

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

I.1. Education Committee

Thursday, October 6, 2016
9:00 a.m. - 10:30 a.m.
UW-Eau Claire
Davies Center, Ojibwe Ballroom (330)
Eau Claire, Wisconsin

- a. Approval of the Minutes of the August 18, 2016 meeting of the Education Committee;
- b. Report of the Vice President:
 - 1. State Authorization Reciprocity Agreement (SARA)
 - 2. Overview: UW System Distance Education Academic Program Array
- c. UW-Madison: Approval of the Online Master of Science in Clinical Nutrition;
[Resolution I.1.c]
- d. UW-Milwaukee: Approval of the Online (Hybrid) Master of Science in Information Science and Technology;
[Resolution I.1.d]
- e. UW-Oshkosh: Second Reading and Approval of the Revised Mission Statement;
[Resolution I.1.e]
- f. UW-Green Bay: Approval of Faculty Personnel Rules, Sections 53.12 and 53.12 E, and Sections 54.01-03 (Graduate Programs and Councils);
[Resolution I.1.f]
- g. UW-Whitewater: Approval of Faculty Personnel Rules, Chapter VI (Complaints and Grievances Against Faculty);
[Resolution I.1.g]
- h. UW System Administration: Approval of the creation of the Office of Educational Opportunity within the Office of the UW System President;
[Resolution I.1.h]; and
- i. Host Campus Presentation: The University of Wisconsin-Eau Claire Academic Master Plan presented by Provost Patricia Kleine.

Program Authorization (Implementation)
Master of Science in Clinical Nutrition
UW-Madison

EDUCATION COMMITTEE

Resolution I.1.c:

That, upon the recommendation of the Chancellor of the University of Wisconsin-Madison and the President of the University of Wisconsin System, the Chancellor is authorized to implement the online Master of Science in Clinical Nutrition at UW-Madison.

**NEW PROGRAM AUTHORIZATION
ONLINE MASTER OF SCIENCE IN CLINICAL NUTRITION
AT UW-MADISON**

EXECUTIVE SUMMARY

BACKGROUND

This proposal is presented in accordance with the procedures outlined in Academic Planning and Program Review (ACIS 1.0, revised July 2016, available at <https://www.wisconsin.edu/program-planning/>). The new program proposal for a Master of Science in Clinical Nutrition at the University of Wisconsin-Madison is presented to the Board of Regents for consideration. UW-Madison's Provost submitted an authorization document, a financial projection, and a letter of institutional commitment.

REQUESTED ACTION

Adoption of Resolution I.1.c, approving the implementation of the Online Master of Science in Clinical Nutrition at UW-Madison.

DISCUSSION

The University of Wisconsin-Madison proposes to establish a distance education (online) 30-credit Master of Science in Clinical Nutrition (M.S. in Clinical Nutrition) within the Department of Nutritional Sciences and housed in the College of Agricultural & Life Sciences. The program includes coursework in advanced nutritional science, clinical nutrition, professional skills, and electives to add depth and breadth. Graduates of the program will be equipped to translate research; recognize and formulate responses to evolving developments in clinical nutrition practice, policy, and research; and lead and manage professional teams in designing nutrition-related services.

Currently, the recognized food and nutrition professional in the U.S. is the registered dietitian. The current pathway to become a registered dietitian involves the following steps: (1) completion of a B.S. Dietetics degree, (2) completion of an accredited supervised practice program (i.e., dietetic internship), and (3) passing of the national Registration Exam for Dietitians that is administered by the Commission on Dietetic Registration of the Academy of Nutrition & Dietetics.

Starting in 2024, a master's level degree will be required to apply for dietetic internships and to sit for the Registration Exam for Dietitians, administered by the Commission on Dietetic Registration of the Academy of Nutrition & Dietetics. UW-Madison seeks to provide this pathway to its students in advance of the deadline to help students in their career advancement. By being an early entrant and delivering the program online, UW-Madison will establish a strong program and be poised to serve a growing demand as the degree requirements change. However, the major in Dietetics with the B.S. in Nutritional Science program will continue to be offered

during the transition period until the Academy of Nutrition and Dietetics implements its new credential requirements.

Students will first enroll in fall 2017; recruiting and admissions will open in fall 2016 following Board of Regents approval. In its first year, the program will enroll 12 students; by year 5, total enrollment is expected be 80 students. By the academic year 2021-22, 36 students will have graduated from the program.

State and national need for registered dietitians will support market demand for graduates of this program. According to the U.S. Bureau of Labor Statistics, employment of dietitians will increase 16 percent from 2014-2024, which is much higher than the average estimated growth projection for all occupations, at seven percent. Occupational data provided by the Wisconsin Department of Workforce Development predicts a nearly 11 percent increase in dietitian/nutritionist jobs by 2022.

For students enrolled in the M.S. in Clinical Nutrition, the following tuition per credit will apply: rate of Tier 1 for distance/online programs, set at \$800 per credit according to the UW-Madison distance/online program policy. Tier 1 is the lowest tuition tier. Segregated fees will be waived as allowed under UW-Madison's policy for online programs, consistent with UW System policy.

RELATED REGENT AND UW SYSTEM POLICIES

Regent Policy 4-12: Academic Program Planning, Review, and Approval in the University of Wisconsin System.

Academic Information Series #1 (ACIS 1.0, revised July 2016): Statement of the UW System Policy on Academic Planning and Program Review.

**REQUEST FOR AUTHORIZATION TO IMPLEMENT A
MASTER OF SCIENCE IN CLINICAL NUTRITION
AT UW-MADISON
PREPARED BY UW-MADISON**

ABSTRACT

The University of Wisconsin-Madison proposes to establish a Master of Science in Clinical Nutrition (M.S. in Clinical Nutrition). Starting in 2024, a master's level degree will be required to apply for dietetic internships and sit for the Registration Exam for Dietitians, administered by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics. The proposed program will provide post-baccalaureate education for clinical nutrition professionals and promote the development of visionary leaders in professional practice. Graduates will be equipped to translate research; recognize and formulate responses to evolving developments in clinical nutrition practice, policy, and research; and lead and manage professional teams to design nutrition-related services. The program will offer a structured, online curriculum comprised of 30 credits beyond the baccalaureate degree and include coursework in advanced nutritional science, clinical nutrition, professional skills, and electives to add depth and breadth. UW-Madison will continue to offer the bachelor's level Dietetics program through the B.S. in Nutritional Sciences during the transition period.

PROGRAM IDENTIFICATION

Institution Name

University of Wisconsin-Madison

Title of Proposed Program

Clinical Nutrition

Degree/Major Designations

Master of Science

Mode of Delivery

Single institution; Distance Education (online)

Projected Enrollment over the First Five Years of the Program

Table 1 represents enrollment and graduation projections for students entering the program over the next five years. Expectations are that retention and completion rates will be high. The table shows attrition of one student from each cohort between the first and second year of the two-year program. The annual retention rates in the undergraduate program are approximately 95 percent; therefore, similar rates are expected from committed professionals who are the audience for the master's program.

Table 1: Five-year Projected Enrollment

Year	Year 1 2017-18	Year 2 2018-19	Year 3 2019-20	Year 4 2020-21	Year 5 2021-22
New students admitted (Year 1)	12	20	29	37	44
Continuing students (Year 2, Fall term only)	0	11	19	28	36
Total enrollment	12	31	48	65	80
Graduating students	0	11	19	28	36

A typical student will complete the program in four semesters, starting in the fall with 9 credits, and continuing in the spring with 9 credits, the summer with 6 credits, and the fall with 6 credits.

