Estate formally request that the President of the UW System ask the Chancellors of UW-Madison and UW-Milwaukee to determine from the Vilas Professors the amounts they will request for special project allowances for the ensuing academic year, and to obtain from the Chairs of the UW-Madison and UW-Milwaukee music departments their programs and requests for the next year. In addition, the Chancellor of UW-Madison is asked to determine the number of scholarships, fellowships, Vilas Associates, and any other initiatives to be requested.

The proffer is made following receipt, by the trustees, of a certificate or warrant from the Board of Regents showing how the funds will be expended. This request and Resolution I.1.f.(7) constitute that warrant.

Following approval of this resolution, President Reilly will send a formal request to the trustees, who will determine the amount of income that will be available for the various awards (particularly for music, which varies with the value of the trust) and respond with a proffer of funds. The value of the proffer will then be reported to the Board of Regents.

**REQUESTED ACTION**

Approval of resolution I.1.f.(7), a request to the trustees of the William F. Vilas Trust Estate for \$5,316,899 for fiscal year 2009-2010 for the support of scholarships, fellowships, professorships, and special programs in arts and humanities, social sciences, and music.

**DISCUSSION**

The attached documents contain the responses to the trustees' request and details how the proposed funds will be expended. They have five components: (a) continuation of Trustee-approved programs, UW-Madison (\$3,219,684); (b) one-time-only program allocations, UW-Madison (\$2,000,000); (c) support for the *Music and Community* program, UW-Milwaukee (\$46,715); (d) request to fund Kumkum Sangari, Vilas Research Professor in the Department of English, UW-Milwaukee (\$48,000); and (e) continuation of the standard retirement benefit in support of Vilas Professor Emeritus Ihab Hassan, UW-Milwaukee (\$2,500).





March 13, 2009

President Kevin Reilly  
University of Wisconsin System  
1720 Van Hise Hall  
CAMPUS

Dear President Reilly:

In this memo, I enumerate the request for funds from the Vilas Trust Estate for fiscal year July 1, 2009 to June 30, 2010 for the University of Wisconsin-Madison.

Our request is framed in careful accordance with both the terms of the Vilas Trust and the needs we have to fulfill the strategic goals aimed at supporting the mission of the campus as a research and teaching campus of the highest rank. We are especially mindful of the gaps in our ability to attract, retain, and support the highest quality scholars to our faculty exacerbated by recent budget cuts; and the difficulty many students have in paying for undergraduate or graduate education here because of rising tuition and increasing challenges in finding need-based aid.

You will notice that this year's request is much smaller than in previous years. Rob Stroud, the attorney for the Vilas Trust, informed us that the economic downturn has adversely impacted the Trust's ability to fund program requests previously included in Part B. Therefore, in Part B, we have only requested 100 Vilas Research Investigator Awards. Our total request is **\$5,219,684**.

The programs for which we are requesting funding follow.

**A. CONTINUATION OF APPROVED PROGRAMS**

- |    |  |              |         |
|----|--|--------------|---------|
| 1. | Continuation of 10 Vilas Undergraduate Scholarships<br>at \$400 each                                       |              | 4,000   |
| 2. | Continuation of 10 Vilas Graduate Fellowships:   |              |         |
|    | a. 5 at \$600 each   | 3,000        |         |
|    | b. 5 Traveling Fellowships at \$1,500 each   | <u>7,500</u> | 10,500  |
| 3. | Continuation of 15 Vilas Research Professors<br>at \$10,000 salary plus \$38,000 auxiliary allowances each |              | 720,000 |

Vernon Barger - Vilas Research Professor

Office of the Chancellor  
Bascom Hall University of Wisconsin-Madison 500 Lincoln Drive Madison, Wisconsin 53706-1380

of Physics, College of Letters and Science

David Bethea - Vilas Research Professor  
of Slavic Languages, College of Letters and Science

William A. Brock - Vilas Research Professor  
of Economics, College of Letters and Science

William Cronon – Vilas Research Professor  
of History and Geography, College of Letters and  
Science, and Gaylord Nelson Institute for  
Environmental Studies

Richard Davidson - Vilas Research Professor  
of Psychology and Psychiatry, College of Letters and  
Science and School of Medicine and Public Health

Morton Gernsbacher – Vilas Research Professor  
of Psychology, College of Letters and Science

Robert Hauser - Vilas Research Professor  
of Sociology, College of Letters and Science

Judith Kimble - Vilas Research Professor  
of Biochemistry and Medical Genetics, College of  
Agricultural and Life Sciences and School of  
Medicine and Public Health

Ching Kung - Vilas Research Professor  
of Genetics, College of Agricultural and Life Sciences

Emiko Ohnuki-Tierney - Vilas Research Professor  
of Anthropology, College of Letters and Science

Paul Rabinowitz – Vilas Research Professor  
of Mathematics, College of Letters and Science

Elliott Sober - Vilas Research Professor  
of Philosophy, College of Letters and Science

Howard Weinbrot - Vilas Research Professor  
of English, College of Letters and Science

Erik Olin Wright - Vilas Research Professor  
of Sociology, College of Letters and Science

Sau Lan Wu - Vilas Research Professor  
of Physics, College of Letters and Science

4.	a. Continuation of 50 additional undergraduate scholarships at \$400 each	20,000	
	b. Continuation of 50 additional graduate fellowships at \$600 each	<u>30,000</u>	50,000
5.	Continuation of eighty (80) additional undergraduate scholarships at \$400 each under the provisions of Paragraph (3), Article 4 of the Deed of Gift and Conveyance by the Trustees of the Estate of William F. Vilas		32,000
6.	Retirement benefits for eight (8) Vilas Professors: Berkowitz, Bird, Goldberger, Hermand, Keisler, Lardy, Mueller, Vansina at \$2,500 each		20,000
7.	Continuation of support for encouragement of merit and talent or to promote appreciation of and taste for the art of music for 2009-10.		21,175
8.	17 Vilas Associates in the Arts and Humanities		541,212
9.	12 Vilas Associates in the Social Sciences		459,474
10.	14 Vilas Associates in the Physical Sciences		587,029
11.	9 Vilas Associates in the Biological Sciences		158,294
12.	Continuation of 1998 and 2002 Expansion of Approved Programs:		
	a. 940 additional undergraduate scholarships at \$400 each, pursuant to Article 4, Sections A and E of the Deed of Gift and Conveyance		376,000
	b. 400 additional fellowships at the \$600 level, pursuant to Article 4, Sections A and E of the Deed of Gift and Conveyance		240,000
<b><u>Total: Continuation Request</u></b>			<b>\$ 3,219,684</b>

**B. ONE-TIME ONLY PROGRAM ALLOCATIONS**

- |   |             |
|---|-------------|
| 1. Create 100 Vilas Research Investigator Awards of \$20,000 each pursuant to and consistent with the intent of Article 4, Section E of the Deed of Gift and Conveyance, for the purpose of providing an annual research allocation to support graduate student pursuit of their research. This research allocation will be used to cover some educational expenses, including tuition, for these students. | \$2,000,000 |
|---|-------------|

<b><u>Total: One-Time Only Program Allocations</u></b>	<b>\$2,000,000</b>
--	--------------------

Please let me know if you have any questions.

Sincerely,



Carolyn "Biddy" Martin  
Chancellor

Attachments

xc: Interim Provost Julie Underwood  
Vice Chancellor Darrell Bazzell  
Dean Martin Cadwallader



**Academic Affairs**

Chapman Hall 230  
P.O. Box 413  
Milwaukee WI 53201-0413  
414-229-4503 *phone*  
414-229-4929 *fax*  
[www3.uwm.edu/dept/acad\\_aff/](http://www3.uwm.edu/dept/acad_aff/)

March 20, 2009

TO: Kevin P. Reilly, President  
The University of Wisconsin System

FROM: Rita Cheng  
Provost and Vice Chancellor

RE: UW-Milwaukee 2009-10 Vilas Trust Support

Please find requests for three proposals that UW-Milwaukee is submitting for the 2009-10 Vilas Trust Funds:

1. Vilas Research Professor Kumkum Sangari, Department of English.  
Total Request: \$48,000.00 (\$38,000 for Research Support and \$10,000 for Salary Support)
2. Department of Music, Peck School of the Arts. "*Music and Community*". Total Request: \$46,715 (see attached proposal).
3. Continuation of the standard retirement benefit of \$2,500 in support of Vilas Emeritus Ihab Hassan.

Thank you for your continued consideration and support of these activities. Both the Departments of English and Music are appreciative of this opportunity to gain funding for both venues. The proposal from the Music Department is attached

Should you have any questions, please do not hesitate to contact me or Associate Vice Chancellor Dev Venugopalan (229-5561).

c: Carlos E. Santiago, Chancellor  
Dev Venugopalan, Associate Vice Chancellor  
G. Richard Meadows, Dean, College of Letters & Science  
Wade Hobgood, Dean, Peck School of the Arts

## **VILAS PROPOSAL FOR 2009-2010**

### **Proposed "Music and Community" Events**

#### **Festivals and workshops:**

1. Woody Herman Jazz Educational Workshop:  
Guest artist performances and clinicians working with middle school, high school, and collegiate jazz ensembles as well as UWM students.
2. Women Composer Festival  
An inter-departmental collaboration of concerts and master classes featuring distinguished guest composer Libby Larsen, in association with the UWM Women's Studies program.
3. String and Chamber Music Day  
Guest artist performances by the Grammy award-winning Pacifica String Quartet and coachings/clinics for participating high school, college, and professional-level ensembles.
4. UWM High School Honor Choir Invitational  
Renowned choral clinician Dr. André Thomas and the UWM choral faculty lead a two-day educational event for area high school honor choirs, emphasizing individual coachings.
5. Dalcroze-Eurythmics Workshop  
Renowned clinician David Frego leads a two-day educational workshop for UWM students and area school teachers on the effects of movement on teaching and learning.

#### **Guest artist residencies:**

6. Jazz Guitar Residency John Scofield:  
Legendary guitarist John Scofield, noted for his jazz improvisational skills, presents a series of master classes and guest performances.
7. Unruly Music: C2 Residency:  
The composer/performers C2 will perform and discuss group improvisation, creative transcription, and the integration of electronics into instrumental performance. The group will also present open rehearsals and performances of new works written by UWM faculty. Masters-level composition students are a special target for the residency.
8. John Renbourn Residency  
Noted fingerstyle guitarist and folk music legend John Renbourn presents lectures, master classes, and lessons for music history and guitar students.

#### **Master classes, performances and presentations:**

9 - 17. Chamber Music Milwaukee Series, artists from across the spectrum of music making, including Mary Dibbern (voice & collaborative piano), Margaret Fingerhut (piano), Benjamin Verdery (jazz guitar), Double Reed Day (master class/workshop), Early Music Master Classes including guest artist, Emma Kirby, Galileo's Daughter and Ensemble Lipzodes, UWM Flute Series, Milwaukee Wind Quintet (woodwinds), and Russell Miller (master class/residency).

### **Vilas Funding Request Budget**

1. Woody Herman Jazz Festival	\$ 4,000
Project Coordinator: Curt Hanrahan	
2. Women Composer Festival	\$ 4,500
Project Coordinator: Voice/Composition Area Faculty	
3. String Chamber Music Day Workshops	\$ 4,600
Project Coordinators: Bernard Zinck and Scott Cook	
4. UWM High School Honor Choir Festival	\$ 2,815
Project Coordinators: Sharon Hansen, Gloria Hansen, Jose Rivera	
5. Dalcroze-Eurythmics Workshop	\$ 2,000
Project Coordinators: Sheila Feay-Shaw, Jose Rivera, Scott Emmons	
6. John Scofield Residency	\$ 2,500
Project Coordinators: John Stropes and Steve Nelson-Raney	
7. Unruly Music Series and Workshops	\$ 3,500
Project Coordinator: Christopher Burns	
8. John Renbourn Residency	\$ 4,000
Project Coordinators: Martin Jack Rosenblum, John Stropes	
9. Chamber Music Milwaukee Concert Series	\$ 6,000
Project Coordinators: Gregory Flint, Todd Levy	
10. Mary Dibben Master Classes	\$ 1,500
Project Coordinators: Jeffry Peterson, Valerie Errante	
11. Margaret Fingerhut Residency	\$ 2,000
Project Coordinator: Judit Jaimes	
12. Benjamin Verdery Residency	\$ 2,500
Project Coordinator: John Stropes	
13. Double Reed Day Workshop	\$ 1,000
Project Coordinator: John Climer, Caen Thomason-Redus	
14. Early Music Master Class	\$ 2,400
Project Coordinator: Caen Thomason-Redus	
15. UWM Flute Series	\$ 2,000
Project Coordinator: Caen Thomason-Redus	
16. Milwaukee Woodwind Quintet	\$ 900
Project Coordinator: Gregory Flint	
17. Russell Miller Master Class/Residency	<u>\$ 500</u>
Project Coordinator: Jeffry Peterson	

**TOTAL VILAS REQUEST:** \$46,715

## BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

### I.2. Business, Finance, and Audit Committee

Thursday, May 7, 2009  
University of Wisconsin-Milwaukee  
Union, Alumni Fireside Lounge  
Milwaukee, Wisconsin

#### 10:00 Board of Regents

UW-Milwaukee Presentation: Role of Students in Research Initiatives  
Union, Wisconsin Room

#### 11:00 Joint Meeting of the Education Committee and Business, Finance, and Audit Committee All Regents Invited - Union, Wisconsin Room

- Approval: Interim Guidelines for Making Textbooks More Affordable  
[Resolution I.1.A.]
- UW-Milwaukee Presentation: Combating Alcohol and Drug Abuse

#### 12:00 Lunch – Union Ballroom

#### 1:00 Joint Meeting of the Capital Planning and Budget Committee and Business, Finance, and Audit Committee

- UW-Milwaukee Presentation: Master Plan Update  
Alumni Fireside Lounge (1<sup>st</sup> floor, Union)

#### 1:30 Business, Finance and Audit Committee Alumni Fireside Lounge (1<sup>st</sup> floor, Union)

- a. Approval of UW-Madison Undergraduate Differential Tuition Initiative  
[Resolution I.2.a.]
- b. Trust Fund Issues
  1. UW System Annual Endowment Peer Benchmarking Report
  2. UW System Voting of 2009 Non-Routine Proxy Proposals  
[Resolution I.2.b.2]
- c. Operations Review and Audit Issues
  1. Program Review: UW System Excess Credit Policy
  2. Follow-up Review: Children's Centers at University of Wisconsin Institutions
  3. Quarterly Status Update
- d. Update: 2009-11 UW System Biennial Budget



- e. Committee Business
  - 1. Quarterly Gifts, Grants, and Contracts (3<sup>rd</sup> Quarter)
  - 2. Quarterly Expenditures – Budget to Actual (3<sup>rd</sup> Quarter)
- f. Consent Agenda
  - 1. Approval of Minutes of the March 5, 2009 Meeting of the Business, Finance, and Audit Committee
  - 2. Approval of Food Service Contract at UW-Eau Claire  
[Resolution I.2.f.2.]
  - 3. Approval of Food Service Contract at UW-Parkside  
[Resolution I.2.f.3.]
- g. Report of the Senior Vice President
  - 1. Update of Selected Federal Legislation
  - 2. Status of the Federal Stimulus Program
- h. Additional items, which may be presented to the Committee with its approval

BUSINESS, FINANCE, AND AUDIT COMMITTEE

REVISED

Resolution:

That, upon the recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Board of Regents approves the differential tuition for all UW-Madison undergraduate students beginning in Fall 2009. The differential tuition will be phased in over four years. For resident students, the differential will be \$250 per year in 2009-10; \$500 per year in 2010-11; \$750 per year in 2011-12; and \$1,000 per year in 2012-13. For nonresident students, the differential will be \$750 per year in 2009-10; \$1,500 per year in 2010-11; \$2,250 per year in 2011-12; and \$3,000 per year in 2012-13. The differential will be prorated for part-time students.

The initiative will add faculty and instructional support while increasing need-based financial aid. Undergraduate residents and undergraduate non-resident students of families with adjusted gross income (AGI) of \$80,000 or less, and reflect financial need, will be held harmless from the differential increase.

The proposed differential tuition will be evaluated on an annual basis by the Madison Initiative Oversight Board, which will be comprised of students, faculty, and staff. There will be a status report provided to the Business, Finance, and Audit Committee and the Board of Regents annually. In addition, the outcomes of the proposed differential will be presented to the Board of Regents for review in four years (2013-2014).

## **THE MADISON INITIATIVE FOR UNDERGRADUATES**

### **UW-Madison**

#### **EXECUTIVE SUMMARY**

##### **BACKGROUND**

UW-Madison proposes an undergraduate differential tuition that will preserve and improve the quality of the institution by increasing student access to key courses and majors; introducing curricular and pedagogical change; improving vital student services; and enhancing access and affordability. The initiative will add faculty and instructional support while increasing need-based financial aid.

##### **REQUESTED ACTION**

Approval of Resolution I.2.a., establishing a differential tuition for all undergraduate students at UW-Madison beginning in Fall 2009. Tuition will increase \$250 per year for resident undergraduates and \$750 per year for non-resident undergraduates during each of the next four years. The differential will be prorated for part-time students.

	Resident Undergraduate	Non-resident Undergraduate
2009-10	\$250	\$750
2010-11	\$500	\$1,500
2011-12	\$750	\$2,250
2012-13	\$1,000	\$3,000

The initiative will add faculty and instructional support while increasing need-based financial aid.

The proposed differential tuition will be evaluated on an annual basis by the Madison Initiative Oversight Board, which will be comprised of students, faculty, and staff. In addition, the outcomes of the proposed differential will be presented to the Board of Regents for review in five years (2014-2015).

##### **DISCUSSION AND RECOMMENDATIONS**

The Madison Initiative for Undergraduates is aimed at improving the quality of undergraduate education and the undergraduate experience while enhancing affordability for families with demonstrated financial need. The Initiative will improve access to key courses and majors by adding faculty; support critical student services and instructional innovations; and ensure that affordability, for many, will no longer be a significant barrier to a UW-Madison education.

*Access to courses and majors.* The differential will restore roughly 100 faculty and instructional positions that have been eliminated in recent years. Restoration of the positions

will reduce or eliminate bottlenecks in key gateway courses like chemistry, biology, math, and Spanish. Increasing access to these courses will help students graduate faster, enable students to take prerequisites in the appropriate order, improve access to majors, and provide the opportunity for students to be successful.

The reduction in faculty positions over time has restricted access to high-demand majors such as education, economics, psychology, Spanish, political science, biology, and nursing. These fields of study are important to Wisconsin's economy and future. Departments across the university will be eligible for new positions based on student demand, importance of the field, number of undergraduate courses taught by tenured and tenure-track faculty in that field, and commitment to improving undergraduate education.

*Critical student services and instructional innovation.* UW-Madison has consistently heard from students that they need additional student services. A student advisory committee will identify the most vital needs. The identified needs will likely include improvements to areas such as:

- academic advising
- career advising
- peer-mentoring
- sexual assault prevention
- campus safety
- student transfers
- support for students who are single parents
- efforts to document out-of-classroom experiences
- tutoring support
- alcohol abuse prevention efforts.

For new students, UW-Madison also needs to offer more Freshman Interest Groups (FIGs) and encourage more students to participate in Undergraduate Research Scholars (URS) and residential learning communities (RLCs). These programs show extraordinarily positive social and academic outcomes for first-year students—benefits that continue through graduation. Students who participate in either FIGs or URS in their first year graduate sooner and are three times more likely to graduate with a GPA better than 3.1. Students who are in RLCs as freshmen graduate with GPAs that are about 0.3 points higher, graduate sooner, are more likely to participate in service activities, and are more likely to take on campus leadership roles.

The differential will also support small, intensive seminar experiences taught by faculty and instructors. Students that participate in capstones, internships, and service-learning courses are happier with their college experience, tend to feel better prepared to enter the workplace following graduation, and graduate feeling more goal directed.

Additionally, the Initiative will provide support to the Division of Information Technology to assist faculty and staff with integrating technology into their courses. The lack of staff who can work with instructors on specific technology applications in their courses creates a bottleneck for the use of technology in education. Much of the technology already exists, but the university needs to build instructors' capacity to use it.

*Affordability for low- and middle-income students.* Currently, the university does not have an adequate need-based financial aid fund to ensure affordability for low- and middle-income students and to guarantee the economic diversity that benefits the entire student body. The university falls at least \$20 million short each year of meeting students' demonstrated need, and that shortfall is growing. The university will use \$10 million of the increased revenue to build a

need-based financial aid fund. The university, collaborating with the UW Foundation, will raise private gifts to supplement this amount, expecting to double it.

In addition, the Madison Initiative will also provide grants to low- and middle-income students who have demonstrated financial need and adjusted gross incomes (AGI) below \$80,000 to cover the cost of the differential tuition. The university estimates that there are approximately 6,100 currently enrolled students - 5,356 residents and 736 non-residents - whose families make less than \$80,000 AGI and who would be held harmless. (Residents are not funding financial aid for nonresidents.) The number could be larger if more students opt to fill out the FAFSA and are able to demonstrate financial need.

Madison Initiative for Undergraduates Program Budget					
	EY 2010	EY 2011	EY 2012	EY 2013	FTE
<b>Projected Revenue</b>	<b>\$10,250,000</b>	<b>\$20,500,000</b>	<b>\$30,750,000</b>	<b>\$41,000,000</b>	
<b>Permanent Base Allocations</b>					
<b>Program Initiatives</b>					
Letters and Science Faculty and Instructional Support to Address Course Bottlenecks; Faculty for High-Demand Majors	\$3,625,000	\$7,250,000	\$10,875,000	\$14,500,000	169
Additional Freshman Interest Groups	\$250,000	\$500,000	\$750,000	\$1,000,000	8
Student Services Innovations; Enhanced Advising; Pedagogical Innovations; Capstones, Internships, and Service Learning; Technology Enhanced Learning	\$1,275,000	\$2,550,000	\$3,825,000	\$5,100,000	58
<b>Subtotal Program Initiatives</b>	<b>\$5,150,000</b>	<b>\$10,300,000</b>	<b>\$15,450,000</b>	<b>\$20,600,000</b>	<b>235</b>
<b>Financial Aid</b>					
Hold Harmless	\$2,600,000	\$5,200,000	\$7,800,000	\$10,400,000	na
Unmet Need	\$2,500,000	\$5,000,000	\$7,500,000	\$10,000,000	na
<b>Subtotal Financial Aid</b>	<b>\$5,100,000</b>	<b>\$10,200,000</b>	<b>\$15,300,000</b>	<b>\$20,400,000</b>	<b>na</b>
<b>Madison Initiative Total Expenses</b>	<b>\$10,250,000</b>	<b>\$20,500,000</b>	<b>\$30,750,000</b>	<b>\$41,000,000</b>	<b>235</b>

*Peer analysis.* UW-Madison has always prided itself on being a great investment, providing one of the nation's best academic programs at an affordable price. Currently, tuition at UW-Madison is \$2,708 below the Big Ten resident undergraduate midpoint and \$3,205 below the non-resident midpoint. Even with the Madison Initiative for Undergraduates, UW-Madison resident undergraduate tuition and fees will still be ranked in the lower half of the Big Ten. After full implementation of the \$1000 differential and assuming the same base tuition increases across all peers, UW-Madison would move from ninth place to seventh.

<b>2008-2009 Academic Year Tuition &amp; Required Fees at Public Big Ten Universities</b>				
University	Undergraduate			
	Resident		Non-Resident	
	Amount	Rank	Amount	Rank
Penn State University	\$13,706	1	\$24,940	4
University of Illinois	\$12,240	2	\$26,024	3
University of Michigan	\$11,745	3	\$33,777	1
Michigan State University	\$10,740	4	\$26,134	2
University of Minnesota	\$10,273	5	\$21,903	8
Ohio State University	\$8,679	6	\$22,614	7
Indiana University	\$8,231	7	\$24,769	5
Purdue University	\$7,750	8	\$23,224	6
<b>University of Wisconsin - Madison</b>	<b>\$7,564</b>	<b>9</b>	<b>\$21,564</b>	<b>9</b>
University of Iowa	\$6,544	10	\$20,658	10
Average Excluding UW-Madison	\$9,990		\$24,894	
Midpoint Excluding UW-Madison	\$10,273		\$24,769	
UW-Madison Distance From the Midpoint	-\$2,708		-\$3,205	
Notes: All of the public Big Ten Universities assess additional fees, beyond those shown above, for undergraduates enrolled in specific academic programs, such as engineering or business. Rates are based on incoming freshmen.				

UW-Madison enrolled 29,153 undergraduates in Fall 2008 and 27,325 undergraduates in the Spring 2009. The university does not anticipate any decline in enrollment as a result of the Initiative, but does anticipate a greater capacity to support economic diversity in the undergraduate population due to need-based financial aid growth.

*Student consultation.* Administrators and faculty members have reached out to the entire university community, especially students, in a sweeping effort to promote understanding of the Madison Initiative for Undergraduates and to encourage dialogue. The feedback was thoughtful and helped shaped the Initiative.

Since the Initiative was publicly announced on March 25, it has been discussed at more than 140 meetings across campus. These meetings included two campus-wide forums – one on March 26 and another sponsored by the Associated Students of Madison (ASM) on March 30. Discussion sessions have also been held in departments, schools, and colleges.

Beginning on March 30, administrators held office hours with students for a week in the Student Activities Center to explain and answer questions about the initiative. On April 3 and 4, campus officials also took part in a Wisconsin Alumni Association-sponsored campus cookie giveaway that encouraged student interest and gathered input about the Initiative. On April 7, the

chancellor, provost, and dean of students did informal evening walkabouts to popular student study and gathering areas on campus to get input and answer student questions.