Tuition Structure

For students enrolled in the M.S. in Clinical Nutrition, the following tuition per credit will apply: rate of Tier 1 for distance/online programs, set at \$800 per credit by UW-Madison distance/online program policy.¹ Tier 1 is the lowest tuition tier. Segregated fees will be waived as allowed under UW-Madison's policy for online programs, consistent with UW System policy.

Department

Department of Nutritional Sciences

College or School

College of Agricultural and Life Sciences

Proposed Date of Implementation

Students will first be enrolled in fall 2017. Recruiting and admissions will open in fall 2016 following Board of Regent approval.

INTRODUCTION

Rationale and Relation to Mission

Currently, the recognized food and nutrition professional in the U.S. is the registered dietitian. The current pathway to become a registered dietitian involves the following steps: (1) completion of an bachelor's degree in dietetics; (2) completion of an accredited, supervised practice program (i.e., dietetic internship); and (3) passing of the national Registration Exam for Dietitians that is administered by the Commission on Dietetic Registration of the Academy of Nutrition and Dietetics.

The proposed M.S. in Clinical Nutrition will position UW-Madison to build a well-established program to prepare graduates to complete the steps required to become a registered dietitian. The implementation of the degree will proactively address forthcoming changes to the eligibility requirement for graduates to take the Registration Exam for Dietitians. The Academy of Nutrition and Dietetics has announced that starting in 2024 a master's-level dietetics degree will be an eligibility requirement for graduates to sit for the Registration Exam for Dietitians. The requirement was passed by the Academy of Nutrition and Dietetics at their annual Food &

¹ Online Tuition Policy Summary, adopted March 2015. Posted at <https://kb.wisc.edu/page.php?id=59300>.

Nutrition Conference & Expo on October 21, 2013.² The need for both deeper and wider expertise has affected all health care professions in the last decade, and most health professional education programs have increased their educational standards beyond the bachelor's degree (e.g., Pharmacy, Occupational Therapy, and Physical Therapy). The Academy of Nutrition and Dietetics reached a similar conclusion. In its 2012 Visioning Report, the Academy recognized: "The need to elevate entry-level registered dietitian education to a graduate level is consistent with the knowledge, skills, and research base required in the field of nutrition and dietetics and is necessary to protect the public, remain competitive, and increase recognition and respect."³

In the future, dietetics programs will be moving toward a more "seamless" educational model in which the dietetic internships (located in hospitals and related clinical facilities) will become integrated into the degree programs. Currently, these internships are offered subsequent to completion of the Dietetics program degree offered through the B.S. in Nutritional Sciences.

There are 252 dietetic internship programs in the U.S. with approximately 3,000 slots available to recent Dietetics graduates. Each year, UW-Madison graduates an average of 60 students from the Dietetics program offered through the B.S. in Nutritional Sciences. These graduates may apply and compete for a dietetic internship, out of about 6,000 graduates from such programs nationally. Graduates of the M.S. in Clinical Nutrition program will be more competitive for dietetic internships, given the advanced level of coursework. Approximately 51 percent of Registered Dietitians have graduate degrees,⁴ demonstrating that it is common for dietitians to pursue advanced education to pursue their careers. Delivery of an online M.S. in Clinical Nutrition degree program will put UW-Madison in a strong position to serve this market nationwide.

The M.S. in Clinical Nutrition aligns with UW-Madison's mission and goals by offering "broad and balanced academic programs," emphasizing "high quality and creative instruction," achieving "leadership in the discipline," and providing "a foundation for dealing with the immediate and long-range needs of society." The mission of the Department of Nutritional Sciences is to generate and disseminate knowledge regarding diet and nutrition to improve the health and economic development of current and future generations and to foster an educated society.

The M.S. in Clinical Nutrition degree program will support both the institutional and departmental missions by leveraging Department of Nutritional Sciences faculty expertise in biochemical, metabolic and clinical nutrition in order to train nutrition professionals for current and future practice roles that will serve the long-range health and wellness needs of society. In doing so, the program will provide post-baccalaureate education required to train the next generation of clinical nutrition professionals and promote the development of visionary leaders in professional practice through the translation and application of practice in the state of Wisconsin and beyond.

² <http://fnce.eatright.org/fnce/uploaded/635126813152308222-154.%20adad-Jorge.pdf>

³ Academy of Nutrition and Dietetics, Visioning Report: AA Vision for the Continuum of Dietetics Education, Credentialing and Practice, published 9/5/2012. Posted at <https://www.cdrnet.org/vault/2459/web/files/10369.pdf>.

⁴ "Compensation & Benefits Survey of Dietetics Profession." Academy of Nutrition and Dietetics, 2013.

Need as Suggested by Current Student Demand

Forthcoming advanced degree requirements to sit for the Registration Exam for Dietitians will drive student demand and require a transition from the attainment of a bachelor's to the master's degree as preparation to become a Registered Dietician. By becoming an early adopter and delivering the program online, UW-Madison will establish a strong program that will be poised to serve a growing demand as the degree requirements change. The online format will make the program accessible to students in locations all over the U.S.

In advance of the requirement change, student demand for the M.S. in Clinical Nutrition will be driven by several factors, thus creating a broad pool of potential students. In the U.S. approximately 6,000 students graduate from a dietetics program each year. Of this pool, 60 graduate from UW-Madison. Currently, there are 252 dietetic internships in the U.S. that provide approximately 3,000 available slots. Graduates compete for these limited slots. The internship success rate for UW-Madison graduates is approximately 85 percent, which is higher than the national average placement rate of 50 percent. Additional post-baccalaureate coursework in dietetics and nutritional sciences will further improve the competitiveness of UW-Madison graduates.

In addition, the degree program will serve graduates of Dietetic programs who did not pursue an internship and registered dietician status at the time of graduation, but now seek to do so. The curriculum will provide post-baccalaureate training that will improve students' knowledge-base and make graduates more competitive for available internships. The program will also serve individuals who hold a B.S. degree, have completed the required science and nutrition coursework, and wish to advance their education and career options by completing post-baccalaureate level coursework in nutrition.

Finally, the program will serve professionals who already hold the Registered Dietician (R.D.) credential and who wish to remain competitive in the field. Graduate coursework will prepare students with skills needed to treat more complicated patient cases across health care settings, apply research findings in practice, and manage and lead within their profession. This demand is evident in that just over half of all registered dietitians hold master's degrees (47 percent) or Ph.D.s (Four percent). A survey administered by the Accreditation Council for Education in Nutrition and Dietetics (ACEND) asked current R.D.s to rank the importance of 84 specific advanced skills for practice in the field that are not currently included in undergraduate programs, but would be included in graduate curricula. Respondents (n = 9,477) rated the skills on a four-point scale with four (4) being very important. Eighty-nine percent of the skills listed drew mean ratings greater than three (3), and 40 percent of the listed skills drew ratings greater than 3.5.⁵

Evidence of student demand for an advanced degree is also supported by institutional data that indicate UW-Madison graduates of the Dietetics undergraduate program are highly

⁵ Accreditation Council for Education in Nutrition and Dietetics, Rational for Future Education Preparation of Nutrition and Dietetics Practitioners, Feb. 2015. Posted at <http://www.eatrightacend.org/ACEND/content.aspx?id=6442485290>.

qualified and motivated to complete graduate school. According to exit surveys administered by the Department of Nutritional Sciences to Dietetics program graduates who completed the program between fall 2012 and spring 2016, of the 207 graduates, 141 (68 percent) indicated they had enrolled in or were planning to pursue an advanced degree after graduation.

Application and enrollment in UW-Madison's post-baccalaureate Capstone Certificate in Clinical Nutrition demonstrates additional demand. Enrollment in the program has steadily increased since its launch in January 2014. Enrollment has been at or above 20 students every term since fall 2015. The companion Capstone Certificate in Clinical Nutrition-Internship Program is fully enrolled at 14 students. Application volume for these programs is about 40 applications a year. Among current capstone students, 80 percent of students have indicated interest in transitioning into the M.S. in Clinical Nutrition after completing the capstone program. The coursework developed for the capstone program will also be used in the M.S. in Clinical Nutrition program, and students who complete the capstone program will have met the requirements for the first 15 credits of the M.S. in Clinical Nutrition.

Need as Suggested by Market Demand

State and national need for registered dietitians will support market demand for graduates of this program. According to the June 2012 "Healthcare: Executive Summary" released by Georgetown University Center for Education and the Workforce,⁶ "Healthcare will continue to grow fastest and provide some of the best paying jobs in the nation – but the people in these jobs will increasingly require higher levels of education to enter the field and continuous certification once they are in." In the U.S., the Bureau of Labor Statistics⁷ predicts that employment of dietitians will increase 16 percent from 2014-2024, much greater than the average estimated (7 percent) for all occupations. Occupational data provided by the Wisconsin Department of Workforce Development⁸ predicts a nearly 11-percent increase in dietitian/nutritionist jobs by 2022.

Employer data also indicate high demand for advanced skills that may be attained through an advanced degree. Surveys administered by ACEND asked employers to rank the importance of 84 specific skills for practice in the field. These skills are currently not included in undergraduate education, but would be required at the graduate level. Respondents (n = 300) rated the skills on a four-point scale with four (4) being very important. Eighty-six percent of the skills listed drew mean ratings greater than three (3) and 22 percent of the listed skills drew ratings greater than 3.5.⁹

⁶ Healthcare by Anthony Carnevale et al., June 21, 2012. Georgetown University Center on Education and the Workforce. Posted at <https://cew.georgetown.edu/cew-reports/healthcare/>.

⁷ Bureau of Labor Statistics, U.S. Department of Labor. Posted at <http://www.bls.gov/ooh/healthcare/dietitians-and-nutritionists.htm>.

⁸ Wisconsin Department of Workforce Development. Posted at <http://wisconsinjobcenter.org/labormarketinfo/>.

⁹ Accreditation Council for Education in Nutrition and Dietetics, Rational for Future Education Preparation of Nutrition and Dietetics Practitioners, Feb. 2015. Posted at <http://www.eatrightacend.org/ACEND/content.aspx?id=6442485290>.

DESCRIPTION OF PROGRAM

Institutional Program Array

Currently, UW-Madison offers a B.S. in Nutritional Sciences. Embedded into the degree is the Dietetics degree program option. The degree prepares students for licensure as a registered dietitian and is accredited by ACEND of the Academy of Nutrition and Dietetics. The M.S. in Clinical Nutrition will eventually replace the Dietetics degree offered through the B.S. in Nutritional Sciences. However, the option will continue to be offered during the transition period until the Academy of Nutrition and Dietetics implements its new credential requirements.

The Department of Nutritional Sciences also offers post-baccalaureate programs, including an on-campus research-based M.S. and Ph.D. in Nutritional Sciences and an online Capstone Certificate in Clinical Nutrition. The post-baccalaureate Capstone Certificate in Clinical Nutrition provides additional academic preparation for graduates holding a Dietetics degree to become more skilled and, consequently, more competitive to receive one of the limited dietetic internships. The capstone program has established a partnership with the UW Hospitals and Clinics Dietetics Internship program that provides internships for 14 capstone program students each year. The coursework developed for the capstone program will also be used in the M.S. in Clinical Nutrition program, and students who complete the capstone program will have met the requirements for the first 15 credits of the M.S. in Clinical Nutrition. The expectation is that about half of the students who complete the capstone program will subsequently apply to the M.S. in Clinical Nutrition program.

Other Programs in the University of Wisconsin System

There are four undergraduate accredited programs in dietetics in the UW System. The institutions offering such a program are UW-Madison, UW-Green Bay, UW-Stout, and UW-Stevens Point. At the graduate level, UW-Stout offers a master's in Food and Nutritional Sciences with options in Human Nutrition or Food Science and Technology. UW-Stevens Point offers a non-clinical M.S.-Nutritional Sciences with a concentration in Community Nutrition. At this time, the proposed M.S. in Clinical Nutrition will be the only online, master's level program to prepare students for licensure as registered dietitians.

Outside of the UW System in Wisconsin, Mt. Mary University and Viterbo University offer accredited bachelor's programs. Mt. Mary University offers a master's degree in Dietetics. Neither offers an online master's program.

Comparable Programs Nationally

A UW-Madison survey of 80 accredited programs across the U.S. revealed only five programs that currently offer any certification in Clinical Nutrition. Of these five programs, only three are offered through distance education: Drexel University (certificate of study), New York Institute of Technology (M.S.), and Rutgers (M.S.). Of the 80 accredited programs, 19 are graduate-level programs specifically designed for dietetic students. Only 10 programs are offered through distance education, and no other programs are specifically focused on clinical nutrition. Thus, UW-Madison's M.S. in Clinical Nutrition degree program will be the only distance education graduate program with a focus on clinical nutrition in the U.S.

Collaborative Nature of the Program

The Department of Nutritional Sciences is collaborating with the University of Wisconsin Hospital and Clinics (UWHC) to develop the program and the new coursework. UWHC Clinical Nutrition practitioners, as well as the UWHC Dietetic internship director, have served on the development committee and will serve on the advisory committee for the M.S. in Clinical Nutrition degree program. The M.S. in Clinical Nutrition curriculum will draw on a suite of one-credit professional literacy courses developed for interdisciplinary access by the Department of Engineering-Professional Development. The School of Medicine and Public Health will provide some electives. The Department of Nutritional Sciences is also involved in the Inter-professional Practice and Education Committee, a forum for collaboration among UW-Madison health professions programs.

Diversity

The composition of the dietetics profession (81 percent white, 94 percent female¹⁰) leads to challenges in student, faculty, and staff recruitment. The Academy of Nutrition and Dietetics continues to strive for diversity with multiple initiatives to improve the participation of underrepresented groups. The UW-Madison Department of Nutritional Sciences is committed to attracting students, faculty and staff from varied backgrounds and recognizes that equity, inclusion and excellence must be a part of any plan to do so. The Department embraces and actively implements College of Agricultural and Life Sciences policies and procedures, as set forth and monitored by its Equity and Diversity Committee, to enhance diversity through communication, recruitment and hiring efforts.

The online delivery of the program will facilitate efforts to diversify the student cohort. The distance education model enables students from a broad array of geographic (including rural areas), cultural and employment settings to enroll. Recruitment efforts will intentionally target communities with limited access to advanced training programs.

There is a high need for cultural competence among dietetics professionals. Therefore, instruction and activities to develop such competencies will be integrated throughout the curriculum. Diversity and cultural issues across ethnicities will be included in specific case studies and nutrition counseling practice and methods. Case studies will provide opportunities to address diet and disease patterns in multiple cultures. In-depth examination of cultural competency issues will be included in coursework and activities relating to planning community programs for a diverse population. Throughout the curriculum, students will reflect on professional values and behaviors. Students will engage in a client-centered approach through experiences that encourage them to recognize how their own personal values and lifestyle may vary significantly from those of their patients, families or colleagues. The curriculum requires students to critically examine their own values, assumptions and limitations through self-reflection as they venture to develop new professional skills. Readings are specifically selected to draw from literature beyond the field of Nutritional Sciences to reflect diverse individual and population perspectives and to raise awareness of local, national and global issues. Practice cases and scenarios which students will bring to class discussions will further contribute alternative viewpoints to the curriculum.