A well-trafficked web site, [www.madisoninitiative.wisc.edu](http://www.madisoninitiative.wisc.edu), was launched on the day the initiative went public. The web site contains four videos, two PowerPoint presentations, an audio recording of the initial news conference, and a regularly updated list of frequently asked questions. Open letters to the university community were distributed by e-mail on March 25 and April 16.

The Madison Initiative for Undergraduates has been discussed at three separate ASM meetings. The chancellor and dean of students presented the plan to ASM on March 25. On April 8, ASM issued a preliminary endorsement of the initiative, pending further discussion. On April 22, ASM approved a final endorsement by a vote of 17 to 1 with 3 abstaining.

During the ASM meeting on April 22, representatives discussed the results of a student opinion survey conducted by ASM. The survey was distributed electronically to randomly selected graduate and undergraduate students on April 3. Of the 2,286 survey responses, 399 were supportive of the initiative, 828 were neither supportive nor opposed, 860 were opposed, and 199 did not respond to this question. Acknowledging these results and the limited knowledge about the Initiative at the time the survey was taken, ASM representatives endorsed the Initiative based on their extensive in-person consultation with constituents, the importance of the Initiative's objectives, and that the survey may have been taken before all interested students had the opportunity to fully educate themselves on the Initiative.

*Initiative review and oversight.* A Student Service Task Force will be formed, consisting of students, faculty and staff. This group will create a comprehensive list of possible student services needs by collecting information and evaluating data. ASM will create a Student Subcommittee for Student Services to review the findings of the task force and make recommendations concerning the use of student services funds.

A Madison Initiative Oversight Board will also be created. Composed of an equal number of faculty, students, and staff, the Oversight Board will review and amend the recommendations of the Student Subcommittee along with other proposals related to the Initiative. This group will forward their recommendations to the chancellor. The Oversight Board will also evaluate the Madison Initiative for Undergraduates annually and make on-going recommendations to the chancellor.

The chancellor will review the recommendations of the Oversight Board and will make the final budgetary decisions.

In addition, the outcomes of the proposed Initiative will be presented to the Board of Regents after five full years of implementation.

## **RELATED REGENT POLICIES**

Study of the UW System in the 21<sup>st</sup> Century (June 1996)  
Student Involvement Policies

## **UW SYSTEM TRUST FUNDS ANNUAL ENDOWMENT PEER BENCHMARKING REPORT**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

Each year, both the National Association of College and University Business Officers (NACUBO) and the Commonfund conduct detailed surveys of college and university endowments. (Note: NACUBO and Commonfund have agreed to do a joint, presumably expanded, survey in future years.) These surveys gather data on investment and spending policies and practices, investment performance and fees, staffing, and other measures. The surveys provide overall averages, as well as statistics for endowments by different size categories. This data is supplemented by results from a limited Big Ten survey (conducted quarterly by Penn State University) as well as the Greenwich Associates “Summary of Endowment and Foundation Investment Trends”.

#### **REQUESTED ACTION**

This item is informational only.

#### **DISCUSSION AND RECOMMENDATIONS**

The annualized investment returns for the UW Trust Funds endowment (i.e., the Long Term Fund) have exceeded the average performance of its most comparable peer group (endowments with \$100 to \$500 million in assets) over 1-, 3-, 5-, and 10-year periods ended June 30, 2008. Other key observations in comparing UW Trust Funds to various peer groups are the following: (1) the asset allocation of the UW Trust Funds endowment at June 30, 2008 was overweight to fixed income and private equity, and underweight to other “alternative” asset classes versus the peer group; (2) growth from new gifts was below peer levels; (3) UW’s policy spending rate of 4.0 percent was below the peer average of 4.8 percent; (4) long-term investment return assumptions are in line with all peer groups; (5) investment staffing is in line with peer groups’ staffing; (6) UW does not use an investment consultant, while most peer institutions do; (7) UW employs significantly fewer investment firms than do peers; and (8) UW considers “social responsibility” criteria to some extent, as do roughly one-fifth of its peers.

The attached report provides more details on key data from the fiscal year 2008 surveys.

#### **RELATED REGENT POLICIES**

None.





# UNIVERSITY OF WISCONSIN SYSTEM TRUST FUNDS

**Annual Endowment Peer Benchmarking Report  
Year Ended June 30, 2008**

<p style="text-align: center;"><b>UW SYSTEM TRUST FUNDS</b> <b>Annual Endowment Peer Benchmarking Report</b> <b>Fiscal Year Ended June 30, 2008</b></p>
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## **INTRODUCTION**

- The Annual Endowment Peer Benchmarking Report utilizes four informational sources: 1) the 2008 National Association of College and University Business Officers (NACUBO) Survey; 2) the 2008 Commonfund Benchmarks Study; 3) the informal Big Ten survey conducted by Penn State University; and 4) the 2008 Greenwich Associates “Summary of Endowment and Foundation Investment Trends”.
- The peer benchmarking data presented in this report fall into the following categories:
  - 1. Asset Allocation
  - 2. Investment Performance
  - 3. Cost of Managing Investment Programs
  - 4. Investment Management Practices
  - 5. Endowment Growth from New Gifts
  - 6. Spending Policies
  - 7. Investment Return Assumptions
  - 8. Underwater Funds
  - 9. Staffing, Resources, and Governance
  - 10. Socially Responsible Investing Practices
- The NACUBO and Commonfund surveys represent essentially the same population of institutions. Therefore, when similar data is provided in both surveys, results from only one of the surveys is presented here. In some cases, only one of these two surveys provides certain types of data. Big Ten data is presented wherever possible, as this information represents a distinct subset of the larger population.
- Except where otherwise noted, data presented are equal-weighted averages.

<p align="center"><b>UW SYSTEM TRUST FUNDS</b>  <b>Annual Endowment Peer Benchmarking Report</b>  <b>Fiscal Year Ended June 30, 2008</b></p>
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**SUMMARY DATA**

	<b>NACUBO Study</b>	<b>Big Ten Survey</b>	<b>Commonfund Study</b>
Number of Institutions Reporting: Total	791	24	554
Number of Institutions Reporting: Public	269	23	142
Number of Institutions Reporting: Private	522	1	412
Largest Endowment – Public:	\$17.8 billion <sup>1</sup>	\$7.8 billion <sup>3</sup>	\$17.8 billion <sup>1</sup>
Largest Endowment – Private:	\$36.9 billion <sup>2</sup>	\$7.2 billion <sup>4</sup>	\$36.9 billion <sup>2</sup>
Average Endowment Size:	\$521.3 million	\$1.8 billion	N/A
Median Endowment Size:	\$87.5 million	\$1.3 billion	N/A
Participating UW Institutions:	UW System Trust Funds	UW System Trust Funds	UW System Trust Funds
	UW-Madison Foundation	UW-Madison Foundation	UW-Madison Foundation
			UW-Superior Foundation
<b><i>UW System Trust Funds Endowment:</i></b>	<b><i>\$331 million</i></b>		

<sup>1</sup> University of Texas System

<sup>2</sup> Harvard University

<sup>3</sup> University of Michigan

<sup>4</sup> Northwestern University

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2008**

**ASSET ALLOCATION**

<b>ASSET CLASS</b>	<b><i>UW Trust Funds</i></b>	<b>NACUBO All Pools</b>	<b>NACUBO \$100-\$500MM</b>	<b>NACUBO &gt;\$1B</b>	<b>Big Ten Average</b>
Equities	<b>49.8%</b>	51.9%	50.4%	39.4%	41.3%
Fixed Income	<b>27.4%</b>	19.2%	16.5%	10.8%	15.8%
Alternatives	<b>17.7%</b>	23.0%	29.0%	47.9%	41.4%
Private Capital <sup>1</sup>	<b>8.8%</b>	4.4%	5.5%	13.6%	12.3%
Hedge Funds <sup>2</sup>	<b>8.9%</b>	12.9%	16.4%	22.6%	18.2%
Real Estate <sup>3</sup>	<b>0.0%</b>	4.1%	4.1%	6.4%	5.7%
Natural Resources <sup>4</sup>	<b>0.0%</b>	1.6%	3.0%	5.3%	5.2%
Cash	<b>3.4%</b>	3.9%	2.5%	1.4%	0.1%
Other	<b>1.7%</b>	1.5%	1.6%	0.5%	1.4%
<b>TOTAL</b>	<b>100.0%</b>	100.0%	100.0%	100.0%	100.0%

<sup>1</sup> Category consists primarily of venture capital and other private equity.

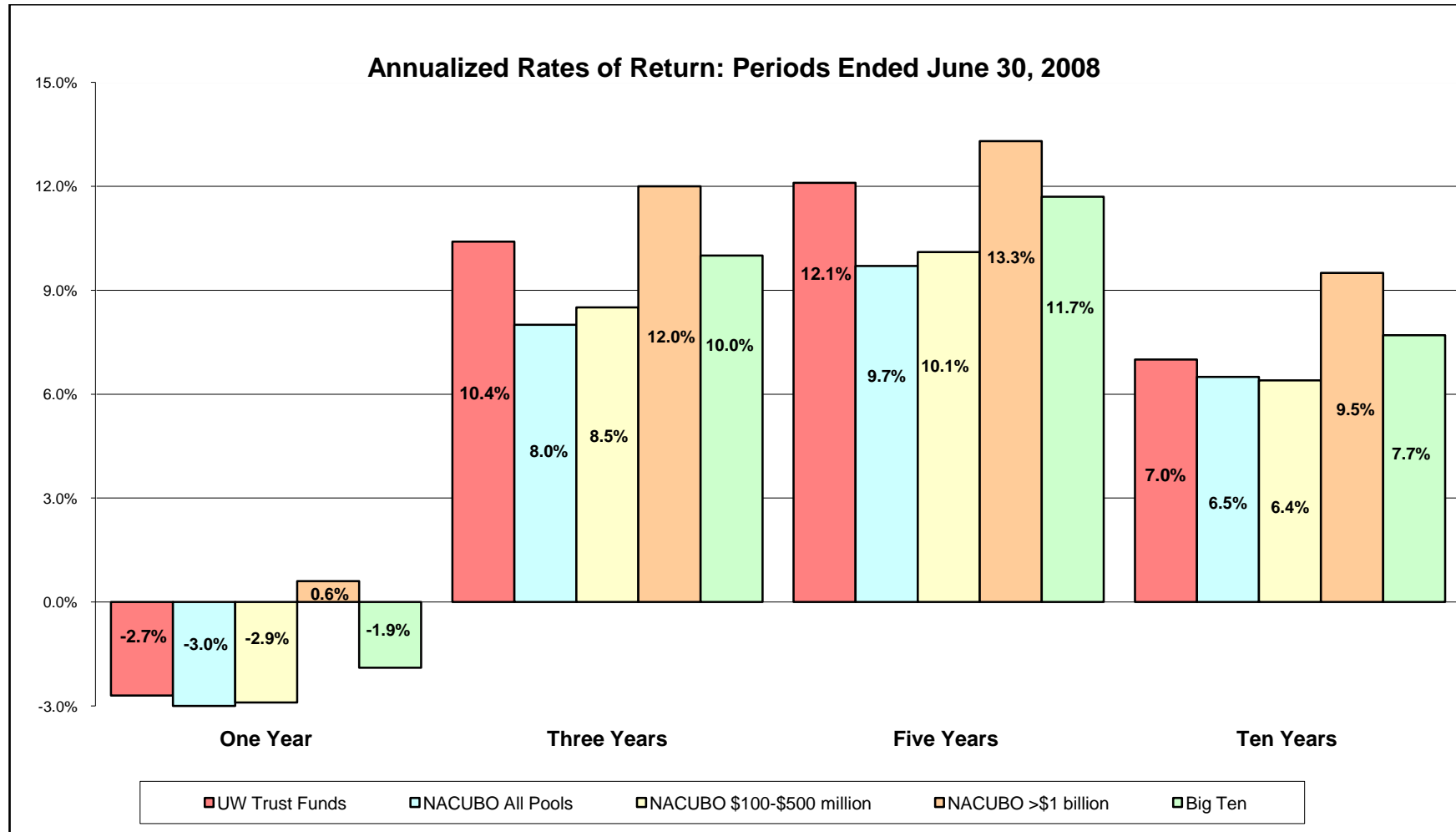
<sup>2</sup> Category consists primarily of unregulated private investment partnerships investing in mostly marketable securities, but employing strategies (long/short, convertible arbitrage, leverage, etc.) designed to provide for more absolute returns with low correlation to the markets.

<sup>3</sup> Category includes both public and private real estate.

<sup>4</sup> Category includes timber, oil and gas partnerships, and commodities.

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2008**

**INVESTMENT PERFORMANCE<sup>1</sup>**



<sup>1</sup> Performance figures represent equal-weighted averages.

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2008**

**INVESTMENT PERFORMANCE**

**Range of Returns: NACUBO All Pools**

	<b>1 Year</b>	<b>3 Year</b>	<b>5 Year</b>	<b>10 Year</b>
75 <sup>th</sup> Percentile	-0.7%	9.5%	11.2%	7.4%
<i>Median</i>	-3.3%	7.7%	9.7%	6.3%
25 <sup>th</sup> Percentile	-5.8%	6.2%	8.2%	5.1%
<b><i>UW Trust Funds Return</i></b>	<b>-2.7%</b>	<b>10.4%</b>	<b>12.1%</b>	<b>7.0%</b>
<b><i>UW Trust Funds Rank</i></b>	<b>2<sup>nd</sup> Quartile</b>	<b>1<sup>st</sup> Quartile</b>	<b>1<sup>st</sup> Quartile</b>	<b>2<sup>nd</sup> Quartile</b>

**Updated Investment Performance:**  
**June 30, 2008 – November 30, 2008**

NACUBO \$100-\$500MM	-23.5%
<b><i>UW Trust Funds</i></b>	<b>-19.5%</b>

<sup>1</sup> The NACUBO "follow-up" survey included 435 institutions.

**Updated Investment Performance:**  
**June 30, 2008 – December 31, 2008**

Commonfund All Pools <sup>1</sup>	-24.1%
<b><i>UW Trust Funds</i></b>	<b>-18.2%</b>

<sup>1</sup> The Commonfund "follow-up" survey included 235 institutions.

<p align="center"><b>UW SYSTEM TRUST FUNDS</b>  <b>Annual Endowment Peer Benchmarking Report</b>  <b>Fiscal Year Ended June 30, 2008</b></p>
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**COST OF MANAGING INVESTMENT PROGRAMS<sup>1</sup>**

	<b>All Outside Investment Managers</b>	<b>Active Domestic Equity Managers</b>	<b>Active International Equity Managers</b>	<b>Active Emerging Market Managers</b>
Under \$500 million	0.62%	0.66%	0.80%	1.12%
\$500 million-\$1 billion	0.70%	0.67%	0.77%	0.92%
>\$1 billion	0.76%	0.61%	0.81%	1.08%
<b><i>UW Trust Funds</i></b>	<b><i>0.78%</i></b>	<b><i>0.61%</i></b>	<b><i>0.65%</i></b>	<b><i>1.05%</i></b>

<sup>1</sup> Source: Greenwich Associates "Summary of Endowment and Foundation Investment Trends".

<p style="text-align: center;"><b>UW SYSTEM TRUST FUNDS</b>  <b>Annual Endowment Peer Benchmarking Report</b>  <b>Fiscal Year Ended June 30, 2008</b></p>
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### **INVESTMENT MANAGEMENT PRACTICES**

	Percent Internally Managed <sup>1</sup>	Percent Passively Managed <sup>2</sup>	Percent Actively Managed
NACUBO All Pools	6.8%	17.7%	82.3%
NACUBO \$100-\$500 million	3.0%	15.4%	84.6%
NACUBO >\$1 billion	8.4%	7.4%	92.6%
<b><i>UW Trust Funds</i></b>	<b>16.3%</b>	<b>20.2%</b>	<b>78.8%</b>

<sup>1</sup> *UW Trust Funds' "internally-managed" endowment assets are comprised of the U.S. Treasurys and U.S. TIPS portfolios managed by UW-Madison's Applied Security Analysis Program.*

<sup>2</sup> *Passively managed assets are comprised of the U.S. Treasurys and U.S. TIPS portfolios being managed "internally," as well as a portion of the total allocation to U.S. Small/Mid Cap Equities.*



**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2008**

**ENDOWMENT GROWTH FROM NEW GIFTS**

**New Gifts as a Percent of Average Endowment Value<sup>1</sup>**

NACUBO All Pools	3.5%
NACUBO \$100-\$500 million	4.0%
NACUBO >\$1 billion	3.2%
<b><i>UW Trust Funds</i></b>	<b><i>2.1%</i></b>

<sup>1</sup> Rates are computed by dividing new gift dollars received by the average of the fiscal year beginning and ending endowment market values.

**New Gifts in Dollars (\$ Millions)**

Commonfund All Pools	\$10.2
Commonfund \$100-\$500 million	\$10.5
Commonfund >\$1 billion	\$72.7
<b><i>UW Trust Funds</i></b>	<b><i>\$7.1</i></b>

<p align="center"><b>UW SYSTEM TRUST FUNDS</b>  <b>Annual Endowment Peer Benchmarking Report</b>  <b>Fiscal Year Ended June 30, 2008</b></p>
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## **SPENDING POLICIES**

### **Spending Methodology<sup>1</sup>**

	Commonfund All Pools	Commonfund \$100-\$500 million	Commonfund >\$1 billion
Percent of a moving average	77.0%	77.0%	78.0%
Average percentage used	4.8%	4.8%	5.1%
Decide on an appropriate rate each year	8.0%	6.0%	2.0%
Spend a pre-specified percentage of beginning market rate	4.0%	4.0%	0.0%
Weighted average or hybrid method	6.0%	7.0%	8.0%
Last year's spending plus inflation	3.0%	5.0%	2.0%
Spend all current income	2.0%	1.0%	0.0%
Grow distribution at a predetermined inflation rate	1.0%	2.0%	2.0%
Other	4.0%	3.0%	10.0%
<b><i>UW Trust Funds</i></b>	<b><i>4% of moving 12-quarter average</i></b>		

<sup>1</sup> Multiple responses were allowed.

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2008**

**SPENDING POLICIES**

**Actual Average Spending Rates<sup>1</sup>**

Commonfund All Pools	4.4%
Commonfund \$100-\$500 million	4.5%
Commonfund >\$1 billion	4.4%
Big Ten	4.7%
<b><i>UW Trust Funds</i></b>	<b><i>4.1%</i></b>

<sup>1</sup> Actual average spending rates are computed as actual dollars distributed for spending plus expenses and fees, divided by beginning fund market values.

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2008**

**INVESTMENT RETURN ASSUMPTIONS**

**Long-Term Investment Return Assumptions**

Commonfund All Pools	8.0%
Commonfund \$100-\$500 million	8.2%
Commonfund \$500-\$1 billion	8.3%
Commonfund > \$1 billion	8.5%
<b><i>UW Trust Funds</i></b>	<b><i>8.0%-9.0%</i></b>

<p align="center"><b>UW SYSTEM TRUST FUNDS</b>  <b>Annual Endowment Peer Benchmarking Report</b>  <b>Fiscal Year Ended June 30, 2008</b></p>
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**UNDERWATER FUNDS<sup>1</sup>**

	Percent of Institutions Reporting Underwater Funds	Percent of Endowment Underwater
Commonfund All Pools	39%	5.2%
Commonfund \$100-\$500 million	49%	3.5%
Commonfund > \$1 billion	39%	2.1%
<b><i>UW Trust Funds</i></b>	<b>Yes</b>	<b>1.0%</b>

<sup>1</sup> "Underwater funds" represent individual endowment accounts whose market values are below their "historic dollar value" (i.e., the original value of the gift).

<p align="center"><b>UW SYSTEM TRUST FUNDS</b>  <b>Annual Endowment Peer Benchmarking Report</b>  <b>Fiscal Year Ended June 30, 2008</b></p>
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## **STAFFING, RESOURCES, AND GOVERNANCE**

### **Committee Size and Investment Staffing**

	Average Number of Committee Members	Average Investment Staffing	Investment Staff Range <sup>1</sup>	Percent Using Consultants <sup>1</sup>
Commonfund All Pools	7.7	1.2	0-31	77.6%
Commonfund \$100-\$500 million	8.7	0.9	0-4	88.2%
Commonfund > \$1 billion	8.9	7.2	0-31	50.0%
<b><i>UW Trust Funds</i></b>	<b><i>4.0</i></b>	<b><i>2.0</i></b>	<b><i>N/A</i></b>	<b><i>No</i></b>

<sup>1</sup> These numbers are from the NACUBO Study.

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2008**

**STAFFING, RESOURCES, AND GOVERNANCE**

**Average Number of Separate Investment Firms Used**

Commonfund All Pools	17.8
Commonfund \$100-\$500 million	20.1
Commonfund > \$1 billion	83.8
<b><i>UW Trust Funds</i></b>	<b><i>8</i></b>

**Average Number of Separate Investment Firms Used by Asset Class**

	Commonfund All Pools	Commonfund \$100-\$500 MM	Commonfund > \$1 billion	<b><i>UW Trust Funds</i></b>
Domestic Equities: U.S.	3.8	4.7	7.5	<b><i>3</i></b>
Fixed Income	1.9	2.1	3.1	<b><i>2</i></b>
International Equities: Non-U.S.	2.5	2.9	7.2	<b><i>2</i></b>
Alternative Strategies – Direct	8.8	7.5	65.7	<b><i>1</i></b>
Alternative Strategies – Fund of Funds	2.3	3.9	2.8	<b><i>3</i></b>

**UW SYSTEM TRUST FUNDS**  
**Annual Endowment Peer Benchmarking Report**  
**Fiscal Year Ended June 30, 2008**

**SOCIALLY RESPONSIBLE INVESTING PRACTICES**

**Percent That Consider Social Responsibility Criteria**

NACUBO All Pools	24.0%
NACUBO \$100-\$500 million	21.1%
NACUBO > \$1 billion	37.7%
<b><i>UW Trust Funds</i></b>	<b><i>Yes<sup>1</sup></i></b>

<sup>1</sup> *UW Trust Funds actively votes proxies, solicits student and public comment on social issues, and may take ad hoc actions on social responsibility issues.*



UW System  
Voting of 2009 Non-Routine  
Proxy Proposals

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves the non-routine shareholder proxy proposals for UW System Trust Funds, as presented in the attachment.

**UW SYSTEM TRUST FUNDS  
VOTING OF 2009 NON-ROUTINE PROXY PROPOSALS  
EXECUTIVE SUMMARY**

**BACKGROUND**

Regent Policy 31-10 contains the proxy voting policy for UW System Trust Funds. Non-routine shareholder proposals, particularly those dealing with the environment, discrimination, or substantial social injury (issues addressed under Regent Policies 31-5, 31-6, and 31-13, respectively), are to be reviewed with the Business, Finance, and Audit Committee so as to develop a voting position.

**REQUESTED ACTION**

Approval of Resolution I.2.b.2.

**DISCUSSION AND RECOMMENDATIONS**

The dominant social issues for the 2009 season are the following: the environment and “sustainability,” corporate political contributions, health care issues, and human rights. For most of the proxies related to these dominant issues, the Trust Funds’ investment managers will be directed to vote in the affirmative, as they fall under the 21 social issues or themes that the Business, Finance, and Audit Committee has already approved for active voting. In addition, approval to vote in favor of the following new issues is being sought for the 2009 proxy season: “report on internet privacy;” “report on product toxicity;” “adopt Eurodad Charter on responsible investing;” and “adopt health care reform principles.”

The full report on shareholder proposals for the 2009 proxy season, including summaries of pre-approved issues, is attached.

**RELATED REGENT POLICIES**

- Regent Policy 31-5: Investments and the Environment
- Regent Policy 31-6: Investment of Trust Funds
- Regent Policy 31-7: Interpretation of Policy 78-1 Relating to Divestiture
- Regent Policy 31-10: Procedures and Guidelines for Voting Proxies
- Regent Policy 31-13: Investment and Social Responsibility

# **UNIVERSITY OF WISCONSIN SYSTEM TRUST FUNDS**

## **Shareholder Proposals and Recommended Votes for 2009 Proxy Season**

### **Background**

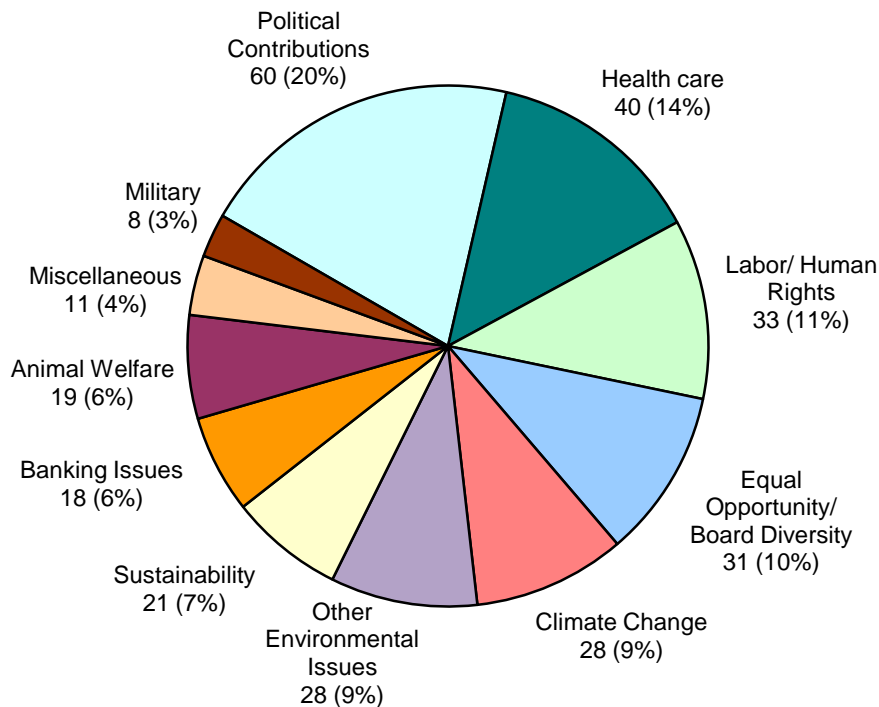
This report is provided annually to highlight significant "non-routine" proposals, from shareholders or management, which will be voted on by shareholders during the 2009 proxy season. Regent Policy 31-10, "Procedures and Guidelines for Voting Proxies," stipulates that significant non-routine issues are to be reviewed by the Business, Finance, and Audit Committee so as to develop a voting position on them. Non-routine issues are defined as the following: acquisitions and mergers; amendments to corporate charter or by-laws which might affect shareholder rights; shareholder proposals opposed by management; and "social responsibility" issues dealing with the environment, discrimination, or substantial social injury (issues addressed under Regent Policies 31-5, 31-6, and 31-13, respectively).