¹⁰ Commission on Dietetic Registration. Posted at <https://www.cdrnet.org/certifications/registered-dietitians-demographics>.

Program Objectives and Student Learning Outcomes

The curriculum will build advanced practitioner competencies to:

1. recognize and formulate responses to evolving developments in clinical nutrition practice, policy and research;
2. interpret in-depth nutritional assessment data, in context with other clinical findings, to develop nutritional diagnoses and plan appropriate nutrition;
3. understand intervention/monitoring/evaluation protocols for complicated patients;
4. develop and achieve professional goals;
5. lead and manage professional teams to design nutrition-related services, programs or protocols;
6. apply current evidence to clinical nutrition interventions and practice; and
7. design, implement, and evaluate innovative programs to address community needs and emerging health issues.

Graduates of the program will be able to: (1) articulate and integrate specialized knowledge in the field of advanced clinical nutrition – including energy metabolism, micronutrient requirements, and nutrigenomics – needed to meet the challenges of future careers and opportunities; (2) articulate and demonstrate advanced skills in nutritional assessment and nutritional care of patients with complicated disorders/diseases in a clinical or community setting; (3) demonstrate advanced skills in nutrition counseling and education needed to precipitate behavior and cognitive change; (4) formulate systems to gather, analyze and interpret data from a practice setting to develop appropriate protocols and care plans using the nutritional care process; (5) formulate problem statements and writing research proposals using appropriate study design; (6) demonstrate an ability to understand, interpret, evaluate, and design clinical nutrition research; (7) demonstrate high level problem-solving, critical thinking, and use of informatics required in advanced clinical nutrition practice; and (8) demonstrate advanced professional skills in communication, information and project management, leadership, and ethics.

Assessment of Objectives

Direct assessment of student learning will be conducted in multiple ways including, but not limited to: (1) embedded exams, quizzes, assignments and case studies; (2) faculty evaluation of Research Proposal project, Counseling videotapes, Community Education project, and Nutrition Assessment Protocol project; and (3) course grades. Indirect methods of program assessment will include: (1) course evaluations, (2) student satisfaction surveys/questionnaires and exit interviews via phone, (3) alumni surveys post-graduation at 1-, 5-, and 10-years post-graduation, (4) annual employer and DI director surveys, (5) pre- and post-program self-assessment of professional skills and development, and (6) annual advisory committee meetings. The results of all assessment measures will be reviewed annually by the M.S. in Clinical Nutrition Degree Committee and reported to the Department of Nutritional Sciences Curriculum Committee and faculty, as well as to the College of Agricultural and Life Sciences. Adjustments in course content, instructional delivery or program process will be made as needed.

Program Curriculum

Table 2 illustrates the proposed curriculum design. The M.S. in Clinical Nutrition will be comprised of 30 credits.

Table 2: Proposed Curriculum for M.S. in Clinical Nutrition

<p>Minimum Requirements for Admission</p> <ul style="list-style-type: none"> Earned Bachelor's degree/equivalent from an accredited college or university, Minimum Cumulative undergraduate GPA ≥ 3.0 (on a 4.0 scale), Graduate Record Examination (GRE), Completion of the following prerequisite courses (UW-Madison equivalent given in parenthesis) <ul style="list-style-type: none"> General Chemistry (Chem 103 and 104 or 109) Organic Chemistry (Chem 341 or 343) Biological Sciences (Zoology 101 and 102, or 151) Physiology (Physiology 335) Biochemistry (Biochem 501 or BMol Chem 314) Statistics (Stats 201, 301, 371 or Psych 210 or Soc 360) Human Nutrition Course (NS 332 or equivalent) Clinical Nutrition Course (NS 631 or equivalent) 	
<p>M.S. in Clinical Nutrition Degree Curriculum</p>	<p>Credits</p>
<p><u>Core</u> 9 Credits NS 710: Human Energy Metabolism NS 711: Personalized Nutrition – Genetics, Genomics and Metagenomics NS 715: Micronutrients: Human Physiology and Disease NS 720: Advanced Nutrition Assessment NS 721: Nutrition Informatics NS 725: Advanced Community Nutrition</p>	<p>9 Credits 2 cr 1 cr 3 cr 1 cr 1 cr 1 cr</p>
<p><u>Professional Skills</u> 4 Credits from the Following: EPD 700: Connected Learning EPD 701: Professional Writing EPD 702: Professional Presentations EPD/LIS 703: Managing Information EPD/Gen Bus 783: Leading Teams EPD/Gen Bus 784: Project Management EPD 712: Professional Ethics</p>	<p>4 Credits 1 cr 1 cr 1 cr 1 cr 1 cr 1 cr 1 cr</p>
<p><u>Clinical Nutrition Courses</u> 12 Credits NS 650: Advanced Clinical Nutrition: Critical Care and Nutrition Support NS 651: Advanced Clinical Nutrition: Pediatrics NS 652: Advanced Nutrition Counseling and Education NS 653: Clinical Nutrition Research</p>	<p>12 Credits 3 cr 3 cr 3 cr 3 cr</p>
<p><u>Electives</u> 5 Credits *A maximum of 3 credits from Professional Literacy Courses below may be used. PHS 780: Public Health Principles and Practice PHS 785: Health Systems, Management and Policy PHS 789: Principles of Environmental Health: A Systems Thinking Approach PHS 879: Politics of Health Policy NS 670: Nutrition and Dietetics Practicum 1 (Available only to UWHC Dietetic Interns)</p>	<p>5 Credits 3 cr 3 cr 3 cr 2-3 cr 3 cr</p>

NS 671: Nutrition and Dietetics Practicum 2 (Available only to UWHC Dietetic Interns) NS 699: Special Problems	3 cr 1-3 cr
<u>*Professional Literacy Courses (maximum 3 credits)</u>	
EPD/Gen Bus 781: Financial Literacy	1 cr
EPD 706: Change Management	1 cr
EPD/Gen Bus 785: Professional Negotiations	1 cr
EPD/Gen Bus 782: Marketing for Non-Marketing Professionals	1 cr
EPD 713: Key Legal Concepts for Technical Professions	1 cr
EPD 708: Creating Breakthrough Innovation	1 cr
EPD 704: Organizational Communication	1 cr
(Professional Literacy Courses not chosen in “Professional Skills” section above may be used here.)	
TOTAL	30 Credits

Note: NS 670 and NS 671 denote students who participate in the dietetic internship at UWHC as part of the Capstone Certificate in Clinical Nutrition program and subsequently apply to and enroll in the M.S. in Clinical Nutrition program.

Through team- and problem-based learning strategies, the curriculum will challenge students to engage in collaborative analysis, synthesis, and evaluation of professional case scenarios. Students will bring their varied academic and practice experiences to the virtual classroom which will enrich the curriculum and provide substance to course content. Faculty will deliver content primarily online, enhancing interactions with students through use of project-based learning, chats, discussion boards, facilitated virtual synchronous discussions, and other active learning opportunities. Course design will be facilitated by instructional designers in the Division of Continuing Studies according to research involving best practices for online learning.

Projected Time to Degree

Students entering the program will be able to complete the program in 4 semesters of full-time enrollment as follows: Fall (9 cr.), Spring (9 cr.), Summer (6 cr.), Fall (6 cr.). Students may enroll part-time and complete the program over a longer time frame, or may have a reduced time to degree if they have already completed degree requirements while participating in the Capstone Certificate in Nutritional Sciences program.