The majority of significant non-routine proposals are those dealing with social responsibility issues and corporate governance-related proposals which are often opposed by management. To the extent possible, similar shareholder proposals are grouped into identifiable "issues." Generally, it will be these issues (covering similar or identical proposals at various companies) that are reviewed and potentially approved for support by the Committee. On occasion, individual, company-specific proposals not falling under a broad "issue" will also be presented.

### **The 2009 Proxy Environment**

Shareholders concerned with companies' management of social and environmental issues have filed approximately 337 proposals so far for U.S. firms' annual meetings in 2009, slightly higher than the 305 filed at this point last year. The dominant social issues for the 2009 season are the following: the environment and "sustainability," corporate political contributions, health care issues, and human rights. The following chart depicts the 2009 proxy proposals by major category, in terms of the both the number of proposals by category and the percentage of all proposals.

## 2009 Social Issue Resolutions



Since 2004, concerns about the environment have generated the largest single category of social issue proposals. Fifty-six environmental proposals (shown in the chart under “Climate Change” and “Other Environmental Issues”) have been filed so far in 2009, down from the high of 75 last year. Just over half of these proposals question companies about climate change, generally asking whether they have undertaken sufficient strategic planning to reduce their greenhouse gas emissions, to increase their energy efficiency, or to otherwise prepare for global climate change. Also noteworthy for the 2009 proxy season are the 40 health care reform proposals, a strong increase in a campaign that began last year. [Mathiasen and Welsh, Risk Metrics 2009]

For non-routine corporate governance issues, the dominant category focuses on corporate political contributions and the rationale for them, including engagement in political activity through trade associations (generally a company funded public relations organization whose purpose is to promote a specific industry through activities such as advertising, publishing, lobbying, and political donations). Sixty proposals dealing with political contributions have been filed so far this year.

The Trust Funds proxy voting list may change as more resolutions are filed or come to light. Moreover, some proponents are likely to withdraw their resolutions if the companies agree to some or all of their requests, and other resolutions will be omitted if the Securities and Exchange Commission finds them to be in violation of its shareholder proposal rules.

## **Specific New Issues for 2009**

The broad issues discussed briefly below are considered new for the 2009 proxy season.

### Report on Internet Privacy

Public concern that companies are tracking and profiling their online behavior has raised shareholder awareness. A typical resolution on this issue asks internet service providers for a report examining the effects of the company's internet network management practices regarding public expectations of privacy and freedom of expression.

### Report on Product Toxicity

Although various product toxicity proposals have arisen over the years, the issue has gained momentum in 2009. A typical resolution on this issue asks companies to review and report on the toxicity of their products. For example, General Electric is being asked to include on the label the amount of mercury present in its fluorescent light bulbs.

### Adopt Eurodad Charter on Responsible Lending/Financing

Proponents of the Eurodad Charter argue that the global financial crisis requires major changes to lending practices. The charter was developed by a network of non-governmental organizations from 17 countries and outlines the essential components of a responsible loan. The charter aims to ensure that: individual loan terms and conditions are fair; the contract process is transparent; human rights are respected; repayment disputes or difficulties are resolved fairly and efficiently. A typical resolution on this issue asks companies to adopt the Eurodad Charter.

### Adopt Health Care Reform Principles

In 2008, the SEC changed its historical position that corporate health care fell under "ordinary business" (and therefore not available for shareholder proposals). This shareholder campaign began late in 2008 but has grown substantially. Proponents are urging companies to adopt and publicly embrace principles for comprehensive health care reform, such as those reported by the U.S. Institute of Medicine. The Institute of Medicine's health care reform principles include the following: health care should be universal, continuous, affordable, sustainable, and enhance the well being of its members. A typical resolution on this issue asks companies to adopt and support the Institute of Medicine's health care reform principles.

Approval to vote in favor of each of these new issues is being sought for the 2009 proxy season. The Regent Policies that these issues most closely relate to are as follows: report on internet privacy (31-13); report on product toxicity (31-5, 31-13); adopt Eurodad Charter on responsible investing (31-13); adopt health care reform principles (31-13).

## **Issues Previously Approved**

Given below is a list of those issues that the Business, Finance, and Audit Committee has previously approved for support (i.e., voting in the affirmative). A brief recap of each of

these issues then follows. Any company-specific proposals not falling under a pre-approved issue are given in the voting detail attachment.

#### PREVIOUSLY APPROVED ISSUES

Issue	Issue	Recommended Vote	Related Regent Policy
1	Report on/implement pharmaceutical policy/pricing	FOR	31-13
2	Report on/label genetically modified organisms (GMOs)	FOR	31-13
3	Shareholder approval for future golden parachutes	FOR	Non-routine corp. governance
4	Redeem or vote on poison pill	FOR	Non-routine corp. governance
5	Report on/implement recycling development programs	FOR	31-5
6	No consulting by auditors	FOR	Non-routine corp. governance
7	Endorse core ILO principles	FOR	31-13
8	Predatory lending prevention	FOR	31-6 and 31-13
9	Report on executive compensation as related to performance and social issues	FOR	31-13 and corp. governance
10	Report on global warming	FOR	31-5
11	Report on international lending policies	FOR	31-13
12	Global labor standards	FOR	31-13
13	Endorse CERES principles	FOR	31-5
14	Report on EEO	FOR	31-6
15	Increase and report on board diversity	FOR	31-6 and 31-13
16	Implement MacBride principles	FOR	31-6 and 31-13
17	Adopt sexual orientation non-discrimination policy	FOR	31-6 and 31-13
18	Report on health pandemic in Africa	FOR	31-13
19	Sustainability reporting	FOR	31-13
20	Review animal welfare methods	FOR	31-13
21	Report on political donations	FOR	31-13

## **1. Pharmaceutical Policies**

A major new initiative for the 2002 proxy season were proposals to drug companies on the affordability of AIDS, tuberculosis, and malaria drugs in poor countries. The resolutions ask the companies to "develop and implement a policy to provide pharmaceuticals for the prevention and treatment" of the three diseases "in ways that the majority of infected persons in poor nations can afford." As discussed under the new issue of reporting on the health pandemic in Africa, individual shareholder proposals should be reviewed here to determine what exactly will be expected of the company. Although proposals asking for reporting on the investigation, analysis and development of policies or programs to provide "affordable" drugs in Africa and other underdeveloped, pandemic-stricken areas should likely be universally supported, proposals requiring implementation of such policies or programs should be individually reviewed.

## **2. GMOs (Genetically Modified Organisms)**

Food manufacturers are not required to label products made with bioengineered ingredients, and as a result many U.S. consumers may not be aware that they are eating foods made from GMOs. GMO developers, many farmers and the U.S. government all say that bioengineered plants are safe, but critics worry that the plants may threaten the environment, harm humans, and perhaps lead to the extinction of crops' wild cousins, an important repository of plant genetics. The majority of related resolutions ask companies to label their foods made from bioengineered ingredients or to report to shareholders on their use of bioengineered plants and food ingredients made from these plants, as well as the company's position regarding the risks to which these uses may expose it.

## **3. Golden Parachutes**

Large severance compensation agreements for executives, contingent on a change in corporate control have been the subject of shareholder and management interest for many years. Particularly during the 1980s, when hostile takeovers were commonplace, both shareholders and managers came to realize the costs and potential uses of these safety nets. Shareholder proposals typically ask for shareholder approval of future golden parachutes.

## **4. Poison Pills**

Under a typical plan, shareholders are issued rights to buy stock at a significant discount from the market price. The rights are exercisable under certain circumstances, such as when a hostile third party buys a certain percentage of the company's stock. If triggered, the pill would dilute the value and voting power of the hostile party's holdings to such an extent that the takeover attempt presumably would never be made. Pills are not intended to be triggered, but rather serve as a tool to deter any hostile takeover and force would-be acquirers to deal with the board of directors and potentially increase their purchase bid. Boards are not required to get shareholder approval to adopt poison pills, and they rarely do so. Various academic and institutional studies have not convincingly shown that

poison pills generally work to the benefit of or detriment of existing shareholders from a purely economic standpoint. The adoption of poison pills can more unambiguously serve to entrench existing boards and management. Convincingly, critics say the overriding issue is the right of shareholder/owners to decide for themselves what protections they want.

## **5. Recycling**

Social investment firms are continuing to press for more recycling. Most proposals ask companies to research how they could make substantive progress in the use of recycled content for their products. Other resolutions ask for a report on the means for achieving a specified percent recovery rate within a reasonable time period. The reports should provide a cost-benefit analysis of options and an explanation of the company's position on recycling policies. In addition, reports should list all steps the company took in investigating options for the cost-effective use of recycled materials.

## **6. Auditors**

There has been a growing concern by both investors and regulators about the provision by auditors of both audit and non-audit services to their audit clients, and the effects of these services on the independence of the audit process. The provision of certain non-audit services by a company's auditor may impair the auditor's independence and impartiality.

## **7. ILO Principles**

The proposals ask companies to endorse core standards promoted by the International Labor Organization (ILO), a multilateral agency affiliated with the United Nations that represents national employer, labor, and government bodies of 174 member states.

## **8. Predatory Lending**

Predatory lending, most often associated with the sub prime sector, is a loosely defined term that encompasses any number of unethical and illegal practices inflicted upon unsuspecting borrowers, often causing them financial distress or ruin. Activist shareholders have intensified a campaign for financial corporations to take steps which address predatory lending. The proposals primarily ask that the companies develop a policy to ensure against predatory lending practices and to report to shareholders on the enforcement of such policies.

## **9. Executive Compensation**

Institutional investors have expressed interest in ensuring that executive pay levels are linked to corporate performance. In fact, increasing pressure since the late 1980s to tie executive compensation more directly to a company's success is contributing to the surge



in executive pay. CEO compensation is now steeped with stocks and options, which have become popular vehicles to more closely align management's interests with shareholders' interests. Shareholder groups are asking boards of directors to study and report on executive compensation, and to consider ways to link compensation to corporate financial, environmental, and social performance.

## **10. Global Warming**

Activist shareholders have intensified a campaign for corporations to take steps which address global warming. The typical resolution on global warming asks for a report on (i) what the company is doing in research and/or in action to reduce greenhouse gas emissions, (ii) the financial exposure due to the likely costs of reducing those emissions, and (iii) actions which promote the view that climate change is exaggerated, not real, or that global warming may be beneficial.

## **11. Equal Employment Opportunity**

The shareholder resolutions generally ask companies to make available information that is gathered for and reported to the Equal Employment Opportunity Commission. The information required includes statistical information in defined job categories, summary information of affirmative action policies, and reports on any material litigation involving race, gender, or the physically challenged.

## **12. International Lending Policies**

The effect of international bank lending in developing nations has become an increasing concern for shareholders. Proponents concerned about poverty and debt in developing countries are submitting resolutions relating to commercial bank operations and services. The concern is that people in developing countries have not benefited from the recent increased capital flows to emerging markets. Proposals often ask for the development of a policy toward debt cancellation and provisions for new lending to heavily indebted poor countries or ask companies to develop policies which promote financial stabilization in emerging market economies.

## **13. Global Labor Standards**

Concern about conditions in third world factories that supply U.S. corporations has led to a proliferation of shareholder resolutions from a variety of proponents throughout the 1990s. Proxy proposals will ask companies to take measures to ensure their global operations, or those of their suppliers, meet minimum labor and environmental standards. Companies that adopt favorable global labor policies will be less susceptible to negative impacts.

#### **14. CERES Principles**

The principles affirm that corporations have a "responsibility to the environment" and that they "must conduct all aspects of their business as responsible stewards of the environment." There are ten principle statements that address environmental protection and management commitment to the environment. A typical resolution on the environment and CERES (Coalition for Environmentally Responsible Economies principles) asks that the company endorse the CERES principles.

#### **15. Board Diversity**

The shareholder resolutions relating to Board diversity ask companies to report on the following issues: a) efforts to encourage diversified representation on the board; b) criteria for board qualification; c) process of selecting board nominees; and d) commitment to a policy of board inclusiveness.

#### **16. MacBride Principles**

The MacBride Principles offer a statement of equal opportunity/affirmative action principles for operations in Northern Ireland. These principle statements offer a code of conduct to combat religious discrimination in the Northern Irish workplace.

#### **17. Non-Discrimination: Sexual Orientation**

The shareholder resolutions ask companies to implement a policy that prohibits discrimination against employees on the basis of sexual orientation. A typical resolution would ask a company to adopt and implement a written equal opportunity policy barring discrimination on the basis of sexual orientation.

#### **18. African Health Pandemics**

The shareholder resolutions ask companies with substantial leverage in the labor markets of sub-Saharan Africa to report on the effect of deadly diseases on the company's operations as well as on any measures taken in response. In addition, resolutions ask pharmaceutical companies to "establish and implement standards of response to the health pandemic of HIV/AIDS, tuberculosis, and malaria in developing countries, particularly Africa."

#### **19. Sustainability**

A typical resolution asks firms to prepare a sustainability report at a reasonable cost. The most widely used definition of sustainability is "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

## **20. Animal Welfare**

A typical resolution asks firms to review or report on animal treatment or welfare practices, including slaughter methods, with the ultimate objective being to ensure more humane treatment of animals.

## **21. Report on Political Donations**

A typical resolution on this issue asks firms to report on their corporate political contributions, with the objective of holding companies accountable for how corporate political dollars are spent.

### **Recommended Action**

Trust Funds staff requests approval to vote in the affirmative for the 61 shareholder proposals presented in the attached list. The majority of these proposals can be viewed as falling under one of the 21 pre-approved “issues.” Furthermore, approval is requested to vote in the affirmative on additional proxies coming to vote in 2009 if the proposals can be viewed as falling under one of these approved “issues.”

UW TRUST FUNDS  
2009 Proxy Season Voting List: Proposals Under Previously Approved Issues

Company	Mtg Date	Proposal	Policy	Vote
ALCOA	5/8	Report on global warming	31-5	Affirmative
ALLERGAN	4/30	Review feasibility of non-animal test methods	31-13	Affirmative
ANADARKO PETROLEUM	5/19	Adopt sexual orientation anti-bias policy	31-6	Affirmative
APPLE INC	4/25	Report on political contributions	CG	Affirmative
APPLE INC	4/25	Report on climate change impact assessment	31-5	Affirmative
APPLE INC	4/25	Issue sustainability report	31-5/31-13	Affirmative
AT&T	4/24	Report on political contributions	CG	Affirmative
AVON PRODUCTS	5/7	Review product safety and nanomaterials	31-5	Affirmative
BROADCOM CORP	6/1	Issue sustainability report	31-5/31-13	Affirmative
BURLINGTON SANTA FE CORP	4/23	Report on political contributions	CG	Affirmative
CHEVRON	5/27	Adopt comprehensive human rights policy	31-13	Affirmative
CHEVRON	5/27	Report on country selection standards	31-5	Affirmative
CHEVRON	5/27	Report on environmental review process	31-5	Affirmative
CHEVRON	5/27	Set greenhouse gas emission reduction goals	31-6	Affirmative
CHEVRON	5/27	Review impact of oil sands operations	31-5	Affirmative
CONOCO PHILLIPS	5/13	Report policy on indigenous peoples	31-5/31-13	Affirmative
CONOCO PHILLIPS	5/13	Report on political contributions	CG	Affirmative
CONOCO PHILLIPS	5/13	Report on community hazards	31-5	Affirmative
CONOCO PHILLIPS	5/13	Set greenhouse gas emission reduction goals	31-6	Affirmative
CONOCO PHILLIPS	5/13	Report on global warming	31-5	Affirmative
CONOCO PHILLIPS	5/13	Review impact of oil sands operations	31-5	Affirmative
DISCOVER FINANCIAL	4/21	Report on predatory lending	31-6	Affirmative
DYNEGY INC	5/22	Report on greenhouse gas emissions	31-5	Affirmative
EXELON	4/28	Report on global warming	31-5	Affirmative
EXELON	4/28	Report on political contributions	CG	Affirmative
EXXON MOBIL CORP	5/28	Report on political contributions	CG	Affirmative
EXXON MOBIL CORP	5/28	Development of renewable energy alternatives	31-5	Affirmative
EXXON MOBIL CORP	5/28	Report on community hazards	31-5	Affirmative
EXXON MOBIL CORP	5/28	Contribute to sustainable energy independence	31-5	Affirmative
EXXON MOBIL CORP	5/28	Report on climate change leadership benefits	31-6	Affirmative
EXXON MOBIL CORP	5/28	Set greenhouse gas emission reduction goals	31-6	Affirmative
EXXON MOBIL CORP	5/28	Report on plans to drill in Artic National Refuge	31-5	Affirmative
EXXON MOBIL CORP	5/28	Adopt sexual orientation anti-bias policy	31-6	Affirmative
EXXON MOBIL CORP	5/28	Review executive perks and sponsorships	31-13	Affirmative
GLACIER BANCORP	4/29	Adopt sexual orientation anti-bias policy	31-6	Affirmative
HALLIBURTON	5/20	Report on human rights policy	31-13	Affirmative
HALLIBURTON	5/20	Report on political contributions	CG	Affirmative
INTEL CORP	5/20	Report on water use	31-5	Affirmative
JP MORGAN CHASE	5/19	Report on predatory lending	31-6	Affirmative
METLIFE	4/28	Report on response to climate change	31-5	Affirmative
MORGAN STANLEY	4/21	Report on predatory lending policy	31-6	Affirmative
PHILIP MORRIS	5/27	Adopt comprehensive human rights policy	31-13	Affirmative
SOUTHWEST AIRLINES	5/20	Issue sustainability report	31-5/31-13	Affirmative
STARBUCKS	3/18	Report on political contributions	CG	Affirmative
WELLS FARGO	4/28	Report on predatory lending	31-6	Affirmative
WELLS FARGO	4/28	Report on political contributions	CG	Affirmative
WELLS FARGO	4/28	Report on fair housing lending policy	31-6	Affirmative
WYETH	4/29	Report on political contributions	CG	Affirmative

*Note: A "CG" designation represents a non-routine Corporate Governance proposal.*

UW TRUST FUNDS  
2009 Proxy Season Voting List: Proposals Involving New Issues

<b>Company</b>	<b>Mtg Date</b>	<b>Proposal</b>	<b>Policy</b>	<b>Vote</b>
JP MORGAN CHASE	5/19	Adopt Eurodad Charter on responsible financing	31-6	Affirmative
AT&T	4/24	Report on internet privacy	31-13	Affirmative
CISCO SYSTEMS	11/19	Report on internet privacy	31-13	Affirmative
COMCAST	5/13	Report on internet privacy	31-13	Affirmative
SPRINT NEXTEL	5/12	Report on internet privacy	31-13	Affirmative
GENERAL ELECTRIC	4/22	Disclose mercury in fluorescent lightbulbs	31-5	Affirmative
MACYS	5/20	Review toxicity of product formulation	31-5	Affirmative
CONOCO PHILLIPS	5/13	Adopt principles for health care reform	31-13	Affirmative
EXXON MOBIL CORP	5/28	Adopt principles for health care reform	31-13	Affirmative
JC PENNY CO	5/15	Adopt principles for health care reform	31-13	Affirmative
PEABODY ENERGY	5/1	Adopt principles for health care reform	31-13	Affirmative
STARBUCKS	3/18	Adopt principles for health care reform	31-13	Affirmative
WYETH	4/29	Adopt principles for health care reform	31-13	Affirmative

May 7, 2009

Agenda Item I.2.c.1.

## **Office of Operations Review and Audit**



### **Program Review**

## **UW System Excess Credit Policy**

**April 2009**

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## **EXECUTIVE SUMMARY**

Among the strategies the UW System has adopted to help reduce the amount of time it takes a student to earn a degree is the “Excess Credit Policy” (RPD 4-15), which the Board of Regents adopted in December 2002. The policy requires UW institutions to: (1) review the requirements for programs requiring more than 130 credits; (2) identify and counsel students accumulating credits in a manner that could result in their earning more than 165 credits or 30 credits more than required by their degree program; (3) charge resident students a surcharge for credits taken beyond the limits; and (4) allow for exceptions.

### **Policy Implementation**

The UW System Office of Operations Review and Audit found that UW institutions have implemented the provisions of the excess credit policy, relying upon existing processes and practices to implement the policy. Specifically, institutions use academic program reviews to review credit requirements; Degree Audit Reviews and data retrievals from student information systems to identify students accumulating excessive credits; and academic advisors and other existing means of communication, such as student orientation and course catalogs, to inform students about the policy.

UW institutions have also implemented appeal processes for students who seek waivers of the excess credit surcharge. Available data from nine UW institutions indicate that the majority of students who have appealed a surcharge under the policy have been successful in their appeals.

### **Application of the Surcharge**

The excess credit policy describes a surcharge equal to 100 percent of the regular resident tuition on credits beyond the credit thresholds. A review of surcharge methodologies shows some variation in how the surcharge is determined. The report recommends UW System Administration revise F44, “Tuition and Fee Policies for Credit Instruction,” to make clear the surcharge is to be applied to all credits earned in the semester following the one in which the credit limit is exceeded and to clarify the calculation method.

While revenue generation was not the intent of the policy, data indicate that total revenue generated by the surcharge between fiscal years 2004 and 2008 was \$382,000. The total is understated by at least \$29,000 due to reporting errors, and the report recommends UW institutions ensure proper coding of surcharge revenue.

### **Extent of Use of the Policy**

The available data suggest that the number of students who exceeded the policy’s credit limits represent approximately one-half of one percent of total resident undergraduate enrollment. Despite its limited application, the policy remains available as a tool for ensuring students complete their degree requirements efficiently. The policy is similar to policies in use at several other universities.



## **INTRODUCTION**

The UW System Office of Operations Review and Audit reviewed UW institutions' implementation of Regent Policy Document (RPD) 4-15, "Excess Credit Policy," which was adopted in December 2002. This review was included in the UW System Office of Operations Review and Audit review plan for 2008.

To conduct the review, Office of Operations Review and Audit staff surveyed or interviewed staff at all UW institutions regarding implementation of RPD 4-15; reviewed minutes from the December 2002 and June 2003 Board of Regents meetings, at which the policy was discussed; reviewed the Excess Credits Policy Implementation Working Group report; and collected information on other higher education institution policies regarding credit thresholds.

## **BACKGROUND**

The UW System has undertaken various initiatives to address student retention and graduation rates and improve credits-to-degree and time-to-degree measures. The UW System's most recent Accountability Report noted that "2006-07 UW graduates took an average of 134 credits between the time they were new freshmen and the completion of their bachelor's degrees. By reducing credits to degree from 145 in 1993-94 to 134, the UW System has surpassed the target of 140 set by the UW Board of Regents."

To help ensure the number of credits remains at or below the target, the Board adopted a policy aimed at students who take an excessive number of credit hours to complete their degree requirements. The basis for identifying students with excess credits is that these students reduce course availability for other students and incur taxpayer-supported costs for a longer-than-necessary time.

At its December 2002 meeting, the Board of Regents adopted Resolution 8625, establishing an Excess Credit Policy for the UW System. The policy provides that:

- UW institutions "will review the requirements for programs that currently require more than 130 credits;"
- each institution "will develop a process to identify and counsel students who are accumulating credits in a manner that could result in their amassing more than 165 credits (or 30 credits more than required by their degree programs, whichever is greater) by the time they fulfill all of the degree requirements;"
- "resident undergraduate students who have accumulated 165 credits (or 30 credits more than required by their degree programs, whichever is greater) will be charged a surcharge, equal to 100 percent of the regular resident tuition, on credits beyond that level;" and
- implementation rules should give UW institutions flexibility "to provide exceptions where appropriate to ensure students are able to complete their degree requirements."

## **DISCUSSION AND RECOMMENDATIONS**

Two factors prompted the Board of Regents to address the issue of students accumulating an excessive number of credits. First, the Board's goals of maintaining affordability and access to UW institutions are served by encouraging students to obtain a degree in a time-efficient manner. When students graduate sooner and with fewer credits, this frees up resources and allows UW institutions to serve more students. Second, then-Governor McCallum vetoed a 2001-03 budget repair bill provision that would have required all students accumulating more than 165 credits toward their first undergraduate degree to pay the full cost of instruction. In place of the legislation, the Board of Regents enacted a policy that would achieve the same objectives.

In conducting this evaluation, we reviewed: implementation guidelines for RPD 4-15, the requirement that institutions review programs requiring more than 130 credits, the identification and counseling of students with excess credits, institutions' appeal processes, the application of the surcharge, and the extent of use of the policy.