Institutional Review

In keeping with the UW-Madison policy, the program will complete a year-three progress report, undergo a five-year review, and be scheduled for ten-year reviews subsequently. The initial progress report is estimated to be due in 2020-21. The five-year review will be conducted in 2022-23.

Accreditation

The program will not immediately require external accreditation upon implementation; however, by 2024 (and possibly as early as 2020) it is anticipated that the program will undergo accreditation by the Commission on Accreditation for Dietetics Education of the Academy of Nutrition and Dietetics. This body currently accredits UW-Madison’s Dietetics undergraduate

program and will accredit master's programs with the transition to the requirement for master's degree preparation for Registered Dietitians.

Resources

The program will be supported primarily from tuition revenue. During the early years of the program, revenue will also be directed to this program through cross-support from tuition revenue generated from the Capstone Certificate in Clinical Nutrition, a program that will share courses and academic support services with the proposed program. Department of Nutritional Sciences tenure/tenure track faculty and clinical faculty will contribute to instruction in the program. Additional clinical faculty will be added to the existing cadre of available instructional academic staff as program enrollments grow. Direct staff support will include a program coordinator, an administrator, and a student services coordinator. Expenses include an overhead allocation to campus to support program infrastructure. The net revenue is retained by the College of Agricultural and Life Sciences and the Department of Nutritional Sciences to be reinvested to ensure program content and delivery remain current.

University of Wisconsin - Madison						
Cost and Revenue Projections For Newly Proposed Program - M.S. in Clinical Nutrition						
	Items	Projections				
		2017-18	2018-19	2019-20	2020-21	2021-22
		Year 1	Year 2	Year 3	Year 4	Year 5
I	Enrollment (New Student) Headcount	12	20	29	37	44
	Enrollment (Continuing Student) Headcount	0	11	19	28	36
	Enrollment (New Student) FTE	12	20	29	37	44
	Enrollment (Continuing Student) FTE	0	11	19	28	36
II	Credit Hours - 24 student credit hours X FTE new students	288	480	696	888	1056
	Credit Hours - 6 student credit hours X FTE continuing students	0	66	114	168	216
	Total student credit hours	288	546	810	1056	1272
III	a. FTE of Current Tenured/Tenure Track Faculty	0.4	0.4	0.4	0.4	0.4
	b. FTE of New Clinical Faculty (are Instructional Academic Staff)	1	1	2	2.5	2.5
	c. FTE of Current Clinical Faculty (are Instructional Academic Staff)	1	1	1	1	1
	d. FTE of Current Program Coordinator	0.25	0.25	0.5	1	1
	e. FTE of Current Admin Program Specialist	0.2	0.25	0.5	0.5	0.5
	f. FTE of Current Student Services Coordinator	0.2	0.25	0.5	0.5	0.5
IV	New Revenues					
	From Tuition (new credit hours x \$800 per credit)	\$230,400	\$384,000	\$556,800	\$710,400	\$844,800
	From Tuition (continuing credit hours x\$800 per credit)	\$0	\$52,800	\$91,200	\$134,400	\$172,800
	Total Tuition Revenue	\$230,400	\$436,800	\$648,000	\$844,800	\$1,017,600
	Reallocation from Capstone tuition revenues	\$156,140	\$0	\$0	\$0	\$0
	Total New Revenue	\$386,540	\$436,800	\$648,000	\$844,800	\$1,017,600
V	New Expenses					
	Salaries plus Fringes					
	a. Current Tenured/Tenure Track Faculty	\$40,000	\$40,400	\$40,804	\$41,212	\$41,624
	a. Fringe Benefits (40%)	\$16,000	\$16,160	\$16,322	\$16,485	\$16,650
	b. New Clinical Faculty	\$80,000	\$80,800	\$163,216	\$206,060	\$208,121
	c. Current Clinical Faculty	\$80,000	\$80,800	\$81,608	\$82,424	\$83,248
	d. Program Coordinator	\$20,000	\$20,200	\$40,400	\$81,608	\$82,424
	e. Admin Program Specialist	\$10,000	\$12,625	\$25,503	\$25,758	\$26,015
	f. Student Services Coordinator	\$10,000	\$12,625	\$25,503	\$25,758	\$26,015
	b to f - Academic staff fringe benefits (40%)	\$80,000	\$82,820	\$134,492	\$168,643	\$170,329
	Other Expenses					
	Allocation for Professional Skills courses (estimated)	\$15,000	\$20,000	\$25,000	\$28,000	\$30,000
	Marketing and recruiting	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
	S&E	\$2,500	\$2,500	\$2,500	\$2,500	\$2,500
Overhead and allocations to campus for program infrastructure support (10% of tuition revenue)	\$23,040	\$43,680	\$64,800	\$84,480	\$101,760	
Total Expenses	\$386,540	\$422,610	\$630,146	\$772,927	\$798,687	
VI	Net Revenue - Revenue retained by home College and Department for program reinvestment	\$0	\$14,190	\$17,854	\$71,873	\$218,913
Narrative: Explanation of the Numbers and Other Ongoing Commitments that will Benefit the Proposed Program						
I, II	Students are enrolled for 30 credits over the program, 24 credits in the first Fall/Spring/Summer, and 6 credits in the second Fall.					
III	Four of the Department's tenure/tenure track faculty will be involved the program on an ongoing basis (0.1 FTE each). Clinical faculty will be added to the existing cadre of available instructional academic staff as the program grows. The core courses will also be taken by students in the existing post-bachelors capstone certificate program in Clinical Nutrition. Staff support for the program includes a program coordinator, an administrator, and a student services coordinator.					
IV	The program will be funded from tuition revenue, set at \$800 a credit; tuition will be the same for residents, Minnesota, and non-residents. Segregated fees will not be charged because this is an online program. Revenues include a reallocation from tuition revenues from the Capstone Certificate in Clinical Nutrition, which shares courses and other coordination and academic services expenses with the MS-Clinical Nutrition.					
V	Expenses include a lumpsum per-credit allocation to external departments for the provision of professional skills courses taught by Engineering Professional Development. Fringe rates are estimates; amounts paid will be actuals. Expenses include an overhead allocation to campus to support infrastructure and program growth.					
VI	A residue of net revenue is retained by the College and the Department for reinvestment in the program and for program and infrastructure support.					
Provost's Signature: Sarah C. Mangelshty				Date: 9/29/2016		



Date: August 3, 2016
To: Ray Cross, President, University of Wisconsin System
From: Sarah C. Mangelsdorf, Provost and Vice Chancellor for Academic Affairs *SCM*
RE: Authorization Proposal: Master of Science-Clinical Nutrition

In keeping with UW System and Board of Regent policy, I am sending you a proposal for a new MS-Clinical Nutrition at the University of Wisconsin-Madison. The notice of intent was approved on July 19, 2016. We are requesting that this proposal be scheduled for consideration at the October 6-7, 2016, Board of Regents meeting.

The program has been designed to meet UW-Madison's definition and standards of quality and to make a meaningful contribution to the institution's overall academic plan and program array. Students will be required to meet all the requirements and standards for a master's degree at UW-Madison.

In keeping with UW-Madison policy, this program has been reviewed and endorsed by the faculty of the Department of Nutritional Science, who originated the proposal. Both the dean and the academic planning council of the College of Agricultural and Life Sciences have approved the proposal and support this program. The proposal has also been approved by the Graduate Faculty Executive Committee and the University Academic Planning Council.

The program faculty have established a robust plan for curriculum delivery, student support, assessment of student learning, and program review. As detailed in the attached proposal, the necessary financial and human resources will be supported from tuition revenue.

Assuming approval, recruiting and applications will open in Fall 2016, and the program will enroll students starting in Fall 2017.

The proposal and budget are attached; they have my support, and I will provide a signature on the budget when you and your staff have completed their review.

Please contact Jocelyn Milner (jocelyn.milner@wisc.edu) with any questions about these materials.

Attachments

- Authorization proposal
- Regent's Budget format

Copies:

Rebecca Blank, Chancellor, UW-Madison
Stephen Kolison via UWSA Academic Affairs (afgp@uwsa.edu)
James Henderson, Vice President for Academic Affairs, UW System Administration
Diane Treis Rusk, Academic Planner, UW System Administration
Kate VandenBosch, Dean, College of Agricultural and Life Sciences
David Eide, Chair, Department of Nutritional Sciences
Jocelyn Milner, Academic Planning and Institutional Research
Mike Lehman, Interim Vice Chancellor for Finance and Administration
Tim Norris, Madison Budget Office

Office of the Provost and Vice Chancellor for Academic Affairs
150 Bascom Hall University of Wisconsin-Madison 500 Lincoln Drive Madison, Wisconsin 53706
608.262.1304 Fax: 608.265.3324

Program Authorization (Implementation)
Online (hybrid) Master of Science in Information Science and Technology
UW-Milwaukee

EDUCATION COMMITTEE

Resolution I.1.d:

That, upon the recommendation of the Chancellor of the University of Wisconsin-Milwaukee and the President of the University of Wisconsin System, the Chancellor is authorized to implement the online (hybrid) Master of Science in Information Science at UW-Milwaukee.

**NEW PROGRAM AUTHORIZATION
ONLINE (HYBRID) MASTER OF SCIENCE IN INFORMATION SCIENCE AND
TECHNOLOGY
AT UW-MILWAUKEE**

EXECUTIVE SUMMARY

BACKGROUND

This proposal is presented in accordance with the procedures outlined in Academic Planning and Program Review (ACIS 1.0, revised July 2016, available at <https://www.wisconsin.edu/program-planning/>). The new program proposal for a Master of Science in Information Science and Technology at the University of Wisconsin-Milwaukee (UW-Milwaukee) is presented to the Board of Regents for consideration. UW-Milwaukee's Provost submitted an authorization document, a financial projection, and a letter of institutional commitment.

REQUESTED ACTION

Adoption of Resolution I.1.d, approving the implementation of the Online Master of Science in Information Science and Technology at UW-Milwaukee.

DISCUSSION

UW-Milwaukee proposes to establish a Master of Science in Information Science and Technology (M.S. in Information Science and Technology) to be housed in the School of Information Studies, scheduled for implementation in January 2017. The development of the program responds to documented global, national and state needs for information technology (IT) professionals.

The proposed professional graduate degree program will provide students with distance education options for advanced training. The degree will be composed of 36 credits, which include 24 credits of required courses (including a capstone) and 12 credits of electives in one of five areas of concentration: (1) user interface design and human computer interaction, (2) web and mobile design and development, (3) data management and data science, (4) information security, and (5) generalist.

The student pipeline for the master's degree includes:

1. UW-Milwaukee B.S. in Information Systems Technology graduates,
2. Undergraduate degree holders in an IT discipline who seek to continue their IT education in a specialized area,
3. Working adults who have established themselves in an IT field and seek graduate education for promotion and leadership within the industry,
4. Professionals who seek to transition into IT from another industry and need the skills and credentials to do so,
5. Individuals who are preparing for a Ph.D. in IT.

UW-Milwaukee expects that by the end of year five after implementation, 186 students will be enrolled in the program and 145 students will have graduated from the program.

Students will be charged standard UW-Milwaukee (UWM) graduate tuition rates. For the fall 2016 semester, the residential tuition and segregated fees total \$5,894.26 per semester based on full-time graduate enrollment (eight credits per semester). Of this amount, the sum of \$700.90 is attributable to segregated fees. Students taking online courses will pay a flat \$2,400 per three-credit course in lieu of tuition and fees. For students taking classes in the hybrid mode, i.e., online and face-to-face, the online courses will be assessed at the flat \$2,400 per three-credit course and the face-to-face courses at the standard UWM graduate fee schedule.

Job prospects for graduates are good. The *Occupational Outlook Handbook* projects that the employment of computer support specialists will grow at a rate of 12 percent over the period of 2014-2024, which is “faster than the average for all occupations.” Specifically, opportunities for information security analysts and web developers will grow 18 percent while those for applications software developers will increase 17 percent between 2014 and 2024. The Wisconsin Department of Workforce Development projections for the period 2012-2022 project a growth of 15.75 percent for information technology jobs in Wisconsin.

RELATED REGENT AND UW SYSTEM POLICIES

Regent Policy 4-12: Academic Program Planning, Review, and Approval in the University of Wisconsin System.

Academic Information Series #1 (ACIS 1.0, revised July 2016): Statement of the UW System Policy on Academic Planning and Program Review.

**REQUEST FOR AUTHORIZATION TO IMPLEMENT AN
ONLINE (HYBRID) MASTER OF SCIENCE IN
INFORMATION SCIENCE AND TECHNOLOGY
AT UW-MILWAUKEE
PREPARED BY UW-MILWAUKEE**

ABSTRACT

The University of Wisconsin-Milwaukee proposes to establish an online (hybrid) Master of Science in Information Science and Technology (M.S. in Information Science and Technology). The development of the program responds to the national and state needs for information technology professionals. The proposed professional graduate degree program will provide students with advanced training to meet the increasing need for information technology (IT) professionals. The degree will be composed of 36 credits, which include 24 credits of required courses (including a capstone) and 12 credits of electives in one of the following focus areas: (a) user interface design and human computer interaction, (b) web and mobile design and development, (c) data management and data science, (d) information security, and (e) generalist.

PROGRAM IDENTIFICATION

Institution Name

University of Wisconsin-Milwaukee

Title of Proposed Program

Information Science and Technology

Degree/Major Designation

Master of Science

Mode of Delivery

Single institution

The program will be offered onsite as well as online. For reporting to the Higher Learning Commission and the UW System academic program array, and the Central Data Request (CDR), the program is counted as a distance education program.

Projected Enrollment by Year Five

Table 1 represents enrollment and graduation projections for students entering the program over the next five years. Projections reflect anticipated attrition rates that are equitable to those in similar programs. By the end of year five, it is expected that 186 students will be enrolled annually in the program and 141 students will have graduated from the program.

Table 1: Five-Year Projected Student Enrollments and Graduates

	Year 1	Year 2	Year 3	Year 4	Year 5
New Students	30	50	50	75	75
Continuing Students	0	29	72	87	111
Total Enrollment	30	79	122	162	186
Graduating	0	5	33	48	55

Tuition Structure

Standard graduate tuition rates will apply to students enrolled in the Master of Science in Information Science and Technology program. For the fall 2016 semester, the residential tuition and segregated fees total \$5,894.26 per semester based on full-time graduate enrollment (8 credits per semester). Of this amount, the sum of \$5,193.36 is attributable to tuition and \$700.90 is attributable to segregated fees.

Students taking online courses will pay a flat \$2,400 per three-credit course in tuition and fees in lieu of the standard tuition and fees rate. Of this amount \$760 per credit is attributable to tuition. For students taking classes in the hybrid mode, i.e., taking some courses online and other courses face-to-face, the online courses will be assessed at the flat \$2,400 per three-credit course and the face-to-face courses at the standard UWM graduate fee schedule.