### **IMPLEMENTATION GUIDELINES FOR RPD 4-15**

An Excess Credits Policy Implementation Working Group was formed to develop procedures to assist the UW institutions with the efficient implementation of the policy. The working group issued a final report in May 2003 that established guidelines for institutions to use in implementing the excess credit surcharge, concluding that individual institutions were in the best position to determine how to implement the other components of the policy. The working group established the following surcharge guidelines:

- *Students covered:* The policy covers all resident undergraduate students pursuing their first bachelor's degree, including students pursuing a double degree or double major. Minnesota reciprocity students are not covered by the policy until such time that Minnesota adopts a similar policy.
- *Credits covered:* The policy applies to all UW System-earned credits and Wisconsin Technical College System transfer credits accepted toward a degree. Credits transferred from other institutions, as well as other types of credit or coursework for which credit may be awarded, such as advanced placement, are not included in the credit limit.
- *Implementation guidelines:* The policy was to be administered at the institutional level, beginning with the fall 2004 semester. The surcharge would be applied to students in the semester following the one in which they reached the earned credit limit. Institutions may make exceptions to the surcharge requirement through an appeal process in cases of extenuating circumstances beyond a student's control.

The working group did not provide guidance for the other policy components, such as reviewing degree program credit requirements or establishing an appropriate appeal process. Despite the

absence of specific UW System guidelines in these areas, we found many similarities in how the institutions have implemented the policy.

### **REVIEW OF PROGRAMS REQUIRING MORE THAN 130 CREDITS**

RPD 4-15 directs institutions to review the requirements for all programs that require more than 130 credits. According to Board of Regents minutes, the review of program credit requirements was intended to allow institutions to: (1) reduce credit requirements where appropriate; and (2) assist in determining when to apply the excess credit surcharge to students seeking a degree that requires more than 130 credits.

Although the policy does not specify whether the review of programs was to be a one-time or an ongoing review, institutions do routinely review requirements for programs requiring more than 130 credits. For example:

- UW-Oshkosh, River Falls, and Stout reported that they review academic programs and their credit requirements annually;
- UW-Superior indicated it conducts a review that coincides with each new two-year program catalog; and
- UW-Green Bay reported conducting a review of program credit requirements when new programs are proposed or when an existing program proposes increasing its credit requirements.

Although our review indicates that the routine reviews occur, data were not available to allow a determination as to whether the individual institutional program credit reviews have resulted in reductions to specific programs' degree credit requirements.

In addition to institutions' program credit review efforts, UW System Administration Academic Affairs staff consider total required credits as one component in their review of new program proposals, encouraging campuses to develop curricula for new degrees that limit requirements to less than 130 credits whenever possible.

### **IDENTIFICATION AND COUNSELING OF STUDENTS WITH EXCESS CREDITS**

RPD 4-15 requires the institutions to identify and counsel students who are earning credits in a manner that could result in their accumulating more than 165 credits, or 30 credits more than required by their degree programs, whichever is greater, by the time they fulfill their degree requirements. Minutes from the Board of Regents discussion about the role of counseling indicate that Board members expected institutions to assist students prior to their reaching the credit limits. The final report of the Excess Credits Policy Implementation Group stated that individual institutions are in the best position to determine how to monitor and advise students

accumulating excessive credits. We reviewed how institutions identify students at risk of exceeding credit limits and institutions' counseling efforts.

### **Student Identification**

All institutions reported that they have a process for identifying students who have exceeded, or may be at risk of exceeding, the credit limits specified by RPD 4-15. The process typically involves a semester report that identifies students who have reached a predetermined number of earned credits, ranging from 130 to 145, depending on the institution. The students are further sorted to eliminate any that may have non-applicable credits as defined by policy, such as transfer credits that have increased their total credits. The institutions then send letters notifying the students to contact their academic advisors to review their academic progress.

Our review found that most institutions use their Degree Audit Reviews (DAR) as the primary way of identifying students at risk of accumulating an excessive level of credits. The DAR is a computerized system institutions use to compare a student's academic record with the requirements of their degree program and to assist the student and their faculty advisor in determining which degree requirements remain to be completed. Other identification methods include data retrievals from student information systems to identify students with excessive credits.

### **Counseling Efforts**

The excess credit policy calls for counseling efforts for students approaching 165 credits or 30 credits more than required by their degree programs. Our review found that institutions rely on established means of communication and advising protocols and have not created new counseling programs in response to RPD 4-15. For example:

- UW-Eau Claire provides information to new students about the excess credit policy as part of their freshman orientation;
- UW-Milwaukee and UW-Superior provide information regarding the excess credit policy in their course catalog; and
- UW-Eau Claire trains faculty advisors on the specifics of the excess credit policy.

Once a student is identified as at risk of exceeding credit limits, UW institutions notify the student by e-mail, letter, or both, recommending the student contact his or her academic advisor to discuss a graduation plan. Institutions also often provide information regarding the student's right to appeal any applied excess credit surcharge and the surcharge appeal process. Some institutions require a written graduation plan be completed and signed by both the student and advisor.

These efforts suggest two areas in which institutions may wish to review their current practices. Specifically:

- Some institutions notify students of their high-credit status only in the semester in which they will exceed the limits. While this complies with the policy, greater effort to identify and counsel students earlier may allow students to make better course choices.
- Institutions that currently do not require a graduation plan to be developed and signed may want to consider this approach as a way of promoting the prompt completion of degree requirements.

## **APPEAL PROCESS**

The excess credit policy allows institutions to implement rules that provide exceptions to charging students the excess credit surcharge, where appropriate, to ensure students are able to complete their degree requirements. The Excess Credits Policy Implementation Workgroup guidelines state that an appeal process should be established to grant waivers in cases of extenuating circumstances beyond a student's control.

The Board of Regents, during discussions about the policy in 2002, expressed concern that the policy would prevent some students from completing their degree or cause them to be charged due to circumstances resulting from no fault of their own, such as poor advice or life events. As a result, the originally-proposed policy was changed to allow exceptions to the surcharge, as determined by individual institutions.

We found that all UW institutions have created an appeal process through which students can challenge an excess credit surcharge. Institutions have established various administrative models to handle appeals. Examples include:

- at UW-Green Bay, the student's academic advisor, chair of the academic department, and dean all review the appeal;
- UW-Superior uses an appeals committee comprised of the registrar, director of financial aid, and the bursar;
- UW-Whitewater has established an appeal review committee comprised of the Associate Vice Chancellor for Academic Affairs, registrar, and the associate registrar.

In general, institutions require a student to submit: (1) a completed appeal form; (2) a written statement that cites the student's plan for graduation; and (3) information on any extenuating circumstances that the student believes should be taken into account during the appeal process. The available data indicate that most students who appeal a surcharge are successful. The nine institutions that were able to provide both the number of successful and unsuccessful appeals show that students have had an overall appeal success rate of 90 percent, or 781 out of 868 cases. The lowest appeal-success rates were at UW-La Crosse, Madison, and Stout, all at 86 percent; the highest was at UW-Green Bay, at 100 percent. Two institutions have yet to have a student file an appeal, and two institutions' data are not comparable to the data collected from the other institutions.

Anecdotal evidence shows that institutions grant excess credit surcharge waivers for similar reasons. Examples of students' reasons in appeals that were granted include:

- the student was entering their final semester prior to graduating with a degree;
- the student had made one major or program change and had taken courses that apply toward the new degree requirements since the change; or
- the student had received poor academic advice.

UW institutions handle appeals on a case-by-case basis and do not appear to use set criteria that define what is considered appropriate or what constitutes circumstances beyond a student's control. As might be expected, it appears that appeals are more often denied because of circumstances within a student's control. Examples of rejected appeals include instances in which a student: has no immediate plan to graduate, has enrolled in a dual degree program, has sought licensure or certification along with a baccalaureate degree, has changed their choice of program, or has not demonstrated an ability to satisfactorily complete requisite course or program requirements.

### **APPLICATION OF THE SURCHARGE**

RPD 4-15 indicates that the excess credit surcharge is to be applied to excess credits at a rate "equal to 100 percent of the regular resident tuition, on credits beyond that level." We reviewed both the application of the surcharge and the amount of revenue the surcharge has generated.

#### **Surcharge Methodology**

The excess credit surcharge depends on two variables: when the surcharge is applied, and the regular tuition calculation for an individual student. We examined these two variables.

The Excess Credits Policy Implementation Workgroup indicated that the surcharge is to be applied in the semester following the one in which the credit limit is exceeded. In reviewing the calculation methodology for approximately half of the UW institutions, we found that institutions are applying the surcharge in the proper semester.

As for the calculation of the surcharge, several calculation methods are possible. If a resident student takes fewer than 12 credits in the semester that an excess credit surcharge applies, their regular tuition would double. However, if a student takes more than 12 credits, the credit plateau established by RPD 32-4, "Tuition Structure: 12-18 Credit Plateau," may affect how an institution calculates the surcharge. As shown in the Appendix, the surcharge could be calculated by: (1) doubling the tuition amount for all credits taken in the semester following the one in which the credit limit is exceeded; (2) doubling tuition for all credits up to 12, and charging regular tuition for those credits above 12; or (3) doubling the "plateau rate" which, in effect, doubles tuition for all credits up to 12, but does not add a charge for more than 12 credits.

In reviewing methodologies at five UW institutions, we found that four were using the third of these methods, and one was using the second method.

In 2006 UW System Financial Administration and institution staff discussed the possible methodologies for calculating the surcharge and concluded that the third method was most appropriate. However UW System financial and administrative policies have not been updated to reflect the calculation methodology to be used in determining an excess credit surcharge. Therefore, ***we recommend that UW System Administration revise F44, “Tuition and Fee Policies for Credit Instruction,” to specify the proper semester in which to apply the surcharge and the appropriate calculation method.***

### **Surcharge Revenue**

Data on the amount of revenue generated by the surcharge supports initial conclusions, as expressed by the Board of Regents, that the policy would not generate significant revenue. We found that surcharge revenues collected have increased from more than \$54,000 in fiscal year 2004-05 to more than \$119,000 in 2007-08. In total, \$382,634 in revenue has been reported to UW System Financial Administration since the beginning of the surcharge policy. UW-Milwaukee and UW-Whitewater accounted for more than 86 percent of all surcharge revenues. Institutions are authorized to keep the surcharge revenues, and allowable uses are not prescribed by UW System Administration.

Based on UW System financial data, six institutions reported collecting funds, while seven reported no surcharge revenues. However, our review found that some institutions may not be properly coding revenues collected through the policy and, therefore, total revenues associated with the surcharge are likely understated. For example, although UW System Financial Administration data show no reported revenues for UW-Madison, Eau Claire, or Stout:

- UW-Madison indicated it has collected more than \$29,000 through the surcharge since the policy was implemented;
- UW-Eau Claire appeals data suggest that at least six students were charged the surcharge; and
- UW-Stout reported denying more than 35 surcharge appeals since 2004.

In order to accurately reflect the overall revenue activity associated with the policy, ***we recommend that UW institutions review their current accounting practices to ensure they are properly coding revenues associated with the excess credit surcharge.***

### **EXTENT OF USE OF THE POLICY**

In reviewing the implementation of the policy, we reviewed the extent to which the policy has actually been used since its adoption, as well as the extent to which other universities have similar policies.

### **Limited Use of the Policy**

We reviewed the number of times students exceeded the policy credit limits since the policy's implementation. Table 2 summarizes the number of times students exceeded the credit limits since the adoption of the policy in 2004. The table is not a headcount, because students may exceed the limits in more than one semester.

**Table 2**  
**Number of Times Students Exceeded RPD 4-15 Credit Limits, by Academic Year**

<b>UW Institution</b>	<b>2004-05</b>	<b>2005-06</b>	<b>2006-07</b>	<b>2007-08</b>
Eau Claire*	23	15	15	17
Green Bay	13	11	21	7
La Crosse	35	22	23	20
Madison	62	15	48	57
Milwaukee	124	54	103	126
Oshkosh**	97	85	82	84
Parkside	0	0	0	0
Platteville**	15	20	18	19
River Falls	16	6	11	19
Stevens Point	34	31	44	46
Stout	51	69	69	81
Superior	11	10	7	5
Whitewater	40	31	41	49
<b>Totals</b>	<b>521</b>	<b>369</b>	<b>482</b>	<b>530</b>

\*UW-Eau Claire data for 2004-05 and 2005-06 only show the number of times surcharge appeals were successful and are a subset of the total number of times credit limits were exceeded.

\*\*UW-Oshkosh and UW-Platteville included students who exceeded the limits in the semester they graduated.

While the data in Table 2 do not reveal any particular trends, there has been an increase of approximately two percent in the number of times students exceeded the credit limits when academic year 2004-05 is compared with 2007-08. UW-Milwaukee had the largest number, totaling 407 over the four years. UW-Parkside had no students exceed the limits, while UW-Superior had the next lowest number of times, at 33 for the four-year period. Even if this were a headcount, the number of students who exceeded the policy credit limits would represent approximately one-half of one percent of total resident undergraduate enrollment.

Overall, the data show that a small percentage of students exceed the credit limits, raising a question about whether continuation of the policy is beneficial. A benefit of eliminating the policy would be savings of an indeterminate amount of administrative costs. The primary benefit of continuing the policy is its availability as a tool for encouraging credit-to-degree efficiency and maintaining student access. The policy also recognizes UW System's responsibility as a steward of taxpayer tuition support.



UW institution staff expressed some concerns regarding the excess credit policy, including a concern that the cost of administering the policy may exceed revenues collected due to the policy. They also suggested that the policy is in conflict with the recently initiated Adult Student Initiative program, which encourages former students to return to complete their degrees. Since some returning adult students may have earned significant credits in their prior tenure at a UW institution, they may eventually be subject to the excess credit surcharge. While it would be reasonable to expect some conflicts between the excess credit policy and the Adult Student Initiative program, the policy as currently written provides institutions with sufficient flexibility through the appeal process to address any conflict between the excess credit policy and returning adult students.

### **Other Higher Education Institutions' Excess Credit Policies**

We reviewed whether other universities have adopted policies similar to the UW System's excess credit policy. The most common form of excess credit policy we found involved semester maximum course loads where an additional fee may be charged, or permission required, in order to exceed the limit. Other policies limit the allowable number of transferrable credits. However, we did find several examples of excess credit policies that mirror the UW System's:

- The University of Washington's policy requires students to achieve an undergraduate degree within 30 credits beyond the minimum required for the degree. A hold is placed on a student's registration unless they receive approval from their department or college after filing a graduation plan.
- Utah State Board of Regents' policy mandates that students who take credit hours in excess of 135 percent of the credits required for graduation be charged at the full cost of instruction unless the institution determines that the student should be exempt from the surcharge.
- Texas statutes, since 1999, allow higher education institutions to charge a resident undergraduate student a higher rate of tuition, not to exceed the rate charged to nonresident students, if the student previously attempted at least 30 credits in excess of the semester credit hours required for the student's degree program.

The Texas example has a significant difference in that attempted, not earned, credits are used to determine when a student has accumulated an excessive number of credits.

In general, however, these examples have a number of similarities with UW System's excess credit policy. Similarities include: the use of 30 credits beyond degree requirements as a limit, a charge of the amount of full tuition to resident students as a penalty, and an allowance for exemptions from the policy. Another similarity is the use of a graduation plan for those students demonstrating a lack of academic progress.

## **CONCLUSION**

The UW System has initiated several strategies to reduce time and credits to degree, including an excess credit policy that allows for a surcharge of the full cost of tuition for a resident student who has accumulated excessive credits in pursuit of his or her first bachelor's degree. The policy is intended to increase access for new students, as well as reduce taxpayer costs.

Our review found that all UW institutions have implemented the policy and have procedures for the identification and advising of students at risk of incurring a surcharge. The number of students exceeding the credit limits is small, but has increased slightly since policy implementation in fall 2004. The total number of students accumulating a large number of earned credits is approximately one-half of one percent of total enrollment. The review recommends that:

- *UW System Administration revise F44, "Tuition and Fee Policies for Credit Instruction," to specify the proper semester in which to apply the surcharge and the appropriate calculation method; and*
- *UW institutions review their current accounting practices to ensure they are properly coding revenues associated with the excess credit surcharge.*

## Appendix

### Excess Credit Surcharge Calculation Illustration

The following illustrations of surcharge-calculation methodologies use the example of a student enrolled for 15 credits in the semester that an excess surcharge applies. The UW-Oshkosh fall 2008 per-credit tuition of \$251.56 is used for the illustrations.

Method 1	Method 2	Method 3
Regular tuition is doubled for all credits, without regard to the 12-to-18-credit plateau.  Calculation:  15 credits x \$251.56 = \$3,773.40 + 15 credits x \$251.56 = \$3,773.40  <b>Total Fees = \$7,546.80</b>	Regular tuition is doubled for all credits up to 12, but not for the three credits in the 12-to-18-credit plateau.  Calculation:  12 credits x \$251.56 = \$3,018.72 + 15 credits x \$251.56 = \$3,773.40  <b>Total Fees = \$6,792.12</b>	The 12-to-18-credit plateau rate is doubled, with no additional charge for more than 12 credits.  Calculation:  12 credits x \$251.56 = \$3,018.72 + 12 credits x \$251.56 = \$3,018.72  <b>Total Fees = \$6,037.44</b>

## **FOLLOW-UP REVIEW: CHILDREN'S CENTERS AT UNIVERSITY OF WISCONSIN INSTITUTIONS**

### **BACKGROUND**

In 2003, the University of Wisconsin System Office of Operations Review and Audit reviewed the implementation of Regent Policy Document 14-3 (formerly 83-5), which specifies that each UW institution “should set a goal of seeing that top quality, low cost child care and extended child care services, preferably campus based, are available to the children of students, faculty and staff.” Center operations were reviewed to assess how UW children’s centers were meeting the challenge of providing necessary programs of high quality while keeping costs low. The final report was issued in November 2003. This follow-up report provides updated information and a summary of UW institutions’ implementation of the recommendations in the 2003 report.

### **REQUESTED ACTION**

For information only.

### **DISCUSSION**

During FY 2006-07, twenty-three children’s centers and preschool laboratories were operating within the UW System. Each of the doctoral and comprehensive institutions, with the exception of UW-Green Bay, had at least one children’s center. In addition, UW-Fox Valley and UW-Waukesha each had a children’s center. Of the 23 children’s centers, 17 were operated by UW institutions. The remaining six centers were operated under contract with private organizations, including four centers at UW-Madison, and centers at UW-Superior and UW-Waukesha. In FY 2007-08, a private organization opened two additional centers in affiliation with UW-Madison, bringing the System total to 25 children’s centers. The areas covered in the follow-up review are: children’s centers mission; child care needs, availability, and enrollment management; program quality; and financial operations.

#### **Mission of UW Children’s Centers**

**Original Finding and Recommendation:** According to Financial and Administrative Policy (FAP) G38, children’s centers “integrate many of the appropriate activities of the university under one roof,” and the primary purpose of these activities should be categorized in order to designate funding sources. In addition, funding sources should reflect the mix of functions that UW children’s centers serve. Although most of the mission statements of UW children’s centers referenced their instructional and academic roles, some centers did not document and summarize use for purposes other than child care, even though such use was extensive. The report recommended that all UW children’s centers: (1) document their role in functions such as instructional/academic support, research, public service, and other activities; and (2) verify the appropriate funding mix and assign costs proportionately.

**Implementation Status:** Partially implemented, although the current economic climate suggests full cost documentation would not yield additional funding.

Although the total amount of GPR funds for all UW System centers increased between FY 2001-02 and FY 2006-07, GPR funds accounted for a smaller share of total operating revenue, decreasing from 6.1 percent of total operating revenue to 4.7 percent. In FY 2006-07, ten of the seventeen centers operated by UW institutions were funded with GPR funds, compared to nine of seventeen centers in FY 2001-02, as shown in the Appendix. The amount of GPR funds increased at four of the ten centers. GPR support as a percentage of total revenue and actual dollars decreased at six centers. In FY 2006-07, seven centers operated by UW institutions received no GPR support.

Thirteen of the twenty-three children's center directors indicated that their centers document their role in activities other than direct child care. Three of these centers use this information to assign costs and verify the appropriate funding mix.

Given the current budgetary and economic climate in the State of Wisconsin, it is unlikely that centers will be able to secure new or additional GPR support by documenting their role in various functions, and assigning costs proportionately as recommended in the 2003 report. However, this information may be necessary for centers to justify continued GPR support. In addition, center directors should continue to look for opportunities to communicate how their centers serve the child care needs of students and staff, while also addressing the broader missions of the institutions by providing opportunities for student employment, field placements, practicum, observation sites, testing model curricula, and research.

### **Child Care Needs, Availability, and Enrollment Management**

**Original Findings and Recommendations:** The UW children's centers varied significantly in service availability, ages of children served, and enrollment capacity. Because the children's centers exist to support institutional missions and to provide services, it is essential that each center meet the various child care needs of students, faculty, and staff of the institution it serves. In addition, Regent Policy Document 14-3 (formerly 83-5) authorizes UW institutions to provide child care services when community providers cannot meet the needs of the university community, and BOR Resolution SG 18 directs that all institutions periodically conduct a needs assessment of child care services. A limited number of institutions were conducting periodic needs assessments of the campus populations.

In order to better identify the demand for infant/toddler care or school-age care, the report recommended that UW institutions develop plans for determining the appropriate service level to meet the needs of the university community and explore funding opportunities to expand services to meet those needs. In addition, the report recommended that UW institutions establish procedures for assessing child care needs on a regular basis, and consider compiling parent data to target assessments and meet federal grant requirements.

**Implementation Status:** Implemented.

The licensing capacity for all UW System children's centers increased from 1,444 in the fall of 2002 to 1,616 in the fall of 2007, as shown in Table 1. Part of this increase is due to increased capacity at the centers located at UW-Eau Claire, Milwaukee, River Falls, and Whitewater, as well as the addition of new private providers affiliated with UW-Madison.

**Table 1: UW System Children's Center Capacity and Ages of Children Served**

UW INSTITUTION	FALL 2002			FALL 2007		
	LICENSED CAPACITY	AGES CENTER IS LICENSED TO SERVE		LICENSED CAPACITY	AGES CENTER IS LICENSED TO SERVE	
Eau Claire	75	2 years	10 years	100	6 weeks	10 years
Green Bay	None			None		
La Crosse	72	1 year	12 years	72	1 year	12 years
Madison						
Preschool Lab-Linden	50	2 years	9 years	55	2 years	9 years
Preschool Lab-Bethany	67	6 weeks	9 years	67	6 weeks	9 years
Waisman Early Childhood	100	1 year	8 years	100	1 year	8 years
Eagle's Wing	107	1.5 years	12 years	107	1.5 years	12 years
Bernie's Place	36	2.5 years	6 years	36	2.5 years	6 years
University Houses	14	2.5 years	6 years	14	2.5 years	6 years
Infant/Toddler Center	8	3 weeks	2.5 years	8	6 weeks	3 years
Great Beginnings				26	6 weeks	4 years
Little Chicks				14	6 weeks	12 years
Chicken Soup				16	6 weeks	12 years
Milwaukee	285	6 weeks	12 years	305	6 weeks	16 years
Oshkosh	84	2 weeks	8 years	84	2 weeks	8 years
Parkside	80	4 weeks	4 years	90	4 weeks	5 years
Platteville	52	2 years	8 years	52	2 years	7 years
River Falls						
Child Center	60	6 weeks	12 years	90	6 weeks	10 years
Preschool	21	4 years	5 years	21	4 years	5 years
Stevens Point						
Gesell Institute	20	2 years	5 years	20	2 years	6 years
UCLCC	68	6 months	10 years	68	6 weeks	10 years
Stout	66	6 weeks	6 years	66	6 weeks	6 years
Superior	65	6 weeks	12 years	65	6 weeks	10 years
Whitewater	40	2 years	11 years	62	2 years	12 years
UWC-Fox Valley	52	1 week	6 years	52	6 months	6 years
UWC-Waukesha	22	6 weeks	6 years	26	6 weeks	11 years
	1,444			1,616		

The UW children's centers vary in the type of services provided due in part to the child care markets in the areas where they operate and the needs of the campus communities they serve. Of the 25 centers operating during fall 2007, we found that:

- all of the centers offered part-time care;
- twenty-two centers offered infant or toddler care, with thirteen of these licensed to serve children as young as six weeks, and four licensed to serve children starting at age two;
- half of the centers offered care for school-age children;
- half of the centers offered care during campus vacations;
- nine of the centers offered flexible drop-in care;
- two centers offered evening care; and
- one center offered weekend care or care for sick children.

The UW children's centers serve both students and faculty/staff, and many centers also serve community members. FAP G38 permits UW children's centers to serve community residents because they provide a stable funding base for centers, as well as help to meet a community need. Most of the children's centers have enrollment priorities for currently enrolled children or families, students, faculty, staff, or a specific university affiliated population, such as UW Hospitals, UW-Madison Waisman Center staff, or residents of UW-Madison apartments. Of the 20 centers that provided information regarding enrollment priorities, 14 centers give either first or second priority to university students. Only one center indicated that it has no enrollment priorities because it is currently operating under capacity.

Among the centers that do not give priority to university students, two centers give priority to children with special needs, and any available slots after the center is at one-third of its capacity are open to the community on a first-come, first-served basis. Similarly, two centers offer priority to siblings of existing enrollees, and any available spots are available on a first-come, first-served basis.

In fall 2007, the UW children's centers reported enrollments totaling 1,768 children, of which 39.1 percent had student parents and 27.3 percent had faculty or staff parents, as shown in Table 2.

**Table 2: UW System Children's Center Enrollment and Parents Served  
Fall 2007**

UW INSTITUTION	TOTAL ENROLLED	STUDENT PARENTS		FACULTY OR STAFF PARENTS		COMMUNITY PARENTS	
		NUMBER	%	NUMBER	%	NUMBER	%
Eau Claire	145	62	42.8	36	24.8	47	32.4
La Crosse	75	38	50.7	37	49.3	0	0.0
Madison							
Preschool Lab-Linden	51	9	17.6	36	70.6	6	11.8
Preschool Lab-Bethany	69	10	14.5	24	34.8	35	50.7
Waisman	96	9	9.4	41	42.7	46	47.9
Eagle's Wing	152	108	71.1	24	15.8	20	13.2
Bernie's Place	35	13	37.1	18	51.4	4	11.4

UW INSTITUTION	TOTAL ENROLLED	STUDENT PARENTS		FACULTY OR STAFF PARENTS		COMMUNITY PARENTS	
		NUMBER	%	NUMBER	%	NUMBER	%
University Houses	25	11	44.0	0	0.0	14	56.0
Infant/Toddler Center	9	4	44.4	5	55.6	0	0.0
Great Beginnings	24	5	20.8	8	33.3	11	45.8
Little Chicks	8	2	25.0	5	62.5	1	12.5
Chicken Soup	na						
Milwaukee	313	146	46.6	67	21.4	100	31.9
Oshkosh	110	53	48.2	31	28.2	26	23.6
Parkside	62	31	50.0	8	12.9	23	37.1
Platteville	59	22	37.3	25	42.4	12	20.3
River Falls							
Child Center	83	18	21.7	26	31.3	39	47.0
Preschool	21	1	4.8	2	9.5	18	85.7
Stevens Point							
Gesell Institute <sup>3</sup>							
UCLCC	74	38	51.4	30	40.5	6	8.1
Stout	98	40	40.8	19	19.4	39	39.8
Superior	94	18	19.1	6	6.4	70	74.5
Whitewater	96	38	39.6	34	35.4	24	25.0
UWC-Fox Valley	69	16	23.2	8	11.6	45	65.2
UWC-Waukesha <sup>3</sup>							
	1,768 <sup>1</sup>	692	39.1	490 <sup>2</sup>	27.7	586 <sup>2</sup>	33.1

<sup>1</sup>Total enrollment is higher than capacity because of part-time attendance.

<sup>2</sup>Counted as one parent per child.

<sup>3</sup>No information provided.

Some center directors noted that the proportion of children with community parents has increased due to expansions that include 4-year-old kindergarten programming funded by local school districts. Four-year-old kindergarten programming has been implemented at centers located at UW-Eau Claire, Milwaukee, Oshkosh, Stevens Point, Superior, and Whitewater.

Nearly all of the centers' directors described informal processes they use to assess and evaluate the service levels at their individual centers, to better meet the needs of the families they already serve. Directors use several tools or types of information, including center waiting lists and inquiries, parent surveys and feedback, center advisory committees, participation in community child care meetings, and analysis of enrollment trends and vacancies. More than one-third of the center directors indicated that additional child care was needed at their institution, particularly for families with infants and toddlers. Several of these same directors also stated that existing space or resource limitations would prohibit any expansion at their existing locations.

Half of the doctoral and comprehensive institutions have undertaken formal needs assessments in an effort to determine the appropriate service level for meeting the needs of their university community. Several years ago, UW-Eau Claire determined the greatest need at that campus was for infant/toddler care, and the institution secured a federal Child Care Access Means Parents in School (CCAMPIS) grant that was used to implement infant/toddler care in January 2006.



Whenever a potential child care need is identified, the center works with a campus office serving non-traditional students to survey student parents, as well as parents currently using the center.

UW-Madison's Office of Child Care, which coordinates the ten children's centers that operate to serve campus student, faculty, and staff families, worked with the university child care committee to complete a master plan for child care in 2005. This plan includes recommendations to develop additional child care capacity based on existing level of service and unmet needs. The priority need at UW-Madison is for infant/toddler care, and the Office of Child Care has worked to develop relationships with three new private children's centers that provide infant/toddler care that serve students and staff at UW-Madison and UW Hospitals and Clinics.

In addition to UW-Eau Claire and UW-Madison, some other institutions have completed needs assessments. UW-Stout has completed several studies to determine the need for child care services among staff and students. The existing capacity for infant/toddler care provided by the center is a result of a prior study. UW-River Falls conducted a campus-wide needs assessment prior to the construction of their new children's center in 2004. UW-Whitewater's 2004 needs assessment demonstrated the need to serve additional children, and the center director is hoping to expand the center's space in 2009-10. UW-Superior is in the process of conducting a child care needs assessment as capital plans for the campus will eliminate the building within which the existing center operates. UW-Stevens Point will likely be involved in a needs assessment process in the next few years, as current capital plans for the campus include a new children's center.

Not all of the UW institutions have completed formal campus-wide child care needs assessments and, given the administrative time and resources necessary to complete a needs assessment, it may not be feasible for every institution to do so. However, a campus-wide needs assessment should be considered prior to any major programmatic changes or expansions. A campus-wide child care needs assessment could be useful for determining the service gaps at each institution, the different types of child care needed, and program plans and priorities.

### **Program Quality**

**Original Finding and Recommendation – Accreditation:** FAP G38 requires that each center seek and maintain accreditation by the National Association for Education of Young Children/Academy of Early Childhood Programs (NAEYC/NAECP). New centers are to obtain accreditation within three years. Programs that are accredited tend to meet certain quality standards. In 2002, all but four campus-operated programs and four private child care contractors used by UW institutions were accredited through the NAEYC. The report recommended that UW institution administrators ensure that all UW children's centers or private campus vendors seek accreditation and ensure that accreditation is maintained, as FAP G38 requires.

**Implementation Status:** Partially implemented.

In March 2006, UW-Madison requested of the UW System Senior Vice President for Academic Affairs an exception to FAP G38 to allow UW-Madison centers to substitute accreditation by the

city of Madison for accreditation by the NAEYC. This exception was sought due to the increased costs of the NAEYC accreditation process. UW-Madison's request for an exception was approved.

In September 2006, the NAEYC implemented new accreditation standards and criteria, and modified its accreditation process. According to UW System center directors, the new process is more costly and requires significantly more administrative time from directors and teachers to meet the process objectives. In addition, some center directors who have achieved accreditation under the new process did not believe that the increased administrative burden resulted in any improvements in quality for their center. Due to these concerns, center directors have asked UW System to revise FAP G38 to allow for accreditation by other national organizations that accredit high quality child care programs. UW System's Office of Academic Affairs is continuing to work with center directors to develop a process for requesting exceptions to FAP G38 and to review the accreditation processes and criteria of alternative accrediting organizations.

As of February 2009, 12 of the 17 campus-operated programs were accredited by either NAEYC or the city of Madison. Of the remaining centers, all but one was pursuing accreditation.

Among the eight privately-operated centers, four were not accredited. Three of the four have been affiliated with UW-Madison or UW-Waukesha for less than three years, and accreditation is not yet required. The fourth center recently lost its NAEYC accreditation. Administrators at the institution are working with the contractor to address the accreditation issue.

**Original Finding and Recommendation – Satisfaction Surveys:** FAP G38 requires that centers conduct periodic surveys of parent-clients to assess client satisfaction. While most centers provided parents the opportunity to evaluate the centers, not all used the results to correct noted deficiencies or implement suggestions. Periodic meetings of center directors to share information are another means of addressing quality issues. The report recommended that UW children's center directors summarize and assess parent survey results to determine whether corrective actions are necessary and meet periodically as a group in order to share information about quality programming.

**Implementation Status:** Implemented.

Twenty of the twenty-one center directors we spoke with indicated that they administer parent surveys and use the results to make programmatic improvements. Examples of improvements include providing opportunities for parent involvement; using the center website to share information with families; and updating a curriculum guide that explains the skills and concepts children learn through playtime activities, in response to parents who requested more emphasis on academic activities. Several centers indicated that survey results are discussed with staff and often shared with parents. Nine centers administer surveys twice per year. Only one center director indicated that parent surveys are not administered.

Center directors also meet periodically to share information. UW-Madison's Office of Child Care and Family Resources coordinates monthly meetings of the ten centers affiliated with UW-Madison. In addition, all UW System center directors are invited to semi-annual meetings. The purpose of these meetings is to share information regarding quality programming, center

operations, and relevant child care topics. Nearly all of the UW System center directors participate in these meetings.

### **Financial Operations**

**Original Finding and Recommendation – Child Care Funding Initiatives:** Wisconsin’s child care assistance program could only be used by student parents who are also working. Many states extended eligibility for child care assistance to families in education or training programs, without a requirement that parents be employed. In its 2001-03 biennial budget priorities, the United Council requested a statewide GPR-funded financial aid program to defray child care costs for student parents. The program review report recommended that UW System explore ways to be represented in various legislative initiatives concerning child care, such as extending eligibility to post-secondary students, providing quality improvement funding, or creating additional scholarship funds.

**Implementation Status:** Not yet implemented. However, the UW System Office of Academic Affairs recently hired an academic planner who will be responsible for providing leadership and coordination in several program areas, including child care.

**Original Finding and Recommendation – Segregated Fees:** FAP G38 states that segregated fees may be used to reduce the cost of child care for student parents only and may not be used to subsidize faculty/staff or community users. While nearly all of the centers provided a discounted rate for student parents, there was often no assurance that the segregated fee was fully used to subsidize student, rather than non-student, parent fees. The report recommended that UW children’s centers maintain documentation to support student parent subsidies.

**Implementation Status:** Partially implemented.

Directors at ten of the campus-operated children’s centers indicated that segregated fees are included in their center operating revenue, as shown in Table 3. For these ten centers, we compared the full-time child care rates charged to students and faculty/staff and found that each of the centers offered discounted rates to students. The discount ranged from 50 percent at UW-Platteville to 5 percent at UW-Fox Valley. UW-Stout, which has subsidized its center with differential tuition since 1999, also offered discounted rates to students.

Directors at four of these centers stated that they, or someone else at the campus, review the use of segregated fee revenue to verify that it is used to subsidize student parents only. For example, UW-Oshkosh completes an annual rate usage review to determine the number and type of users and revenues generated for each category of rates, and then compares that information to total annual revenue. This information is then shared with the student segregated fees committee during the budget process. At UW-Fox Valley, segregated fee revenue provided to the center is based on the number of students using the center each semester.

The proportion of student parents at each of the ten centers in the fall of 2007 was substantially higher than the proportion of segregated fees to total revenue during fiscal year 2007, suggesting that segregated fees are not subsidizing services to non-student users at the center. However, because students may be using centers on a part-time basis, the proportion of student usage may

be lower than the proportion of children of student parents enrolled at the center. Institutional administrators and center directors at each of the ten centers should develop some methodology to ensure consistency with FAP G38, verifying annually that segregated fee revenue is not being used to subsidize non-student parents. This information may also be useful to centers if requesting increased segregated fee revenue funding.

**Table 3: Segregated Fee Revenue at Campus-Operated Centers  
FY 2007**

<b>UW CHILDREN'S CENTER</b>	<b>SEGREGATED FEES</b>	<b>TOTAL REVENUE</b>	<b>% OF TOTAL</b>
Eau Claire	\$ 111,000	\$ 802,336	13.8
La Crosse	\$ 159,398	\$ 457,640	34.8
Madison Preschool Labs <sup>1</sup>	\$ 0	\$1,144,345	0.0
Madison Waisman Early Childhood Program	\$ 0	\$1,002,951	0.0
Madison Eagle's Wing	\$ 0	\$ 693,319	0.0
Milwaukee	\$ 582,326	\$2,940,780	19.8
Oshkosh	\$ 101,936	\$ 418,543	24.4
Parkside	\$ 90,000	\$ 394,297	22.8
Platteville	\$ 45,468	\$ 304,373	14.9
River Falls Child Center	\$ 105,884	\$ 675,805	15.7
River Falls Preschool	\$ 0	\$ 31,634	0.0
Stevens Point UCLCC	\$ 46,907	\$ 413,814	11.3
Stevens Point Gesell Institute	\$ 0	\$ 69,004	0.0
Stout <sup>2</sup>	\$ 181,767	\$ 568,468	32.0
Whitewater	\$ 63,929	\$ 302,391	21.1
UWC-Fox Valley	\$ 4,819	\$ 342,370	1.4

<sup>1</sup> Includes two preschool facilities.

<sup>2</sup> Center is funded with differential tuition rather than segregated fees.

UW-Madison uses its segregated fees to provide student parents with subsidies for child care assistance. None of the four UW-Madison operated children's centers are direct recipients of segregated fees.

**Original Findings and Recommendations – Grants:** All UW children's centers were eligible for federal CCAMPIS funds, but most had not applied due to lack of time and/or grant writing experience. Also, the federal Child and Adult Care Food Program (CACFP), administered by the Wisconsin Department of Public Instruction, subsidized a portion of food expenses for income-eligible families. Many UW centers were not participating in the program due to: (1) lack of information; (2) lack of staff to complete paperwork; (3) a relatively large international population of children that would not be receptive to the meals served; and (4) reluctance of parents to provide the necessary financial information. The report recommended that all UW institutions provide grant-writing expertise to the centers to assist them in completing CCAMPIS proposals. In addition, the report recommended that all UW institutions work with the children's centers to maximize participation in the CACFP program.

**Implementation Status:** Implemented, to the extent practical.

The children's centers at UW-Eau Claire, Milwaukee, and River Falls are currently using CCAMPIS grants to support their operations. In addition, UW-Madison secured a CCAMPIS grant that is used to fund child care assistance for students. Directors at UW-Oshkosh and UW-Stevens Point indicated that they had applied to renew their CCAMPIS grants but were not funded a second time.

Approximately one-third of the centers currently participate in the CACFP program, and two-thirds of the centers access other grant sources. Several directors indicated that they do not participate in the program because families are expected to provide lunches for their children. Several centers at UW-Madison receive accreditation grants from the city of Madison. Other centers have accessed 4-year-old kindergarten funding from local school districts, as well as other grants available from their campus or private foundations. Several directors emphasized that grants for children's centers are increasingly limited and generally account for a small portion of center revenue.

Directors at some campuses indicated that grant writing assistance was available at their institution; these campuses include UW-Eau Claire, La Crosse, Madison, Oshkosh, Parkside, River Falls, Stevens Point, Stout, and Whitewater. The directors at both UW-Eau Claire and UW-Stevens Point indicated that the grant writing assistance provided by campus administration was helpful when applying for CCAMPIS grants. In addition, the center director at UW-Stout stated that the grant writing assistance was helpful in applying for grants available from her campus.

**Original Finding and Recommendation – Continuing Education Funds:** State licensing requires that each child care teacher complete a required number of continuing education credits. Some centers were actively pursuing available federal, state, or private grants to offset some of these costs. The report recommended that UW System Administration provide information to children's center directors regarding funding sources in order for the centers to seek and expand funding support from federal, state, and other sources.

**Implementation Status:** Not yet implemented. However, the UW System Office of Academic Affairs recently hired an academic planner who will be responsible for providing leadership and coordination in several program areas, including child care.

**Original Finding and Recommendation – Accounting:** Practices for billing parents varied among the centers, and some centers lacked adequate internal controls; for example, receipts were deposited and posted to customer accounts by the same staff person, payments were not deposited in accordance with state requirements, and payments were not adequately secured. Although FAP G38 provides that centers shall be subject to periodic internal audits, several centers had not been reviewed. The report recommended that UW institutions provide appropriate accounting support for assessing and collecting children's center fees and that UW institutions' internal auditors conduct periodic audits.

**Implementation Status:** Partially implemented.

Center directors indicated that audits had been conducted at UW-Eau Claire, La Crosse, Milwaukee, Parkside, Platteville, Stout, and Eagle's Wing at UW-Madison. The audits covered

petty cash funds, purchasing cards, I-9 verification, cash handling, internal control procedures, and implementation of financial and operating procedures. For example, the audit of the UW-La Crosse center's petty cash fund included recommendations related to securing the petty cash fund and decreasing the amount of the fund due to infrequent use. Although the center has not implemented the recommendation to decrease the size of the fund, it did implement the recommendation for securing the fund. An audit of UW-Madison's Division of Housing included a recommendation for Eagle's Wing on how income is reported, which the center director indicated was implemented. The children's center at UW-Milwaukee has been included in department-level audits of purchasing cards and I-9 verification, which resulted in no findings or recommendations for the center.

As noted in our 2003 review of children's centers, evaluating the financial position of the children's centers is difficult because fluctuations may occur due to circumstances beyond the control of the centers, such as periods of low enrollment, wage increases, or program expansions. To follow up on the 2003 review, we looked at the cash balances of the seventeen centers campuses operate. As Table 4 shows, we found that more centers were operating with deficit or inadequate cash balances than at the time of the prior review. Seven of the seventeen centers had deficit cash balances at the end of FY 2008, and two had balances that may not be adequate to meet existing salary needs or cover a period of financial difficulty.

**Table 4: UW System Campus-Operated Children's Centers  
Fund 128 Cash Balances**

<b>UW CHILDREN'S CENTER</b>	<b>FY 2005</b>	<b>FY 2006</b>	<b>FY 2007</b>	<b>FY 2008</b>
Eau Claire <sup>1</sup>	\$ 274,163	\$ 162,200	\$ 330,077	\$ 324,853
La Crosse	\$ 20,286	\$ ( 38,852)	\$ (38,920)	\$ (13,615)
Madison Preschool Labs <sup>1, 2</sup>	\$ 124,858	\$ 238,436	\$ 254,105	\$ 322,745
Madison Waisman Early Childhood Program <sup>1</sup>	\$ 164,867	\$ 170,683	\$ 170,076	\$ 139,667
Madison Eagle's Wing <sup>3</sup>	\$(231,421)	\$(179,563)	\$(133,512)	\$(180,163)
Milwaukee	\$(168,467)	\$ (66,488)	\$ (34,636)	\$ 1,589
Oshkosh	\$ 4,028	\$ (23,291)	\$ (31,784)	\$ (17,027)
Parkside	\$ (30,198)	\$ (35,638)	\$ (16,792)	\$ (49,506)
Platteville	\$ 33,178	\$ (33,477)	\$ (26,334)	\$ (9,502)
River Falls CHILD Center	\$ 87,999	\$ 178,146	\$ 252,210	\$ 291,980
River Falls Preschool <sup>1</sup>	\$ ( 3,336)	\$ 1,473	\$ 1,367	\$ 1,382
Stevens Point UCLCC	\$ ( 2,834)	\$ (31,877)	\$ (40,689)	\$ (37,835)
Stevens Point Gesell Institute <sup>1</sup>	\$ ( 6,609)	\$ (26,964)	\$ 2,016	\$ (1,064)
Stout <sup>1</sup>	\$ 85,172	\$ 153,522	\$ 193,294	\$ 149,269
Whitewater	\$ 48,454	\$ 43,601	\$ 25,876	\$ 73,400
UWC-Fox Valley	\$ 5,757	\$ (10,496)	\$ 16,854	\$ 58,507

<sup>1</sup> FY 2006, 2007, and 2008 balances are from a fund 136 account.

<sup>2</sup> Includes two preschool facilities.

<sup>3</sup> The negative cash balance at Eagle's Wing is supported by other revenues generated by university apartments.

Directors described various reasons for the negative balances. The center director at UW-La Crosse indicated that the negative cash balance was due to increased staffing costs, and the center had increased its rates in each of the last three years to address the issue. The deficit cash balances at UW-Parkside and UW-Platteville were attributed to lower enrollment numbers in

recent years. UW-Platteville's center director indicated she has worked to increase enrollment, and to more closely monitor the center's budget. UW-Parkside also reported that the center's deficit cash balances reflect a retirement and reimbursement for unused leave, benefit costs, and simultaneous employment of two directors for training purposes. The center at UW-Milwaukee reported it has improved its collections procedures to address the issue of negative cash balances.

Several centers had large positive cash balances relative to the size of their center's operating budget, including the centers at UW-Eau Claire, River Falls, Stout, and Whitewater. The center directors at both UW-Eau Claire and UW-Whitewater indicated that they were hoping to proceed with the construction of new or additional center space sometime in the near future. The director at the UW-Stout center indicated that the cash balance would be used for upcoming building and playground maintenance and accessibility modifications. The director at UW-River Falls Child Center indicated that operating cash balances would be used to hire additional teachers and address staffing consistency issues as the center pursues the accreditation required by UW System policy.

## **CONCLUSION**

In general, we found that children's centers and institutions have made progress toward implementing the prior-review recommendations. The prior report included twelve recommendations, six of which were addressed to institutions, four directly to the centers, and two to UW System. In addition, several recommendations were related to FAP G38 or other policy documents, while others could be considered best-practice recommendations.

As we found in the 2003 review, children's centers receiving segregated fees continue to have challenges with maintaining documentation to support student parent subsidies and verifying that segregated fees are used to subsidize only student parents. Several centers also had deficit or inadequate cash balances.

This review suggests that assessment activities are occurring. Most centers conduct parent surveys, for example. Centers conduct formal needs assessments when exploring programmatic changes or facility improvements.

Areas in which progress has been made include performing periodic audits of center operations and meeting accreditation requirements. Efforts to identify alternative accreditation processes are ongoing. Administrative and budgetary support from institutional administrators will be important as center directors continue to work towards compliance with policy requirements. It will also be important for the UW System Office of Academic Affairs to stay involved and provide leadership, guidance, and assistance to center directors and institutions on system policies related to children's centers and implementation of those policies.

## **RELATED REGENT POLICIES**

Regent Policy Document 14-3, "Equal Opportunities in Education: Elimination of Discrimination Based on Gender"

## Appendix

INSTITUTION	CENTER NAME	FY 2001-02			FY 2006-07		
		TOTAL REVENUE	GPR REVENUE	% OF TOTAL REVENUE	TOTAL REVENUE	GPR REVENUE	% OF TOTAL REVENUE
Eau Claire	Children's Center	\$ 452,035	\$ 0	0.0%	\$ 802,336	\$ 0	0.0%
La Crosse	Campus Child Center	\$ 378,649	\$ 26,978	7.1%	\$ 457,640	\$ 32,820	7.2%
Madison	Preschool Labs*	\$ 978,994	\$ 67,914	6.9%	\$ 1,144,345	\$ 62,753	5.5%
Madison	Waisman Early Childhood Program	\$ 736,223	\$ 83,088	11.3%	\$ 1,002,951	\$ 81,327	8.1%
Madison	Eagle's Wing	\$ 461,358	\$ 0	0.0%	\$ 693,319	\$ 0	0.0%
Milwaukee	Children's Center	\$ 2,405,671	\$ 5,000	0.2%	\$ 2,940,780	\$ 16,928	0.6%
Oshkosh	Children's Learning & Care Center	\$ 312,642	\$ 0	0.0%	\$ 418,543	\$ 0	0.0%
Parkside	Child Care Center	\$ 327,189	\$ 0	0.0%	\$ 394,297	\$ 0	0.0%
Platteville	Children's Center	\$ 248,351	\$ 56,522	22.8%	\$ 304,373	\$ 54,509	17.9%
River Falls	CHILD Center	\$ 201,164	\$ 0	0.0%	\$ 675,805	\$ 40,844	6.0%
River Falls	University Preschool				\$ 31,634	\$ 0	0.0%
Stevens Point	Helen R Godfrey University Child Learning and Care Center	\$ 384,038	\$ 70,028	18.2%	\$ 413,814	\$ 79,073	19.1%
Stevens Point	Gesell Institute				\$ 69,004	\$ 0	0.0%
Stout	Child and Family Study Center	\$ 472,764	\$ 153,857	32.5%	\$ 568,468	\$ 124,291	21.9%
Whitewater	University Children's Center	\$ 260,439	\$ 20,766	8.0%	\$ 302,391	\$ 4,904	1.6%
UWC-Fox Valley	University Children's Center	\$ 328,061	\$ 0	0.0%	\$ 342,370	\$ 0	0.0%
Total		\$ 7,947,578	\$ 484,153	6.1%	\$10,562,070	\$497,449	4.7%
*Includes two preschool facilities.							



## **OFFICE OF OPERATIONS REVIEW AND AUDIT QUARTERLY STATUS UPDATE**

### **BACKGROUND**

This report is presented to the Board of Regents Business, Finance, and Audit Committee to provide: (1) a status report on the major projects the UW System Office of Operations Review and Audit is conducting, and (2) an update on Legislative Audit Bureau projects in the UW System.

### **REQUESTED ACTION**

For information only.

### **MAJOR OFFICE OF OPERATIONS REVIEW AND AUDIT PROJECTS**

- (1) Excess Credit Policy reviews procedures and policies UW institutions have adopted to implement the excess credit policy (RPD 4-15), adopted in December 2002; the number of students affected by the policy; and efforts to limit the number of students reaching the excess credit threshold. A report is included with the committee materials for May.
- (2) Energy Conservation will identify energy conservation practices at UW System institutions, good practices in energy conservation policy, and possible policy options for further consideration. A report is being drafted.
- (3) UW-Sponsored Camps and Clinics will examine the administrative practices of camps and clinics, as well as UW institutions' efforts to address participants' health and safety and to provide oversight of camps and clinics. Review work is underway.
- (4) Academic Fees audits are being conducted to determine the adequacy of policies, procedures, and internal controls related to the assessment and collection of student fees. A review of the UW Colleges' procedures is underway.
- (5) Service Learning will review significant risks, potential liabilities, and mitigating actions involved in internships and other programs that integrate community service with academic study. Background research is being conducted.

### **LEGISLATIVE AUDIT BUREAU PROJECTS**

The Legislative Audit Bureau completed its annual compliance audit of federal grants and expenditures, including student financial aid, for FY 2007-08, and issued its report at the end of March 2009. The Audit Bureau is also conducting a statewide analysis of procurement cards and the savings and efficiencies gained from the Accountability, Consolidation, and Efficiency (ACE) Initiative.