Department or Functional Equivalent

The program will be housed in the School of Information Studies, which is a non-departmentalized school.

Proposed Date of Implementation

January 2017

INTRODUCTION

Rationale and Relation to Mission

The proposed M.S. in Information Science and Technology degree will expand the existing graduate degree program offerings at UW-Milwaukee to meet evolving needs in information and technology. In a technology-driven world, every aspect of industry integrates technology and technology services, and consequently has an ever-growing need for staff who are able to understand, manage, facilitate and improve upon technology. Knowledge in web applications, services, and protocols; data management; and information security are among the top five rapidly growing skills sets that industry needs now and in the future. Even with outsourcing, the U.S. Department of Labor's Bureau of Labor Statistics indicates that the demand for information technology professionals will continue to grow in the U.S., 17 percent between 2012 and 2022, faster than average for most careers.¹ UW-Milwaukee currently offers an undergraduate degree in Information Science and Technology through the School of Information Studies. Therefore, this institution has established infrastructure and industry relationships that place it in a unique position to support the economic development of

¹ <http://www.bls.gov/ooh/computer-and-information-technology/computer-support-specialists.htm>

southeastern Wisconsin by educating future professionals to meet the demands of local, national and global employers.

The mission for the M.S. in Information Science and Technology program is aligned with UW-Milwaukee's [vision and mission statements](#) in that it is a collaborative program between the School of Information Studies and the Department of Computer Science that will prepare students for "sustainable prosperity" in professions that require "technological expertise." The M.S. in Information Science and Technology focuses upon "heightened intellectual" skills that move beyond that of an undergraduate degree in IT as it prepares professionals who focus on human/computer interaction raising "humane sensitivities" in technology.

The program operationalizes the [Vision of the School of Information Studies](#) as "a premier, international information school that shapes knowledge and information technology through innovative research and teaching." The School of Information Studies also values collaboration—ergo the partnership with the Department of Computer Science in the School of Engineering and Applied Sciences. The School's commitment to students with diverse backgrounds includes, but is not limited to, those who do not have undergraduate degrees in IT as well as those from a range of gender, racial and socioeconomic backgrounds. The inclusion of individuals from diverse backgrounds is paramount in technology as the industry finds itself woefully short on said diversity.

The M.S. in Information Science and Technology is aligned with the [UW-Milwaukee Strategic Plan](#) and goal to graduate successful students at all degree levels, by making an IT degree accessible and affordable to individuals at every age and stage of life and by offering the degree in an online and onsite format. Not only does the IT industry institute a high-demand field, it may also advance the careers and prosperity of individuals who enter the field. Therefore, admitting those without an undergraduate degree in IT and offering the degree in an online optional format creates venues for students who wish to change careers at various points in their life, such as after starting families or serving in the military. As well, UW-Milwaukee hopes that graduates will contribute to their communities as IT professionals and entrepreneurs.

Needs as Suggested by Current Student Demand

According to a survey of UW-Milwaukee current B.S. in Information System Technology students, 91 percent indicated that they want to pursue graduate studies. Eighty-three percent (83%) of students wanting to pursue graduate studies expressed interest in a M.S. in Information Science and Technology degree. Additionally, the program will be open to graduates holding other undergraduate degrees, who:

1. Like the UW-Milwaukee B.S. in Information Systems Technology graduates, have an undergraduate degree in an IT discipline and seek to continue their IT education in a specialized area.
2. Have established themselves in an IT field and seek graduate education to validate and promote themselves within the industry.
3. Seek to transition into IT from another industry and need the skills and credentials to do so.
4. Are preparing for a Ph.D. in IT.

Needs as Suggested by Market Demand

As stated above, the *Occupational Outlook Handbook*² projects that the employment of computer support specialists will grow at a rate of 12 percent over the period of 2014 through 2024, which is “faster than the average for all occupations.” Specifically, opportunities for information security analysts and web developers will grow 18 percent while those for applications software developers will increase 17 percent between 2014 and 2024. The Wisconsin Department of Workforce Development projections³ for the period from 2012 through 2022 show a growth of 15.75 percent for information technology jobs in Wisconsin. Clearly there is a need nationally and in Wisconsin for IT professionals who possess the credentials and skills necessary to take advantage of the opportunities in the IT area.

DESCRIPTION OF PROGRAM

General Structure

The program requires students to complete 36 graduate credits made up of 24 credits of core, required courses (including a 3-credit capstone course) and 12 credits of electives based on the student’s area of focus. Areas of focus include:

- User interface design and human computer interaction
- Web and mobile design and development
- Data management and data science
- Information security
- Generalist

While web and mobile design and development will equip students with advanced technical knowledge and skills to develop mobile applications, the user interface design and human computer interaction option will equip students with the necessary knowledge and abilities to develop interaction design that supports and enables people to interact with and use mobile applications. Data management and data science coursework will provide students with advanced knowledge and skills to manage data sets generated by applications whereas information security will focus on techniques on ensuring the security of all data captured, stored and analyzed through applications. Finally, the generalist option will allow students the option to a customized program to meet their educational and employment needs.

Institutional Program Array

The proposed program fits well with the array of existing master’s level programs at UW-Milwaukee and will serve a unique need within the larger information technology field. The School of Information Studies offers a related M.S. in Library and Information Science with a focus on organization, access, and retrieval of information. The College of Engineering and Applied Science offers a M.S. in Computer Science, which offers a more theoretical focus and draws students primarily from an undergraduate computer science background. The program emphasizes coursework primarily in the areas of algorithms, programming, compilers, artificial

² <http://www.bls.gov/ooh/computer-and-information-technology/computer-support-specialists.htm>

³ <http://worknet.wisconsin.gov/worknet/hotocc.aspx?menuselection=ce&level=5&group=B&area=55&areatype=1&areaname=Wisconsin>

intelligence, and computer graphics. The Lubar School of Business offers an onsite M.S. in Information Technology Management that aims to prepare graduates for the enterprise-level IT design and management and business analytics opportunities. The proposed M.S. in Information Science and Technology program is an applied program with an emphasis on web and applications development and design of user interactions with computers, devices, and applications. Thus, the proposed M.S. in Information Science and Technology degree fills a gap in the current information technology array and fits in a niche area needed by the industry that is not covered by existing programs. Additionally, this program can be completely available to online students, and the program allows a pathway for graduates of the B.S. in Information Systems Technology to further their career preparedness at an advanced level.

Other Programs in the University of Wisconsin System

A number of similar programs exist in the University of Wisconsin System including the collaborative master's degree in Data Science available through UW- Eau Claire, UW-Green Bay, UW-La Crosse, UW-Oshkosh, UW-Stevens Point, and UW-Extension. The degree in data science is focused on how to clean, organize, analyze, and interpret unstructured data, deriving knowledge and communicating discoveries clearly using sophisticated visualization techniques and other means. The curricular focus and the intended audience are different than for the M.S. in Information Science and Technology program in that the proposed program will prepare students to create and maintain, organize, and manage database structures, information, and data movement in addition to elements of data analytics.

UW-Stout offers a M.S. in Information and Communication Technologies, an online program that focuses on computer networking, digital marketing technology, enterprise technology (e-commerce), learning technologies, and visual communications. Although the core is similar to the M.S. in Information Science and Technology, the areas of focus differ significantly. The M.S. in Information Science and Technology at UW-Milwaukee will offer areas of concentrations in information security, web and applications development, data science and computer science—all substantially different than the program curriculum offered by UW-Stout.