UNIVERSITY OF WISCONSIN SYSTEM  
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	Public Service	Instruction	Libraries	Misc	Phy Plt	Research	Student Aid	Total
<b>FISCAL YEAR 2008-2009</b>								
Madison	31,759,499	32,709,385	1,270,752	129,002,302	20,927,703	607,166,088	33,880,112	856,715,841
Milwaukee	7,559,413	5,577,545	250,085	2,049,154	0	24,250,373	15,108,191	54,794,760
Eau Claire	646,483	734,950	0	0	0	1,150,132	8,613,041	11,144,606
Green Bay	132,612	1,118,075	0	99,417	0	1,958,270	3,211,649	6,520,024
La Crosse	347,561	496,624	6,000	863,214	0	1,702,814	6,012,684	9,428,897
Oshkosh	2,741,333	6,240,609	0	0	0	841,260	8,253,779	18,076,981
Parkside	1,168,751	494,702	1,002	58,145	120,000	226,478	6,502,699	8,571,777
Platteville	651,856	56,644	149,979	1,149,193	0	157,640	5,427,335	7,592,647
River Falls	436,150	115,364	0	2,238,609	13	81,276	5,189,853	8,061,265
Stevens Point	4,787,293	517,930	0	413,467	0	4,382,785	9,028,464	19,129,939
Stout	3,610,726	94,703	0	2,406,028	0	73,896	7,211,867	13,397,220
Superior	30,186	0	0	0	160,496	4,893,806	1,857,764	6,942,252
Whitewater	106,744	19,019	0	2,888,580	1,213	311,466	8,043,066	11,370,088
Colleges	2,025	371,739	1,350	1,039,808	0	57,756	11,046,820	12,519,499
Extension	31,933,024	0	0	300,000	0	29,600	0	32,262,624
System-Wide	0	1,242,270	0	5,500	0	456,960	0	1,704,730
<b>Totals</b>	<b>85,913,656</b>	<b>49,789,559</b>	<b>1,679,168</b>	<b>142,513,418</b>	<b>21,209,425</b>	<b>647,740,600</b>	<b>129,387,325</b>	<b>1,078,233,151</b>
Madison	16,922,882	17,271,944	0	1,289,630	30,900	379,651,811	22,341,880	437,509,047
Milwaukee	5,577,141	5,143,412	6,000	0	0	19,624,520	14,267,337	44,618,411
Eau Claire	535,630	719,828	0	0	0	1,026,227	8,492,849	10,774,534
Green Bay	108,416	973,425	0	13,857	0	1,670,066	3,050,780	5,816,544
La Crosse	150,874	298,124	0	761,347	0	899,920	6,006,161	8,116,426
Oshkosh	1,840,992	5,604,250	0	0	0	456,766	8,252,779	16,154,787
Parkside	1,086,074	298,825	0	5,000	0	0	6,276,191	7,666,090
Platteville	400,396	0	149,979	981,731	0	72,000	5,427,335	7,031,441
River Falls	307,997	0	0	1,730,552	0	0	5,055,781	7,094,330
Stevens Point	2,368,854	117,001	0	286,053	0	3,057,253	9,028,464	14,857,625
Stout	3,130,409	90,969	0	1,619,074	0	56,279	7,189,717	12,086,448
Superior	30,186	0	0	0	160,496	4,750,364	1,857,764	6,798,810
Whitewater	90,817	0	0	1,355,271	0	279,287	7,488,939	9,214,314
Colleges	0	371,739	0	426,394	0	20,073	10,035,711	10,853,916
Extension	9,197,362	0	0	0	0	0	0	9,197,362
System-Wide	0	1,206,270	0	0	0	456,960	0	1,663,230
<b>Federal Totals</b>	<b>41,748,031</b>	<b>32,095,787</b>	<b>155,979</b>	<b>8,468,909</b>	<b>191,396</b>	<b>412,021,526</b>	<b>114,771,687</b>	<b>609,453,315</b>
Madison	14,836,617	15,437,441	1,270,752	127,712,672	20,896,803	227,514,277	11,538,232	419,206,794
Milwaukee	1,982,272	434,133	244,085	2,049,154	0	4,625,853	840,854	10,176,350
Eau Claire	110,853	15,122	0	0	0	123,905	120,192	370,072
Green Bay	24,196	144,650	0	85,560	0	288,204	160,869	703,480
La Crosse	196,687	198,500	6,000	101,867	0	802,894	6,523	1,312,471
Oshkosh	900,341	636,359	0	0	0	384,494	1,000	1,922,194
Parkside	82,677	195,877	1,002	53,145	120,000	226,478	226,508	905,687
Platteville	251,460	56,644	0	167,462	0	85,640	0	561,206
River Falls	128,153	115,364	0	508,057	13	81,276	134,072	966,935
Stevens Point	2,418,439	400,929	0	127,414	0	1,325,532	0	4,272,314
Stout	480,317	3,734	0	786,954	0	17,617	22,150	1,310,771
Superior	0	0	0	0	0	143,442	0	143,442
Whitewater	15,927	19,019	0	1,533,309	1,213	32,179	554,127	2,155,774
Colleges	2,025	0	1,350	613,415	0	37,684	1,011,109	1,665,582
Extension	22,735,662	0	0	300,000	0	29,600	0	23,065,262
System-Wide	0	36,000	0	5,500	0	0	0	41,500
<b>Nonfederal Totals</b>	<b>44,165,625</b>	<b>17,693,772</b>	<b>1,523,189</b>	<b>134,044,509</b>	<b>21,018,029</b>	<b>235,719,074</b>	<b>14,615,638</b>	<b>468,779,836</b>

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	Public Service	Instruction	Libraries	Misc	Phy Plt	Research	Student Aid	Total
<b>FISCAL YEAR 2007-2008</b>								
Madison	22,804,753	28,126,934	2,070,412	92,618,135	20,174,646	495,502,483	26,868,314	688,165,677
Milwaukee	10,387,293	4,175,472	58,275	1,584,178	0	22,259,730	11,597,057	50,062,005
Eau Claire	585,706	936,492	0	0	0	736,492	5,189,165	7,447,855
Green Bay	60,730	2,485,341	1,000	274,633	927,184	906,897	2,777,902	7,433,687
La Crosse	411,149	659,762	0	953,123	0	821,927	5,392,037	8,237,998
Oshkosh	5,104,358	5,359,268	0	0	0	677,328	7,279,629	18,420,583
Parkside	1,192,740	987,557	0	38,740	0	824,235	3,606,609	6,649,881
Platteville	171,379	18,103	200,000	434,507	0	5,236	5,904,787	6,734,012
River Falls	1,025,328	50,149	0	2,146,200	0	77,027	4,699,244	7,997,948
Stevens Point	2,937,631	443,912	0	776,612	0	2,083,666	8,355,500	14,597,321
Stout	3,714,394	216,265	0	2,483,205	0	47,696	7,192,126	13,653,685
Superior	149,307	0	0	720,295	0	349,053	1,747,165	2,965,820
Whitewater	134,750	23,546	0	3,473,649	356	96,855	7,476,713	11,205,869
Colleges	1,289	605,527	0	1,195,445	0	73,639	9,507,791	11,383,691
Extension	32,202,995	0	0	0	0	0	0	32,202,995
System-Wide	0	1,210,222	0	60,000	0	0	25,000	1,295,222
<b>Totals</b>	<b>80,883,802</b>	<b>45,298,550</b>	<b>2,329,687</b>	<b>106,758,722</b>	<b>21,102,187</b>	<b>524,462,263</b>	<b>107,619,039</b>	<b>888,454,250</b>
Madison	15,393,455	14,461,437	0	2,551,173	882,032	321,812,449	14,955,694	370,056,240
Milwaukee	6,185,234	4,401,952	0	0	0	18,959,203	10,721,824	40,268,213
Eau Claire	496,867	924,492	0	0	0	624,288	5,189,165	7,234,812
Green Bay	33,130	2,152,596	0	0	0	843,036	2,768,629	5,797,391
La Crosse	113,122	641,500	0	779,894	0	246,901	5,371,537	7,152,954
Oshkosh	2,451,457	4,902,468	0	0	0	459,844	7,279,629	15,093,398
Parkside	1,101,508	846,018	0	10,000	0	530,338	3,424,026	5,911,890
Platteville	32,222	0	200,000	0	0	4,400	5,903,787	6,140,409
River Falls	765,487	0	0	1,806,756	0	44,508	4,697,544	7,314,295
Stevens Point	872,704	31,414	0	686,199	0	983,300	8,355,500	10,929,117
Stout	3,384,829	100,211	0	1,517,457	0	20,000	6,665,516	11,688,013
Superior	120,000	0	0	720,295	0	250,000	1,747,165	2,837,460
Whitewater	54,000	4,000	0	1,368,124	0	85,022	6,820,709	8,331,855
Colleges	0	604,602	0	618,854	0	30,124	8,855,421	10,109,001
Extension	10,771,989	0	0	0	0	0	0	10,771,989
System-Wide	0	1,210,222	0	60,000	0	0	0	1,270,222
<b>Federal Totals</b>	<b>41,776,004</b>	<b>30,280,912</b>	<b>200,000</b>	<b>10,118,752</b>	<b>882,032</b>	<b>344,893,413</b>	<b>92,756,146</b>	<b>520,907,259</b>
Madison	7,411,298	13,665,497	2,070,412	90,066,962	19,292,614	173,690,034	11,912,620	318,109,437
Milwaukee	4,202,059	(226,480)	58,275	1,584,178	0	3,300,527	875,233	9,793,792
Eau Claire	88,839	12,000	0	0	0	112,204	0	213,043
Green Bay	27,600	332,745	1,000	274,633	927,184	63,861	9,273	1,636,296
La Crosse	298,027	18,262	0	173,229	0	575,026	20,500	1,085,044
Oshkosh	2,652,901	456,800	0	0	0	217,484	0	3,327,184
Parkside	91,232	141,539	0	28,740	0	293,897	182,583	737,991
Platteville	139,157	18,103	0	434,507	0	836	1,000	593,603
River Falls	259,841	50,149	0	339,444	0	32,519	1,700	683,653
Stevens Point	2,064,927	412,498	0	90,413	0	1,100,366	0	3,668,204
Stout	329,565	116,054	0	965,748	0	27,696	526,610	1,965,672
Superior	29,307	0	0	0	0	99,053	0	128,360
Whitewater	80,750	19,546	0	2,105,525	356	11,833	656,004	2,874,014
Colleges	1,289	925	0	576,591	0	43,515	652,370	1,274,690
Extension	21,431,006	0	0	0	0	0	0	21,431,006
System-Wide	0	0	0	0	0	0	25,000	25,000
<b>Nonfederal Totals</b>	<b>39,107,798</b>	<b>15,017,638</b>	<b>2,129,687</b>	<b>96,639,970</b>	<b>20,220,155</b>	<b>179,568,850</b>	<b>14,862,893</b>	<b>367,546,991</b>

UNIVERSITY OF WISCONSIN SYSTEM  
 GIFTS, GRANTS AND CONTRACTS AWARDED - BY INSTITUTION  
 QUARTERLY REPORT & PRIOR-YEAR COMPARISON  
 FISCAL YEAR 2008-2009 - Third Quarter

	Public Service	Instruction	Libraries	Misc	Phy Plt	Research	Student Aid	Total
<b>INCREASE (DECREASE)</b>								
Madison	8,954,746	4,582,451	(799,660)	36,384,167	753,057	111,663,605	7,011,798	168,550,163
Milwaukee	(2,827,880)	1,402,073	191,810	464,976	0	1,990,643	3,511,134	4,732,755
Eau Claire	60,777	(201,542)	0	0	0	413,640	3,423,876	3,696,751
Green Bay	71,882	(1,367,266)	(1,000)	(175,215)	(927,184)	1,051,373	433,747	(913,663)
La Crosse	(63,588)	(163,138)	6,000	(89,909)	0	880,887	620,647	1,190,899
Oshkosh	(2,363,025)	881,341	0	0	0	163,932	974,150	(343,601)
Parkside	(23,989)	(492,855)	1,002	19,405	120,000	(597,757)	2,896,090	1,921,896
Platteville	480,477	38,541	(50,021)	714,686	0	152,404	(477,452)	858,635
River Falls	(589,178)	65,215	0	92,409	13	4,249	490,609	63,317
Stevens Point	1,849,662	74,018	0	(363,145)	0	2,299,119	672,964	4,532,618
Stout	(103,668)	(121,562)	0	(77,177)	0	26,200	19,742	(256,465)
Superior	(119,121)	0	0	(720,295)	160,496	4,544,753	110,599	3,976,432
Whitewater	(28,006)	(4,527)	0	(585,069)	857	214,611	566,354	164,219
Colleges	736	(233,788)	1,350	(155,637)	0	(15,883)	1,539,029	1,135,808
Extension	(269,971)	0	0	300,000	0	29,600	0	59,629
System-Wide	0	32,048	0	(54,500)	0	456,960	(25,000)	409,508
<b>Totals</b>	<b>5,029,854</b>	<b>4,491,009</b>	<b>(650,519)</b>	<b>35,754,696</b>	<b>107,238</b>	<b>123,278,337</b>	<b>21,768,286</b>	<b>189,778,901</b>
Madison	1,529,427	2,810,507	0	(1,261,543)	(851,132)	57,839,362	7,386,185	67,452,807
Milwaukee	(608,093)	741,460	6,000	0	0	665,317	3,545,513	4,350,198
Eau Claire	38,763	(204,664)	0	0	0	401,939	3,303,684	3,539,722
Green Bay	75,286	(1,179,171)	0	13,857	0	827,030	282,151	19,153
La Crosse	37,752	(343,376)	0	(18,547)	0	653,019	634,624	963,472
Oshkosh	(610,465)	701,782	0	0	0	(3,078)	973,150	1,061,389
Parkside	(15,434)	(547,193)	0	(5,000)	0	(530,338)	2,852,165	1,754,200
Platteville	368,174	0	(50,021)	981,731	0	67,600	(476,452)	891,032
River Falls	(457,490)	0	0	(76,204)	0	(44,508)	358,237	(219,965)
Stevens Point	1,496,150	85,587	0	(400,146)	0	2,073,953	672,964	3,928,508
Stout	(254,420)	(9,242)	0	101,617	0	36,279	524,202	398,436
Superior	(89,814)	0	0	(720,295)	160,496	4,500,364	110,599	3,961,350
Whitewater	36,817	(4,000)	0	(12,853)	0	194,265	668,230	882,459
Colleges	0	(232,863)	0	(192,460)	0	(10,051)	1,180,290	744,915
Extension	(1,574,627)	0	0	0	0	0	0	(1,574,627)
System-Wide	0	(3,952)	0	(60,000)	0	456,960	0	393,008
<b>Federal Totals</b>	<b>(27,973)</b>	<b>1,814,875</b>	<b>(44,021)</b>	<b>(1,649,843)</b>	<b>(690,636)</b>	<b>67,128,113</b>	<b>22,015,541</b>	<b>88,546,056</b>
Madison	7,425,319	1,771,944	(799,660)	37,645,710	1,604,189	53,824,243	(374,388)	101,097,357
Milwaukee	(2,219,787)	660,613	185,810	464,976	0	1,325,326	(34,379)	382,558
Eau Claire	22,014	3,122	0	0	0	11,701	120,192	157,029
Green Bay	(3,404)	(188,095)	(1,000)	(189,073)	(927,184)	224,343	151,596	(932,817)
La Crosse	(101,340)	180,238	6,000	(71,362)	0	227,868	(13,977)	227,427
Oshkosh	(1,752,560)	179,559	0	0	0	167,010	1,000	(1,404,990)
Parkside	(8,555)	54,338	1,002	24,405	120,000	(67,419)	43,925	167,696
Platteville	112,303	38,541	0	(267,045)	0	84,804	(1,000)	(32,397)
River Falls	(131,688)	65,215	0	168,613	13	48,757	132,372	283,282
Stevens Point	353,512	(11,569)	0	37,001	0	225,166	0	604,110
Stout	150,752	(112,320)	0	(178,794)	0	(10,079)	(504,460)	(654,901)
Superior	(29,307)	0	0	0	0	44,389	0	15,082
Whitewater	(64,823)	(527)	0	(572,216)	857	20,346	(101,876)	(718,240)
Colleges	736	(925)	1,350	36,824	0	(5,831)	358,739	390,892
Extension	1,304,656	0	0	300,000	0	29,600	0	1,634,256
System-Wide	0	36,000	0	5,500	0	0	(25,000)	16,500
<b>Nonfederal Totals</b>	<b>5,057,827</b>	<b>2,676,134</b>	<b>(606,498)</b>	<b>37,404,539</b>	<b>797,874</b>	<b>56,150,224</b>	<b>(247,255)</b>	<b>101,232,845</b>

University of Wisconsin System  
Actual Expenditures - GPR / Fees Funds  
Through Third Quarter FY 2009 (7/1/2008 - 3/31/2009)

	Current Year To Date			Prior Year To Date		
	SFS Budget	Actual	% Expended	Final Budget	Actual	% Expended
Madison	987,183,125	677,763,684	68.66%	939,502,494	639,925,312	68.11%
Milwaukee	344,422,939	243,240,146	70.62%	309,483,809	229,105,954	74.03%
Eau Claire	105,169,801	76,235,677	72.49%	101,210,594	72,203,886	71.34%
Green Bay	54,740,866	37,592,972	68.67%	51,663,937	35,106,120	67.95%
La Crosse	92,507,599	63,076,170	68.18%	86,432,495	52,044,704	60.21%
Oshkosh	100,571,756	72,019,599	71.61%	97,149,383	67,216,621	69.19%
Parkside	51,285,893	35,183,042	68.60%	48,815,251	33,290,246	68.20%
Platteville	63,590,658	48,412,789	76.13%	62,867,620	46,778,466	74.41%
River Falls	61,831,640	45,963,498	74.34%	60,774,821	43,578,091	71.70%
Stevens Point	94,678,301	67,027,428	70.79%	90,918,891	63,782,796	70.15%
Stout	86,910,928	64,666,246	74.41%	85,784,480	59,254,044	69.07%
Superior	33,607,015	24,596,739	73.19%	33,056,303	23,362,446	70.67%
Whitewater	97,917,796	69,603,260	71.08%	92,486,606	66,262,372	71.65%
Colleges	78,561,588	60,271,348	76.72%	73,895,293	56,927,946	77.04%
Extension	61,403,179	37,673,409	61.35%	50,190,770	37,882,948	75.48%
System Admin	9,805,790	7,659,490	78.11%	9,599,086	7,208,047	75.09%
Systemwide *	18,371,032	98,115,979	534.08%	16,210,814	93,802,064	578.64%
UW System	2,342,559,905	1,729,101,478	73.81%	2,210,042,647	1,627,732,063	73.65%
	2,342,559,905	1,729,101,478		2,210,042,645	1,627,732,063	

\* Timing differences in debt service charged initially to Systemwide, then allocated to institutions, timing of SW payments, cost allocations, etc.

Minutes of the Business, Finance, and Audit Committee  
March 5, 2009  
Madison, Wisconsin

The Business, Finance, and Audit Committee convened at 9:30 a.m. in Room 1511 Van Hise Hall, Madison, Wisconsin. Present were Regents Burmaster, Connolly-Keesler, Falbo, Smith, and Womack.

**a. 1. Approval of UW-Madison Contractual Agreement with GlaxoSmithKline for Data Analysis Research Center.** Bob Andresen, Assistant Director of Research and Sponsored Programs, presented the UW-Madison contractual agreement with GlaxoSmithKline for a Data Analysis Research Center. This contract states that in consideration for providing certain statistical research services, GlaxoSmithKline will pay UW-Madison a total amount of \$1,980,772 over the 5-1/2 year term of the agreement.

Upon the motion of Regent Connolly Keesler and the second of Regent Burmaster, the Committee unanimously approved Resolution I.2.a.1.

**[Resolution I.2.a.1.]**

That, upon the recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Board of Regents approves a Data Analysis Research Agreement between the University of Wisconsin-Madison and GlaxoSmithKline.

**b. Approval of the Minutes from the February 5, 2009 Meeting of the Business, Finance, and Audit Committee.** Upon the motion of Regent Womack and the second of Regent Falbo, the Committee approved the minutes of the February 5, 2009 Business, Finance, and Audit Committee meeting.

The meeting recessed at 9:35 a.m., then re-convened at 10:00 a.m. in Room 1820 Van Hise, with all Regents invited to discuss the Governor's 2009-11 Biennial Budget.

**c. Update: Governor's 2009-11 Biennial Budget.** Regent Smith called the meeting to order, and Regent Bradley welcomed the Board. President Reilly gave an overview of the proposed UW System budget, and explained that the cut to the System is \$120 million in General Purpose Revenue (tax payer support), an amount approximately equal to what the state pays to educate 14,000 undergraduates in one year. He stated that the stimulus bill would not be enough to fix the situation, and that the Governor did not approve the Board's recommendation in December for a 2.5% salary increase for unclassified staff.

Tom Anderes, Senior Vice President for Administration and Fiscal Affairs, gave a presentation regarding the Governor's recommended biennial budget, which included a one percent across the board cut to all state agencies. Senior Vice President Anderes explained that the total cut to the System, including all funds, would be \$174 million.

UW-Madison Chancellor Carolyn (Biddy) Martin explained that the cuts to UW-Madison would mean fewer faculty and academic staff, and less funding for graduate students in every

college. She emphasized that UW-Madison would have to eliminate or reduce internships, reduce the number of sections available in economics, chemistry, biology and Spanish, and limit admissions in some colleges, such as nursing. Martin also explained that a reduction in faculty could mean up to \$20 million less in federal research money for the institution every year, and that a reduction of research faculty could mean a loss of approximately \$53 million to the state's economy.

UW-La Crosse Chancellor Joe Gow addressed the Board and explained that his institution has already made reductions including reducing travel, eliminating computer purchases, and not filling positions. He indicated that the magnitude of the auxiliary cuts of \$5,770,094 to UW-La Crosse would mean that they may need to reduce staff, and give up money from student fees (auxiliary funds) that has been earmarked for dormitory projects and maintenance.

UW-Extension and Colleges Chancellor David Wilson addressed the Board and explained that by merging the two institutions, UW-Extension and Colleges have already created savings of approximately \$650,000 in salaries, benefits and expenses by combining the institutions, and eliminating the positions resulting in having only one chancellor, one chief information officer, and one executive director of University Relations. Chancellor Wilson stressed that UW-Extension and Colleges, which includes Wisconsin Public Radio and Television, serves the entire state, and cuts would slow down the Adult Student Initiative. He explained that Wisconsin Public Broadcasting raises approximately \$10 million per year, which is half of their operating budget.

Regent Falbo asked for an explanation of auxiliary funds, and Chancellors Markee and Telfer explained that the money is collected from student fees and is committed—although it hasn't been spent yet. After much discussion, the Regents agreed that the institutions are the stewards of the money, and they need to be clear about what the funds will be used for. Regent Thomas indicated that UW-La Crosse students are very concerned about the status of the auxiliary funds, and they fear that they will see an increase in student fees.

Regent Walsh stated that despite the significant cuts to the UW System, UW leaders need to be cognizant of all the citizens of the state, and the country, who are being hit hard by the recession, and that the UW System needs to share in the economic pain before Wisconsin can move forward.

When asked if the budget cuts would result in a loss in benefits to veterans, Associate Vice President Freda Harris responded that it would not.

After further discussion about the seriousness of the budget cuts, Regent Pruitt stated that the Governor's budget has been considerate to the UW System, and that the System is ready to move forward during these difficult times.

**d. Update: Federal Stimulus Package Effect on Higher Education.** Senior Vice President Anderes reported that a System Task Force has been established to provide a clearinghouse for information from federal and state resources, and to create an active network that communicates with colleagues on the campuses and seeks to develop partnerships. He indicated the State of Wisconsin is projected to receive approximately \$3,720,000 in stimulus funds, and that the System will continue to receive information through various federal agencies and the state Office of Recovery and Reinvestment.

**e. 2009-10 Budget Distribution Adjustments for UW System** - Senior Vice President Anderes presented information regarding the Annual Distribution Adjustments for fiscal year

2009-10, detailing the preliminary proposed reductions to the institutions. Anderes indicated that final budget reduction information is expected to be available in July.

Upon the motion of Regent Connolly-Keelser and the second of Regent Falbo, the Committee unanimously approved Resolution I.2.e.

**[Resolution I.2.e.]**

That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves the 2009-10 UW System Annual Distribution Adjustments for GPR/Fee funds.

Upon the motion of Regent Falbo and the second of Regent Connolly-Keesler, the Business, Finance, and Audit Committee adjourned at 12:20 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Zayda R. Back". The signature is written in black ink and is positioned above a horizontal line.

---

Zayda R. Back, Recording Secretary



UW-Eau Claire  
Food Service Contract with  
Sodexo Operations, LLC

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That, upon recommendation of the Chancellor of the University of Wisconsin-Eau Claire and the President of the University of Wisconsin System, the Board of Regents approves the contract with Sodexo Operations, LLC to provide Dining Services at the University of Wisconsin-Eau Claire effective June 1, 2009 for a period of seven years.

## **UW-EAU CLAIRE FOOD SERVICE CONTRACT WITH SODEXO OPERATIONS, LLC**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

UW-Eau Claire invited vendors to submit proposals to operate its dining services, believing there was potential to increase retail sales and enhance its residential dining program. To meet these objectives, UW-Eau Claire requested that proposals include innovative management, expansion of campus sustainability, and high quality dining programs. The goal was to create a total dining service program, meeting the needs of the student body, faculty/staff, and a camps and conferences program in addition to catering for a series of unique high-profile programs. UW-Eau Claire sought excellence in quality of food and service at a reasonable cost to students.

The University and the contractor will work cooperatively to complement the institutional mission and enhance campus life.

#### **REQUESTED ACTION**

Approval of Resolution I.2.f.2.

That, upon recommendation of the Chancellor of the University of Wisconsin-Eau Claire and the President of the University of Wisconsin System, the Board of Regents approves the contract with Sodexo Operations, LLC to provide Dining Services at the University of Wisconsin-Eau Claire effective June 1, 2009 for a period of seven years.

#### **DISCUSSION**

UW-Eau Claire has contracted for dining services since the 1970's, with its most recent contract expiring in June 2009. Under a request for proposal process, two vendors submitted proposals. Sodexo Operations, LLC received the highest total score. An eleven-member evaluation committee including five students, staff, a UW peer member, and UW System Procurement staff completed the scoring process. Sodexo Operations, LLC's proposal meets all of UW-Eau Claire's desired outcomes. Contract highlights include:

- The contractor will operate all dining services, including the residential dining program, retail operations, catering, summer camps, and conferences.
- Contract revenue is valued at over \$7.8 million annually over seven years.

- Residential students can choose from two different meal plans that include unlimited residence dining hall entries and access to retail venues.
- Dining options include KFC, Taco Bell, Freshens and several specialty concepts, such as sub sandwiches, coffee, bagels, and ethnic foods.

## **RELATED REGENT POLICIES**

Regent Policy Document 13-3: Authorization to Sign Documents

UW-P-101 (Rev. 1/98)  
UNIVERSITY OF WISCONSIN SYSTEM  
SYSTEM OFFICE OF PROCUREMENT  
780 REGENT STREET  
MADISON, WI 53715

CONTRACT NO. UC-09-2157

C O N T R A C T

COMMODITY OR SERVICE: DINING SERVICES for the University of Wisconsin – Eau Claire

PERIOD OF CONTRACT: June 1, 2009 through May 31, 2010 with six automatic one year renewal options

This contract is entered into by and between the State of Wisconsin, University of Wisconsin - System DBA University of Wisconsin – Eau Claire, and Sodexo Operations, LLC (Contractor).

Whereby University of Wisconsin - System Office of Procurement agrees to direct the purchase and the Contractor agrees to supply such requirements of the commodity or service cited above in accordance with the terms and conditions of Request for Proposal No RL-09-2157 and in accordance with Contractors proposal response dated January 23, 2009 and correspondence dated March 10, April 13 and May 1, 2009 which are hereby made a part of this contract.

Contracts estimated to be twenty five thousand dollars (\$25,000) or more require the submission of a written affirmative action plan. Contractors with an annual workforce of less than ten employees are excluded from this requirement.

Within fifteen (15) days after the award of the contract, the plans shall be submitted to the University of Wisconsin System Office of Procurement, 780 Regent Street, Madison, WI 53715. Contractors and bidders are encouraged to contact this office for technical assistance on Equal Opportunity.

TO BE COMPLETED BY CONTRACTOR:

FOR: STATE OF WISCONSIN FOR:  
UNIV. OF WISCONSIN SYSTEM

\_\_\_\_\_  
FIRM NAME

\_\_\_\_\_  
FIRM ADDRESS

BY: Rich Lampe

BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

TITLE: Senior Program Administrator TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

PHONE: 608-262-9138 PHONE: \_\_\_\_\_

FEIN: \_\_\_\_\_

EMAIL: [Rlampe@uwsa.edu](mailto:Rlampe@uwsa.edu) EMAIL: \_\_\_\_\_

UW-Parkside  
Food Service Contract with  
Sodexo Operations, LLC

BUSINESS, FINANCE, AND AUDIT COMMITTEE

Resolution:

That, upon recommendation of the Chancellor of the University of Wisconsin-Parkside and the President of the University of Wisconsin System, the Board of Regents approves the contract with Sodexo Operations, LLC to provide Dining Services to the University of Wisconsin-Parkside, effective June 1, 2009 for a period of seven years.

May 8, 2009

Agenda Item I.2.f.3.

## **UW-PARKSIDE FOOD SERVICE CONTRACT WITH SODEXO OPERATIONS, LLC**

### **EXECUTIVE SUMMARY**

#### **BACKGROUND**

The University of Wisconsin-Parkside invited vendors to submit a Sealed Proposal for the Operation of Dining Services consisting of the residence dining program, retail, and catering operations.

The University was interested in a partnership with a dining service contractor that would offer innovative ideas for management of the dining program which is delivered exclusively through a retail oriented cash and declining balance points plan and not a traditional board plan.

The University required innovative ideas for management and product mix offered through all the retail dining operations as well as suggestions to enhance university dining services for the entire campus community. The goal was to create a total dining service program that meets the needs of a diverse student body, faculty and staff, and an extensive camp/conference program while encouraging growth in all areas of the dining services program. Excellence in food quality and service at a reasonable cost to the students were also a goal. The University and the contractor will work cooperatively to complement the mission of the campus and enhance campus life.

#### **REQUESTED ACTION**

Approval of Resolution I.2.f.3.

That, upon recommendation of the Chancellor of the University of Wisconsin-Parkside and the President of the University of Wisconsin System, the Board of Regents approves the contract with Sodexo Operations, LLC to provide Dining Services to the University of Wisconsin-Parkside effective June 1, 2009 for a period of seven years.

#### **DISCUSSION**

Dining Services at UW-Parkside has been contracted out since the early 1980's with its most recent contract expiring on May 31, 2009. The University just completed a major expansion and building project for the new university union with significant remodeling of food service areas done in conjunction with or as a part of that project. The university sought the best structure or return for the students relative to the dining services pricing. Also, the campus expects to open a new residence hall with the addition of 250 student

beds bringing the potential occupancy to 1,027. A request for proposal process was used and three vendors submitted proposals. Sodexo Operations, LLC received the highest score and was chosen by an evaluation committee comprised of students, campus staff, a UW peer member, and a UW System procurement staff representative. The proposal submitted meets all of the desired outcomes of UW-Parkside while maintaining costs at an acceptable level. Some highlights of the contract are as follows:

- Contractor will assume operation of the dining services that provide numerous options, outlets, and service times, while balancing health and convenience
- Contractor will provide service to Northwestern University Football training camp
- Contract revenue is valued at over \$2.6 million per year
- The contract life expectancy is seven years
- Several in-house brands including coffee, subs, and pizza are provided and the company is committed to using regional food suppliers.

## **RELATED REGENT POLICIES**

Regent Policy Document 13-3: Authorization to Sign Documents

UW-P-101 (Rev. 1/98)  
UNIVERSITY OF WISCONSIN SYSTEM  
SYSTEM OFFICE OF PROCUREMENT  
780 REGENT STREET  
MADISON, WI 53715

CONTRACT NO. UG-09-2443

### CONTRACT

COMMODITY OR SERVICE: DINING SERVICES for the University of Wisconsin – Parkside

PERIOD OF CONTRACT: June 1, 2009 through May 31, 2010 with six automatic one year renewal options

This contract is entered into by and between the State of Wisconsin, University of Wisconsin - System DBA University of Wisconsin – Parkside, and Sodexo Operations, LLC (Contractor).

Whereby University of Wisconsin - System Office of Procurement agrees to direct the purchase and the Contractor agrees to supply such requirements of the commodity or service cited above in accordance with the terms and conditions of Request for Proposal No RL-09-2443 and in accordance with Contractors proposal response dated February 17, 2009 and correspondence dated March 26 and April 6, 2009 which are hereby made a part of this contract.

Contracts estimated to be twenty five thousand dollars (\$25,000) or more require the submission of a written affirmative action plan. Contractors with an annual workforce of less than ten employees are excluded from this requirement.

Within fifteen (15) days after the award of the contract, the plans shall be submitted to the University of Wisconsin System Office of Procurement, 780 Regent Street, Madison, WI 53715. Contractors and bidders are encouraged to contact this office for technical assistance on Equal Opportunity.

### TO BE COMPLETED BY CONTRACTOR:

FOR: STATE OF WISCONSIN FOR:  
UNIV. OF WISCONSIN SYSTEM

\_\_\_\_\_  
FIRM NAME  
\_\_\_\_\_

\_\_\_\_\_  
FIRM ADDRESS  
\_\_\_\_\_

BY: Rich Lampe

BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

TITLE: Senior Program Administrator TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_ DATE: \_\_\_\_\_

PHONE: 608-262-9138 PHONE: \_\_\_\_\_

FEIN: \_\_\_\_\_

EMAIL: [Rlampe@uwsa.edu](mailto:Rlampe@uwsa.edu) EMAIL: \_\_\_\_\_



## BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

### I.3. Capital Planning and Budget Committee

Thursday, May 7, 2009  
UW-Milwaukee  
Union – Wisconsin Room  
Milwaukee, Wisconsin

10:00 a.m. All Regents - Union, Wisconsin Room

- UW-Milwaukee Presentation: Role of Students in Research Initiatives

11:00 a.m. Joint Meeting of the Education Committee and the Business, Finance, and Audit Committee (All Regents Invited) - Union, Wisconsin Room

- Approval: Interim Guidelines for Making Textbooks More Affordable [Resolution I.1.A.]
- UW-Milwaukee Presentation: Combating Alcohol and Drug Abuse

12:00 p.m. – Lunch

1:00 p.m. – Joint Meeting of the Capital Planning and Budget Committee and Business, Finance, and Audit Committee - Alumni Fireside Lounge (1<sup>st</sup> floor, Union)

- a. UW-Milwaukee Presentation: Master Plan Update

1:30 p.m. – Capital Planning and Budget Committee – Union, Room 280

- b. Approval of the Minutes of the March 5, 2009 Meeting of the Capital Planning and Budget Committee
- c. UW-Madison: Authority to Seek a Waiver of Wis. Stat. § 16.855 under Provisions of Wis. Stat. § 13.48 (19) to Allow the Selection of a Design-Build Company to Design and Construct the Physical Plant Shops/Office Building Project [Resolution I.3.c.]
- d. UW-Madison: Authority to Execute Platting Documents, Grant Utility Easements, and Transfer Land for the Development of Research Park II [Resolution I.3.d.]
- e. UW-Oshkosh: Approval of the Design Report and Authority to Adjust the Budget and Construct the Elmwood Center Remodeling and Addition Project [Resolution I.3.e.]

- f. UW-Platteville: Authority to Purchase a Parcel of Land and to Accept a Gift of Two Parcels of Land for the Purpose of Future Road Construction  
[Resolution I.3.f.]
- g. UW-Stevens Point: Authority to Demolish Hyer Hall, Approval of the Design Report, and Authority to Adjust the Budget and Construct a New Residence Hall Project  
[Resolution I.3.g.]
- h. UW-Stout: Authority to Adjust the Budget of the Hovlid Hall Renovation and Addition Project  
[Resolution I.3.h.]
- i. UW System: Authority to Construct an All Agency Maintenance and Repair Project  
[Resolution I.3.i.]
- j. Report of the Associate Vice President
  - 1. 2009-11 Capital Budget Update
  - 2. All Agency 2007-09 Biennial Report
  - 3. Building Commission Actions
  - 4. Other
- k. Additional items may be presented to the Committee with its approval

Authority to Seek a Waiver of Wis. Stat.  
§ 16.855 under Provisions of Wis. Stat. § 13.48  
(19) to Allow the Selection of a Design-Build  
Company to Design and Construct the Physical  
Plant Shops/Office Building Project,  
UW-Madison

CAPITAL PLANNING AND BUDGET COMMITTEE

Resolution:

That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, authority be granted to seek a waiver of Wis. Stat. § 16.855 under Wis. Stat. § 13.48(19) to allow a design-build entity to design and construct a Physical Plant Shops/Office Building project at a total project cost not to exceed \$4,600,000 Existing Program Revenue Supported Borrowing.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action May 2009

1. Institution: The University of Wisconsin–Madison
2. Request: Authority to seek a waiver of Wis. Stat. § 16.855 under Wis. Stat. § 13.48(19) to allow a design-build entity to design and construct a Physical Plant Shops/Office Building project at a total project cost not to exceed \$4,600,000 Existing Program Revenue Supported Borrowing.
3. Description and Scope of Project: A waiver will enable the Department of Administration (DOA) to issue a competitive Request for Proposal (RFP) for the design and construction of a facility for UW-Madison Physical Plant functions. The 60,900 GSF building will be located on the site currently occupied by Parking Lot 51 on the Madison campus, immediately south of the Physical Plant Fleet and Service Garage building. The project will involve reconstruction of a small portion of the existing fleet building. This new 3-story building is needed to house offices, shop space, stores, and storage operations which must be moved for the expansion of the Charter Street Heating Plant (CSHP). The facility will also accommodate the existing fleet operations, and construct shell space for Physical Plant consolidated operations in a future project.

The building will be constructed using existing program revenue bonding authority which will be restored when the enumerated Charter Street Heating and Cooling Plant–Madison project is funded.

4. Justification of the Request: The State of Wisconsin recently conducted a planning study for the main heating plants servicing the UW-Madison campus and other state facilities. The study was required as part of an agreement between the UW-Madison, DOA, the Department of Natural Resources (DNR) and the Sierra Club to analyze the feasibility of alternatives for bringing the CSHP into compliance with the Clean Air Act and for making necessary upgrades to other state owned heating plants in Madison. The agreement was filed with the United States District Court for the Western District of Wisconsin.

The study analyzed alternatives for bringing the CSHP and its coal-fired boilers into compliance with the Clean Air Act. Independently of the study, the state decided to phase out the use of coal at the CSHP and to increase fuel diversity primarily through inclusion of significant renewable biomass resources in the plant's fuel mix. Preliminary design of the project has tentatively defined the rebuilding of the facility as construction of a new 350,000 lbs/hour biomass boiler at CSHP.

The new boiler will be housed separately from the existing boilers and will require the construction of a facility to house the boiler and the necessary distribution systems. This site, which is located at 115 North Mills Street, is currently occupied by a building housing Physical Plant architecture/engineering staff, a steamfitter shop, a maintenance mechanic shop, a utilities distribution management unit, a building commissioning unit, an archival plan room, and a combined steamfitter/plumbing stores operation for the campus. The project budget of the recently enumerated CSHP rebuilding project contains a provision for the replacement of the 115 North Mills Street building in order that the site may be cleared for the new boiler facility.

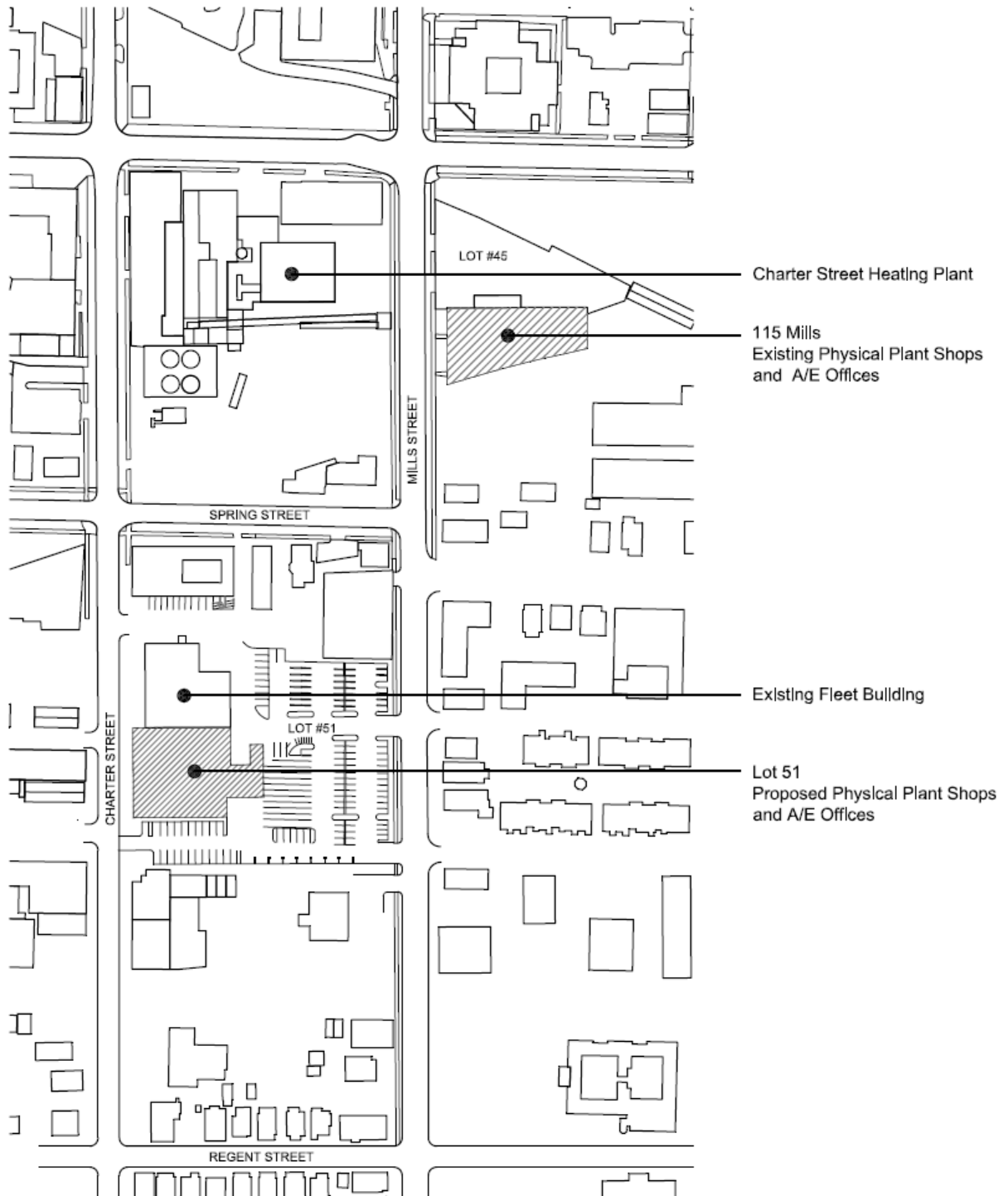
In order to expedite the replacement of the 115 North Mills Street facility, and begin construction of the new facility using a design/build process, the campus needs to request a waiver to the statutes. The selection process will be competitive and will use a qualification based selection system similar to that used for the selection of design consultants.

The site for the new facility was designated by the 2005 master plan as a site for future service operations. Portions of the replacement facility will be used to consolidate additional Physical Plant functions currently located in the Service Building and Service Building Annex. Approval of the waiver and issuance of an RFP will allow the campus to construct a replacement building for its service functions and begin its progress toward rebuilding the CSHP as outlined in the consent decree.

5. Budget and Schedule: The total project cost is not to exceed \$4,600,000.

Issue RFP	May 2009
Receive Proposals	June 2009
Selection of Proposal	July 2009

6. Previous Action: None.



0' 50' 100' 200'

Proposed Building Location

1" = 200'

University of Wisconsin - Madison  
Physical Plant Service Building

Authority to Execute Platting Documents,  
Grant Utility Easements, and Transfer Land for  
the Development of Research Park II,  
UW-Madison

CAPITAL PLANNING AND BUDGET COMMITTEE

Resolution:

That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, authority be granted to execute the necessary documents to plat approximately 270 acres of land in the Town of Middleton; transfer approximately 62 acres to the city of Madison for streets and water management; grant necessary utility easements; and transfer land to the Research Park.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action May 2009

1. Institution: The University of Wisconsin-Madison
2. Request: Authority to execute the necessary documents to plat approximately 270 acres of land in the Town of Middleton; transfer approximately 62 acres to the city of Madison for streets and water management; grant necessary utility easements; and transfer land to the Research Park.
3. Description and Scope of Project: This project will enable University Research Park, Inc. to begin development of University Research Park II. Development will occur in two phases starting with approximately 100 acres between Watts Road and Valley View Road, with the second phase continuing between Watts Road and Mineral Point Road. Major elements of the infrastructure project include approximately 18,000 linear feet of streets, sidewalks, curb, gutter, sanitary sewer and water. The project also includes landscaping, erosion control, and street lighting.

The Board of Regents holds title to all the properties currently comprising the University Research Park II development area. University Research Park, Inc. is currently paying interest and principal on the bonds that were executed to acquire the 125 acres of land on the southern end of the development that will constitute Phase I. These properties, as well as the College of Agricultural and Life Sciences land already owned by the Board of Regents, will continue to be titled to the Board until such time as individual lots, subject to final platting, are ready for development. When it is ready to move forward with development of a particular lot from the Phase I property, University Research Park, Inc. will give notice to the Board of Regents, who will then deed the lot to the park. As they do now, the College of Agricultural and Life Sciences will receive compensation for parcels acquired by University Research Park, Inc. that were originally part of its agricultural research station.

Additionally, in conjunction with UW-Madison Facilities Planning and Management staff, University Research Park, Inc. requests the ability to negotiate right of ways for the extension of Pleasant View Road and the widening of Mineral Point Road and County M, and the reconstruction of the intersection of Mineral Point Road, County M, and Junction Road. These streets play a critical role in the development of University Research Park II and the creation of solutions for regional and city of Madison traffic issues. Both University Research Park staff and Facilities Planning and Management staff have the background to deal with the city on any issues that may arise.

4. Justification of the Request: University Research Park (URP) was organized in 1984 by UW-Madison and the University of Wisconsin System Board of Regents. University land that was no longer conducive to agricultural research was sold to University Research Park, Inc., which is a separate non-profit entity that develops land and leases it to companies interested in



maintaining close contact with the university community. URP provides an atmosphere custom-designed to nurture a productive combination of economic and technological development beneficial to both the university and the state.

In addition to providing land and infrastructure, University Research Park offers unique opportunities and incentives for start-up companies through specialized growth environments in the park's technology incubator, the Madison Gas & Electric (MGE) Innovation Center. The remaining 255 acres, which surrounds the MGE Innovation Center, was set aside for the University Research Park. Located there are companies that have outgrown their incubator space or companies from outside the Park that have chosen to construct their own facilities on parcels leased from University Research Park, Inc. Currently there are 34 buildings, including the MGE Innovation Center.

Unlike most research parks, URP receives no city or state funds to support its infrastructure. The University Research Park, Inc. is self-sustaining and, through an endowment for UW-Madison, supports the technology transfer and economic growth that the park encourages.

The development of University Research Park II continues the mission of University Research Park to provide quality space to faculty entrepreneurs and assist the UW-Madison in transferring technology from campus to the private sector. It is anticipated that when it is fully developed, the site will provide space for companies employing 8,000 employees.

5. Budget: N/A

6. Previous Action:

June 08, 2001 Resolution 8386	Granted authority to remove the rezoning requirement to acquire approximately 113 acres of land in the Town of Middleton, Dane County, as authorized by Regent action in December, 2000. The acquisition cost is \$4,416,500 Program Revenue Supported Borrowing plus closing costs and environmental abatement costs, if any (funded from University Research Park Revenues). Acquisition will remain contingent upon completion of a favorable environmental assessment.
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August 19, 2004 Resolution 8888	Recommended that the University Research Park II – Road and Utilities project be submitted to the Department of Administration and the state Building Commission, as part of the university's 2005-07 Capital Budget request, at an estimated total project cost of \$15,000,000 Program Revenue Supported Borrowing.
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May 5, 2006 Resolution 9191	Granted authority to acquire 9.358 acres of land in the city of Madison, Dane County for \$3,434,540 Program Revenue Supported Borrowing plus closing costs and any necessary environmental abatement costs (for the expansion of University Research Park).
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Approval of the Design Report and Authority  
to Adjust the Budget and Construct the  
Elmwood Center Remodeling and Addition  
Project, UW-Oshkosh

CAPITAL PLANNING AND BUDGET COMMITTEE

Resolution:

That, upon the recommendation of the UW-Oshkosh Chancellor and the President of the University of Wisconsin System, the Design Report of the Elmwood Center Remodeling and Addition project be approved and authority be granted to increase the budget by \$357,000 Energy Incentive/Retrofit Funds and construct the project at a total cost of \$8,821,000 (\$8,464,000 General Fund Supported Borrowing and \$357,000 Energy Incentive/Retrofit Funds).

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action May 2009

1. Institution: The University of Wisconsin-Oshkosh
2. Request: Approval of the Design Report of the Elmwood Center Remodeling and Addition project and authority to increase the budget by \$357,000 Energy Incentive/Retrofit Funds and construct the project at a total cost of \$8,821,000 (\$8,464,000 General Fund Supported Borrowing and \$357,000 Energy Incentive/Retrofit Funds).
3. Description and Scope of Project: The project will renovate the existing 31,500 GSF Elmwood Center and add approximately 11,000 GSF of additional space for Student Support, Development, and Academic Resource Center functions from scattered locations into one facility at the Elmwood Center (formerly Elmwood Commons) site.

The building interior, including all plumbing, mechanical, and electrical systems as well as interior finishes will be replaced. A new fire sprinkler system will be added. The exterior envelope will be upgraded with new high-efficiency glass and roof insulation. The addition will complement the existing building and provide expansion capacity within the facility. All areas of the building will be designed to meet current accessibility standards.

The design of the building is heavily influenced by the principles of sustainability. The renovated building will be served by a geo-thermal heat pump system for heating and cooling needs, eliminating the need to connect to the campus central steam, condensate and chilled water loops, in the campus mall. The geo-thermal field will be constructed under parking lot 34, which is adjacent to the north side of Elmwood Center. The project is being designed to allow as much natural daylight as possible to enter the interior spaces which will reduce the need for artificial illumination. The building and systems will be designed to be approximately 38% more energy efficient than the current State of Wisconsin Building Code.

4. Justification of the Request: The need for a Student Support, Development, and Referral Center evolved out of the campus strategic planning process. The main goal of the strategic plan is to improve student retention and reduce attrition. Elmwood Commons, which was constructed in 1966, was the first food service commons on the campus. Due to the consolidation of dining services into the newly remodeled Blackhawk Commons, Elmwood was no longer needed as a food service facility and was vacated in the fall of 2002.

Currently, these services are in scattered locations in Dempsey Hall making it difficult to provide a unified approach for their delivery. The consolidation of central advising, career and counseling services, and academic resources staff in one location will improve student access

to these services and enhance student success.

The Elmwood facility was identified as the best site for the center's programs because of its highly visible location, which is adjacent to the student residence halls and the newly remodeled Reeve Student Union. The enlarged building will meet the center's space needs for the foreseeable future. Vacated space in Dempsey Hall will become available for backfill by other functions presently located in that building, and relieve overcrowded conditions in that facility.

5. Budget and Schedule:

Budget	Cost
Construction	\$6,608,000
Contingency	573,000
A/E Design Fee	579,000
Other Fees	106,000
DSF Fee	287,000
Movable & Special Equipment	646,000
Percent for Art	22,000
Total Project Cost	\$8,821,000

Schedule	Date
Final Documents	May 2009
Bid Date	August 2009
Construction Start	October 2009
Substantial Completion	September 2010

6. Previous Action:

<p>August 17, 2006 Resolution 9225</p>	<p>Recommended that the UW-Oshkosh Elmwood Center Remodeling &amp; Addition project be submitted as a carryover project from 2005-07 to the Department of Administration and the State Building Commission as part of the university's 2007-09 Capital Budget request, at an estimated total project cost of \$8,464,000 (General Fund Supported Borrowing). The project was subsequently recommended by the State Building Commission for enumeration at that amount.</p>
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Authority to Purchase a Parcel of Land and to  
Accept a Gift of Two Parcels of Land for the  
Purpose of Future Road Construction,  
UW-Platteville

CAPITAL PLANNING AND BUDGET COMMITTEE

Resolution:

That, upon the recommendation of the UW-Platteville Chancellor and the President of the University of Wisconsin System, authority be granted to: (1) accept a gift-in-kind of two parcels of land, 435 Gridley Avenue and an undeveloped 0.67 acre property known as Tract 1 located along South Chestnut Street in Platteville Township, from the UW-Platteville Foundation valued at \$20,500 and \$5,000 respectively, and (2) purchase a privately-owned property, which is located at 820 South Chestnut Street, at an acquisition cost of \$141,900 Program Revenue-Cash.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action May 2009

1. Institution: The University of Wisconsin-Platteville
2. Request: Authority to (1) accept a gift-in-kind of two parcels of land, 435 Gridley Avenue and an undeveloped 0.67 acre property known as Tract 1 located along South Chestnut Street in Platteville Township, from the UW-Platteville Foundation valued at \$20,500 and \$5,000 respectively, and (2) purchase a privately-owned property, which is located at 820 South Chestnut Street, at an acquisition cost of \$141,900 Program Revenue-Cash.

3. Description and Scope of Project: The three properties are:

	<u>Area/sq. ft.</u>	<u>Acreage</u>
435 Gridley Avenue	10,500	0.24
Tract 1, along S. Chestnut Street	29,185	0.67
820 S. Chestnut Street	32,029	0.74

The three properties abut university-owned property to the east and south-east of the Ralph E. Davis Pioneer Stadium. Gridley Avenue and South Chestnut Street carry significant traffic and serve as the dominate access route to the campus from Highway 151 (Business 151).

The 435 Gridley Avenue property is a vacant lot which has been owned by the UW-Platteville Foundation since December 2004. An Environmental Assessment for Real Estate Acquisitions was completed on the property in November 2004, and no apparent environmental contamination was found. Two appraisals of this property were completed in 2004. They valued the property at \$21,500 and \$19,500 and their average establishes a fair market value of \$20,500.

The undeveloped Tract 1 property has been owned by the UW-Platteville Foundation since August 2008. An Environmental Assessment for Real Estate Acquisitions was completed for this property in July 2008, and no apparent environmental contamination was found. The estimated property value, which is based on comparable acreage, is \$5,000\*.

The 820 South Chestnut Street property contains a single-story cement-block building (60' x 90') that was constructed in 1926 and is now in poor condition. An Environmental Assessment for Real Estate Acquisitions was completed for this property in October 2008. The Certification of Assessment Findings required a limited additional investigation that was completed by an environmental services consultant.

This additional testing found a limited amount of asbestos-containing building materials that are within expected quantities and will require standard abatement. The additional

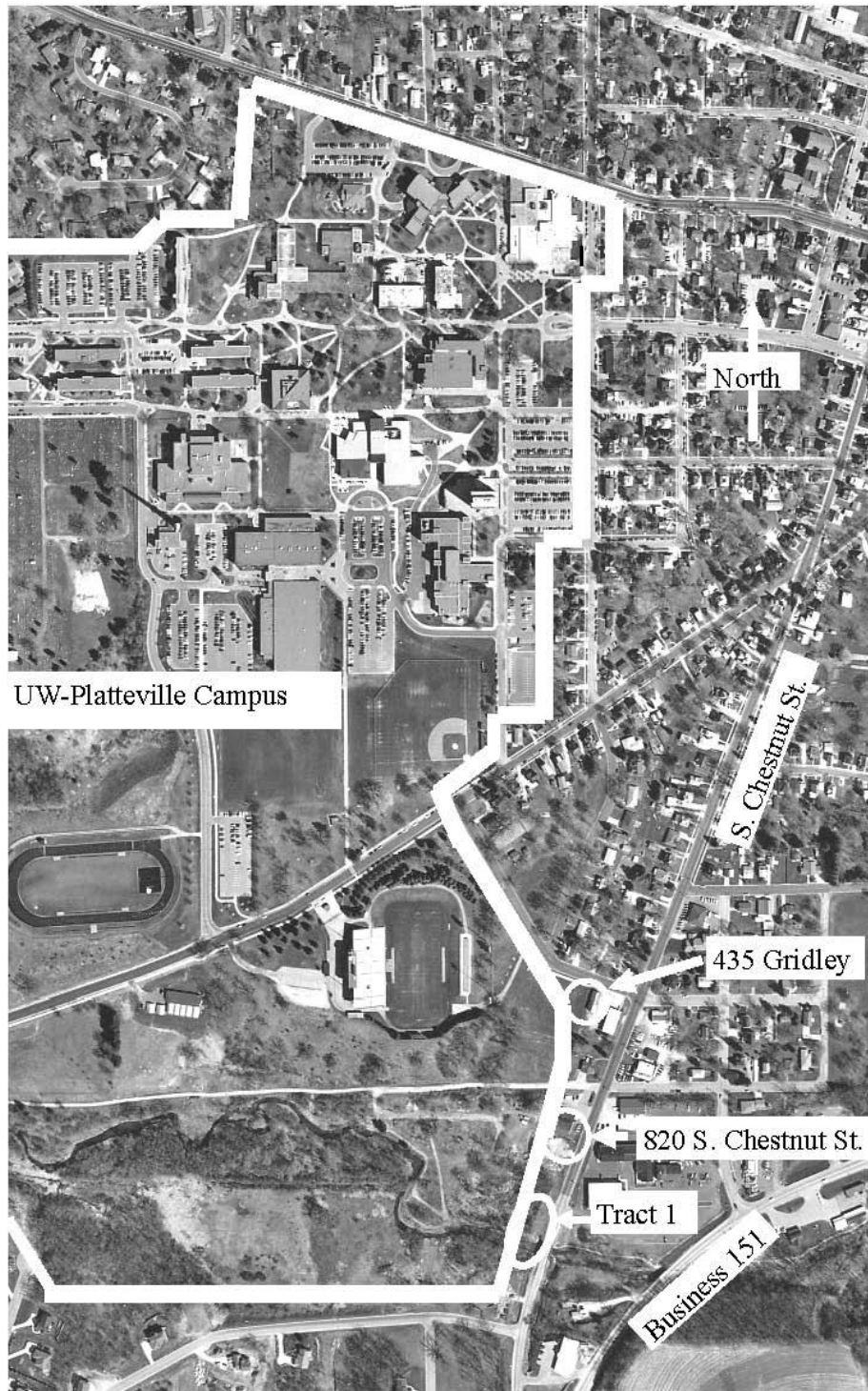
testing also included ground borings from which groundwater samples were analyzed. One sample was determined to contain an elevated level of lead attributed to naturally-occurring lead deposits. These findings are consistent with other test sites in the region due to the existence of naturally-occurring lead in the ground in historically mineable quantities. The WDNR has issued a Liability Clarification Letter to the current property owner that exempts both the current and future owners of this property from liability pertaining to naturally-occurring lead and the natural impact of this lead on groundwater. Two appraisals were completed on this property in the summer of 2007. They valued the property at \$133,800 and \$150,000 and their average establishes a fair market value of \$141,900.

4. Justification of the Project: The 1967 Wisconsin State University-Platteville Master Plan defined two arterial streets flanking the campus, West Main Street to the North, and Hickory Street to the east, as campus boundaries. These two boundaries were further supported by the UW-Platteville Campus Development Plan which was reviewed by the Board of Regents and the Building Commission in March 1995.

University ownership of these three properties will contribute to the development of a new entrance to the campus from US HWY 151/Business 151. Currently, the best existing vehicle access route to the campus from Business HWY 151 is inefficient, indirect, and does not serve the needs of the campus or community. The new entrance is supported by the Grant County Highway Commissioner, the city of Platteville, and the campus. The new entrance will be accomplished by the replacement and reorientation of a deteriorated concrete bridge by the Grant County Highway Department. The city of Platteville will develop a roundabout and a new street from the new bridge to the campus. The city of Platteville Capital Improvement Plan documents indicate that this new street project is proposed for the year 2014.

5. Previous Action: None.

\*Archival correction – original BOR version mistakenly said \$32,000 rather than \$5,000.



Aerial Photo of UWPLT, 820 S. Chestnut St.  
435 Gridley Ave, and Tract 1



Authority to Demolish Hyer Hall, Approval of the Design Report, and Authority to Adjust the Budget and Construct a New Residence Hall Project, UW-Stevens Point

CAPITAL PLANNING AND BUDGET COMMITTEE

Resolution:

That, upon the recommendation of the UW-Stevens Point Chancellor and the President of the University of Wisconsin System, (1) authority be granted to demolish Hyer Hall, (2) the Design Report of the New Residence Hall project be approved, and (3) authority be granted to increase the project budget by \$482,000 (\$183,000 General Fund Supported Borrowing All Agency Funds and \$299,000 Program Revenue Supported Borrowing All Agency Funds) and to construct the project for a total estimated cost of \$35,982,000 (\$35,500,000 Program Revenue Supported Borrowing, \$299,000 General Fund Supported Borrowing All Agency Funds and \$183,000 Program Revenue Supported Borrowing All Agency Funds).

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action May 2009

1. Institution: The University of Wisconsin-Stevens Point
2. Request: (1) authority to demolish Hyer Hall, (2) approval of the Design Report of the New Residence Hall project, and (3) authority to increase the scope and project budget by \$482,000 (\$183,000 General Fund Supported Borrowing All Agency Funds and \$299,000 Program Revenue Supported Borrowing All Agency Funds) and to construct the project for a total estimated cost of \$35,982,000 (\$35,500,000 Program Revenue Supported Borrowing, \$299,000 General Fund Supported Borrowing All Agency Funds and \$183,000 Program Revenue Supported Borrowing All Agency Funds).
3. Project Description and Scope: This project provides for the construction of a 323-bed, 88,000 ASF/140,250 GSF residence hall that will replace Hyer Hall. The six-story building will be developed, sited, and designed to include sustainable design principles emphasizing energy efficiency, long-term durability, and maintenance while remaining flexible and adaptable. The project has been designed to achieve a minimum of a US Green Building Council LEED Silver Certification.

The selected site is in the northeast portion of the campus between Reserve Street and Illinois Avenue. The project requires the abatement and demolition of Hyer Hall which is a 1963 constructed, 200-bed, 40,637 GSF residence hall.

This new facility will provide 82 units comprised of four single-occupant bedrooms, a common living room, kitchen and bathroom. Each wing or two per floor will have one unit with a separate entrance designated for the Community Advisor. There are also several ADA suites that have only three single-occupant bedrooms instead of four. Additionally, the Hall Director will be housed in a separate two-bedroom unit.

4. Justification: UW-Stevens Point manages a housing physical plant of approximately 700,000 GSF in thirteen, four-story residence halls with an overall capacity of approximately 3,100 beds. These buildings are traditional residence halls with double loaded corridors and centrally located group bathroom facilities on each floor. Twelve of the residence halls were built in the 1960s and one in 1957.

The demand for more modern facilities for student housing has increased significantly in recent years, particularly as students compare options available on other campuses. Student surveys have expressed a strong preference for suite-style living accommodations that offer private bedrooms, semi-private bathrooms, kitchens, and a living area. Most UW comprehensive campuses have increased their housing options with new suite-style housing.

A Housing Master Plan for UW-Stevens Point, which was completed in the fall of 2006, determined the financial feasibility of a suite-style configuration. In order for the campus to remain competitive in the recruitment of new students and the retention of current students, more housing options are needed. The plan, which is now underway, also identified a multi-year renovation program for the re-development of eight halls over a period of eight years resulting in a loss of six beds per hall plus the loss of 200 beds due to the demolition of Hyer Hall. This 330-bed suite style residence hall will result in a net gain of 82 beds to the campus while increasing housing options.

The budget and scope increase represents the opportunity to add electrical distribution to this project during the site utility work in order to serve the needs of future buildings identified in the recent campus master plan that are located to the north and the east of this site.

Fee Impact: This project will be financed by and operated through room rental rates charged to students who choose to live in the units. The academic year room rates for students who live in the suites is projected to be \$4,458 per year which is the same as the single rate in existing resident halls. The existing rate for a non-improved double occupancy room on campus is \$3,148 in 2008-2009.

5. Budget and Schedule:

Budget	%	Cost
Total Construction		\$29,139,000
Contingency	7.00%	2,040,000
A/E Design Fees		2,048,000
Other Fees		125,000
DSF Management Fee	4.00%	1,247,000
Movable & Special Equipment	4.00%	1,293,000
Percent for the Arts	0.25%	90,000
Estimated Total Project Cost		\$35,982,000

BOR/SBC Approval	May 2009
Bid Opening Demolition	July 2009
Start Demolition	August 2009
Bid Opening Construction	October 2009
Start Construction	November 2009
Substantial Completion	June 2011
Final Completion	September 2011

6. Previous Action:

August 17, 2006  
Resolution 9225

Recommended that the UW-Stevens Point New Residence Hall project be submitted to the Department of Administration and the State Building Commission as part of the UW System 2007-09 Capital Budget at an estimated total project cost of \$35,500,000 Program Revenue Supported Bonding. The project was subsequently enumerated at \$35,500,000 Program Revenue Supported Borrowing.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action May 2009

1. Institution: The University of Wisconsin–Stout
2. Request: Authority to increase the budget of the Hovlid Hall Renovation and Addition project by \$600,000 (\$300,000 Residual Program Revenue Supported Borrowing and \$300,000 Program Revenue-Cash) for an estimated total project cost of \$13,000,000 (\$8,570,000 Program Revenue Supported Borrowing, \$1,880,000 Residual Program Revenue Supported Borrowing, and \$2,550,000 Program Revenue-Cash).
3. Description and Scope of Project: This project includes the complete renovation of approximately 26,400 ASF/39,900 GSF of space in Hovlid Hall on North Campus. The renovated space will provide double occupancy resident rooms in addition to kitchen and lounge areas on each floor. Existing restrooms will be expanded on each floor and remodeled to provide more privacy, convenience, accessibility, and maintainability. An enclosed connection will be constructed between Hovlid Hall and Fleming Hall and will provide a central desk/lobby area that will serve both halls. An approximate 19,050 ASF/27,500 GSF addition is included to provide modern food service facilities (food preparation, dining, and convenience store). This project is one of those included in the UW-Stout North Campus Master Plan that was completed in 2001.
4. Justification of the Request: This project was originally enumerated at \$8,570,000 as part of the 2003-05 Capital Budget. The design stage of the project resulted in an increase in the scope and size of the food service component. That adjustment, combined with an escalation of building costs since the project was originally enumerated, resulted in a budget increase that was approved in October of 2008. Project bids, which were received in February of 2009, resulted in a project budget shortfall of \$600,000. Although it is possible to award construction contracts by making use of the project contingency fund to satisfy the shortfall, a budget increase is requested at this time to preserve the project contingency funding and the ability to respond to unforeseen conditions that can often occur in remodeling projects.
5. Fee Impact: This budget increase will not result in additional fees.

6. Budget and Schedule:

	%	Cost
Construction		\$11,050,000
Contingency	5.4%	600,000
A/E design & Other Fees	7.7%	850,000
DSF Management	4.0%	465,000
Percent for Art	0.25%	35,000
Estimated Total Project Cost		\$13,000,000

35% Design Approval	October 2008
Bid Date	February 2009
Start Construction	May 2009
Substantial Completion	July 2010
Project Completion	December 2010

45,400ASF/ 67,400GSF	67% Efficiency
Construction Cost per GSF	\$164
Project Cost per GSF	\$193

7. Previous Action:

August 23, 2003 Resolution 8582	Recommended that the Hovlid Hall Remodeling and Addition project be submitted to the Department of Administration and the State Building Commission as part of the 2003-05 Capital Budget request at an estimated total project cost of \$8,570,000 Program Revenue Supported Borrowing. The project was subsequently enumerated at that level and fund source.
October 3, 2008 Resolution 9434	Approved the Design Report and granted authority to (a) increase the budget by \$3,830,000 (\$1,580,000 Residual Program Revenue Supported Borrowing, and \$2,250,000 Program Revenue-Cash), and (b) construct the Hovlid Hall Renovation and Addition project at an estimated total project cost of \$12,400,000 (\$8,570,000 Program Revenue Supported Borrowing, \$1,580,000 Residual Program Revenue Supported Borrowing, and \$2,250,000 Program Revenue-Cash).

Authority to Construct an All Agency  
Maintenance and Repair Project, UW System

CAPITAL PLANNING AND BUDGET COMMITTEE

Resolution:

That, upon the recommendation of the of the President of the University of Wisconsin System, authority be granted to construct a maintenance and repair project at an estimated total cost of \$800,000 Gifts and Grants Funding.

# THE UNIVERSITY OF WISCONSIN SYSTEM

## Request for Board of Regents Action May 2009

1. Institution: The University of Wisconsin System
2. Request: Authority to construct a maintenance and repair project at an estimated total cost of \$800,000 Gifts and Grants Funding.

### PROGRAMMATIC REMODELING & RENOVATION

INST	PROJ. NO.	PROJECT TITLE	GFSB	PRSB	CASH	GIFT/GRANT	Z450	TOTAL
MSN	08A21	Univ. Houses Preschool Renv (Increase)	\$ -	\$ -	\$ -	\$ 800,000	\$ -	\$ 800,000
MAY 2009 SUBTOTALS			\$ -	\$ -	\$ -	\$ 800,000	\$ -	\$ 800,000

3. Description and Scope of Project: This request provides maintenance, repair, renovation, and upgrades through the All Agency Projects Program.

### Programmatic Remodeling and Renovation

MSN – University Houses Preschool Renovation (\$800,000 increase for a total project cost of \$1,600,000): This request increases the project budget to match current design consultant estimates. The recent cost estimates significantly exceed the authorized budget and this project budget increase is required to bid the project. The project budget increase is needed to complete the originally approved project scope and intent, and to increase the scope to meet current building codes. Additional project scope items include construction of a new passenger elevator, separation of mechanical utilities and services, and modification of site access and the associated road work.

4. Justification of the Request: UW System Administration and the Division of State Facilities continue to work with each institution to develop a comprehensive campus physical development plan, including infrastructure maintenance planning. After a thorough review and consideration of approximately 450 All Agency Project proposals and over 4,500 infrastructure planning issues submitted, and the UW All Agency Projects Program funding targets set by the Division of State Facilities (DSF), this request represents high priority University of Wisconsin System infrastructure maintenance, repair, renovation, and upgrade needs. This request focuses on existing facilities and utilities, targets the known maintenance needs, and addresses outstanding health and safety issues. Where possible, similar work throughout a single facility or across multiple facilities has been combined into a single request to provide more efficient project management and project execution.



5. Budget:

Gifts and Grants Funding.....	\$ 800,000
Total Requested Budget	\$ 800,000

6. Previous Action:

February 8, 2008	MSN – University Houses Preschool Renovation was previously
Resolution 9436	approved by the Board of Regents at a total project cost of
	\$800,000 Gifts and Grants funding.

*Revised April 27, 2009*

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

May 8, 2009  
UW-Milwaukee Union  
Union, Wisconsin Room  
2200 E. Kenwood Blvd.  
Milwaukee, WI  
9:00 a.m.

II.

1. Calling of the roll
2. Approval of the minutes of the March 5, 2009 meeting
3. Report of the President of the Board
  - a. Wisconsin Technical College System report
  - b. Additional items that the President of the Board may Report or Present to the Board
4. Report of the President of the System
5. Report and approval of action taken by the Business, Finance, and Audit Committee
6. Report and approval of action taken by the Capital Planning and Budget Committee
7. Report and approval of action taken by the Education Committee
8. Additional resolutions
  - a. Resolution of Appreciation to UW-Milwaukee
9. Communication, petitions, and memorials
10. Unfinished or additional business
11. Move into closed session to consider extension of a leave of absence at UW-Madison as permitted by *Wis. Stat.* §19.85(1)(c); to consider a student request for review of a UW-Milwaukee decision, as permitted by *Wis. Stats.* § 19.85(1)(f); to consider appointment of Interim Chancellor, UW-Stevens Point, as permitted by *Wis. Stats.* §19.85 (1)(c); to confer with legal counsel regarding pending or potential litigation, as permitted by *Wis. Stat.* §19.85(1)(g); and to consider annual personnel evaluations, as permitted by *Wis. Stat.* §.19.85(1)(c).

The closed session may be moved up for consideration during any recess in the regular meeting agenda. The regular meeting will reconvene in open session following completion of the closed session.

## BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

President - Mark J. Bradley  
Vice President - Charles Pruitt

### **STANDING COMMITTEES**

#### **Executive Committee**

Mark J. Bradley (Chair)  
Charles Pruitt (Vice Chair)  
Jeffrey B. Bartell  
Elizabeth Burmaster  
Eileen Connolly-Keesler  
Danae D. Davis  
Brent Smith  
Michael J. Spector  
David G. Walsh

#### **Business, Finance, and Audit Committee**

Brent Smith (Chair)  
Eileen Connolly-Keesler (Vice Chair) (Audit Liaison)  
Elizabeth Burmaster  
Michael J. Falbo  
Betty Womack

#### **Education Committee**

Danae D. Davis (Chair)  
Michael J. Spector (Vice Chair)  
Judith V. Crain  
Mary Quinnette Cuene  
Thomas A. Loftus  
Colleene P. Thomas

#### **Capital Planning and Budget Committee**

Jeffrey B. Bartell (Chair)  
José F. Vásquez (Vice Chair)  
John Drew  
Kevin Opgenorth  
David G. Walsh

#### **Personnel Matters Review Committee**

Michael J. Spector (Chair)  
Judith V. Crain  
Danae D. Davis  
John Drew

#### **Committee on Student Discipline and**

##### **Other Student Appeals**

Brent Smith (Chair)  
Kevin Opgenorth  
Michael J. Spector  
Betty Womack

### **OTHER COMMITTEES**

#### **Liaison to Association of Governing Boards**

Eileen Connolly-Keesler

#### **Hospital Authority Board - Regent Members**

Judith Crain  
Michael J. Spector  
David G. Walsh

#### **Wisconsin Technical College System Board**

José F. Vásquez, Regent Member

#### **Wisconsin Educational Communications Board**

Judith V. Crain, Regent Member

#### **Wisconsin Partnership Program**

Roger E. Axtell, Regent Liaison

#### **Higher Educational Aids Board**

Jeffrey Bartell, Regent Member

#### **Research Park Board**

David G. Walsh, Regent Member

#### **Teaching Excellence Awards**

Danae D. Davis (Chair)  
Jeffrey B. Bartell  
John Drew  
Colleene P. Thomas  
José F. Vásquez  
Betty Womack

#### **Academic Staff Excellence Awards Committee**

Eileen Connolly-Keesler (Chair)  
John Drew  
Kevin Opgenorth  
Brent Smith  
José F. Vásquez  
Betty Womack

#### **Diversity Awards Committee**

José Vásquez (Chair)  
Danae Davis  
Kevin Opgenorth  
Betty Womack

#### **Special Regent Committee for UW-Parkside Chancellor**

##### **Search**

Michael Falbo (Chair)  
Danae D. Davis  
John Drew  
Michael Spector

#### **Special Regent Committee for UW-Platteville Chancellor**

##### **Search**

Thomas A. Loftus (Chair)  
Mary Quinnette Cuene  
Kevin Opgenorth  
Betty Womack

## 2009 BOARD OF REGENTS MEETING SCHEDULE

February 5 and 6, 2009, in Madison

March 5, 2009, one-day meeting in Madison

May 7 and 8, 2009, hosted by UW-Milwaukee

June 4 and 5, 2009, in Madison

July 9, 2009, one-day meeting in Madison

September 10 and 11, 2009, hosted by UW-Whitewater

October 15 and 16, 2009, hosted by UW-Eau Claire

December 10 and 11, 2009, hosted by UW-Madison