UW-Parkside offers a master's degree in computer and information systems with a curriculum that involves project management, software development, numeric methods, and information systems security. The M.S. in Information Science and Technology is differentiated from this program through its emphases on web and mobile applications development, user interfaces, and information security (rather than systems security). Thus, while there are some related programs, the M.S. in Information Science and Technology's curriculum is different from the other programs and it prepares students for a career path that is also different than the other programs.

In the College of Engineering at UW-Madison, there is a degree in Applied Computing and Engineering Data Analysis (M.Eng.) that focuses on hardware, software and systems engineering. The degree is only offered online. Likewise, UW-Platteville offers a M.S. in Computer Science that focuses on the theories of computer science, programming and analysis. The program is only offered onsite. Conversely, the M.S. in Information Science and Technology will be offered online and onsite and will emphasize human/computer interaction,

organization and retrieval of information, web and mobile applications development, and information security. Thus, the M.S. in Information Science and Technology differs from the programs at UW-Madison and UW-Platteville in both the content and mode of delivery.

Collaborative Nature of the Program

The proposed M.S. in Information Science and Technology will forge a productive relationship between the Department of Computer Science and the School of Information Studies by promoting interdisciplinary teaching and potential research across the UWM campus. The degree program will require 36 graduate-level credits with 5 core, 3-credit courses offered by the School of Information Studies and 3 core, 3-credit courses from Computer Science. The remaining 12 credits will comprise electives from the School of Information Studies, the Department of Computer Sciences, the Lubar School of Business, and disciplines within the health sciences, based on the student's chosen area of focus.

Students will have the option of combining the M.S. in Information Science and Technology degree with the Master's in Library and Information Sciences (M.L.I.S.) for a Coordinate Degree plan. Aligned with the other coordinated degrees offered by the School, 30 hours will be required for the M.L.I.S. and 24 for the M.S. in Information Science and Technology. The School reduces the M.L.I.S. by 6 credit hours of electives in consideration of another Master's degree. The requirements for the M.S. in Information Science and Technology are its 8 core courses for 21 hours. In sum, for 54 credit hours a student can complete both the M.L.I.S. and the M.S. in Information Science and Technology degrees.

Diversity

The M.S. in Information Science and Technology program seeks to prepare students for a global economy by including topics of some of the socioeconomic, cultural and political factors that impact the needs of the user, the IT artifact(s), and the available technological infrastructure in the core courses. Doing so will prepare students to work in a variety of settings in southeast Wisconsin, the United States and the world.

Program Objectives

Graduates of this program will be able to:

1. Explain the core concepts, capabilities, and tools of information technology.
2. Apply analytical and critical thinking skills in a variety of contexts.
3. Identify ways in which technology can be applied to solve existing, new or anticipated problems.
4. Assure the quality of information as well as its value to those who will ultimately use it for decision-making.
5. Demonstrate the ability to write and speak cogently and persuasively about ongoing or anticipated work with colleagues, end-users and corporate leadership, and listen carefully to feedback. This includes the ability to collaborate effectively.

Student Learning Outcomes

In addition to the core objectives listed above, each of the focus areas has the following student learning outcomes:

Information Security:

1. Assess risks to the security of proprietary information in an organization.
2. Articulate the technical, organizational and human factors associated with these risks.
3. Evaluate information technology tools designed to protect against threats facing organizations.
4. Assess the impact of security policies on existing complex systems and organizational objectives while simultaneously considering regulatory requirements and compliance.
5. Oversee the information security life cycle of an organization, including planning, acquisition, development and evolution of secure infrastructures.

Web and App Development:

1. Demonstrate knowledge of the foundation of web development, focusing on content and client-side (browser) components, with an overview of the server-side technologies.
2. Outline a comprehensive overview of website development.
3. Design, analyze and revise web and mobile apps.
4. Competently use the prevailing vocabulary, tools, and standards used in the field and articulate how the various aspects including web markup and scripting languages, multimedia, clients, servers, and databases function together in today's web environment.

Data Science:

1. Design, implement, and apply data management techniques.
2. Design and maintain big data and data analytics systems using the principles of data mining, data modeling and data architecture.

User Interface Design and Human and Computer Interaction:

1. Develop interfaces to suit the needs of the end user.
2. Assess the needs of the user, create an appropriate interface, and assure that the user can use the interface in order to perform their designated tasks.
3. Help users create a mental model of how the system works and then fit it into their existing workflow.

Generalist:

The learning outcomes from this program will be a combination of those for the specific tracks and depend upon the sequence of courses the student selects in conjunction with their faculty advisor.

Assessment of Objectives

All of the outcomes and objectives will be assessed within a five-year cycle with each year focusing on one of the five program goals. Each year a group of faculty members will review a sampling of student's work from the core courses that should evidence attainment of the learning outcome under investigation. Faculty will use a standardized rubric to assess the level of achievement for the learning outcome. Findings will be presented to the M.S. in Information Science and Technology Curriculum Committee and to the Dean of the School of Information Studies, who will share findings with and solicit input from the School's Advisory Council. The Dean will relay the Advisory Council's response to the M.S. in Information Science and Technology Curriculum Committee, who will make recommendations to the lead faculty

member for the course or the faculty group associated with the measure. Accordingly, responsible faculty will revise the course materials, pedagogy, or the assignments to align the course more closely with the learning outcome. The M.S. in Information Science and Technology Curriculum Committee may also recommend curricular changes to the M.S. in Information Science and Technology if it is determined that the failure to meet a learning outcome may be attributed to more systematic issues. Such continual assessment assures that graduates of the proposed program attain the intended learning outcomes and thus enter the market as competent IT professionals. Program assessment will also include methods to evaluate the effectiveness of the program in meeting the needs of the graduates for career enhancements. This data will be collected through an alumni survey. Finally, current students will complete a survey near the completion of each course that will provide current feedback regarding the program. The information from all sources will be evaluated, and the results of the evaluation will be used as input to the continuous improvement process.

Program Curriculum

The program requires a minimum of 36 credits with 24 credits in the required core and 12 credits in electives in the focus areas. The core courses are:

- Infost 581: User-Centered Interaction Design
- Infost 582: Introduction to Data Science
- Infost 583: Survey of Information Security
- Infost 584: Survey of Web and Mobile Development
- InfoSt 790: Project Design, Implementation, and Evaluation
- Compst 702: Software Development in Python
- Compst 703: Software Engineering Principles
- Compst 701: Mathematical and Computing Fundamentals for IT Professionals

Examples of elective courses for the focus areas can be taken from the following lists:

Electives for the User Interaction & Human Computer Interaction Track:

- CompSci 747: Principles of User Interface Design
- CompSci 737: Software Project Management
- Arch 583: Emerging Digital Technology
- Arch 781: Virtual Modeling
- Arch 782: Visualization 1
- Arch 783: Visualization 2
- Art 411: Advanced Digital Art
- Art 423: Experimental Typography
- Art 496: Sequence and Structure
- Art 929: Advanced Research-Design & Digital Media
- CompSci 459: Fundamentals of Computer Graphics
- CompSci 522: Computer Game Design
- CompSci 713: Computer Vision
- CompSci 718: Advanced Computer Graphics: Modeling and Animation
- CompSci 743: Intelligent User Interfaces
- Geog 403: Remote Sensing; Environmental and Land Use Analysis

- Geog 405: Cartography
- Geog 525: Geographic Information Science
- Geog 703: Advanced Remote Sensing
- Infost 670: Instructional Technologies
- Infost 685: Electronic Publishing and Web Design

Electives for the Web and Mobile Application Design Track:

- Art 325: Multimedia Design Introduction
- Art 302: Art and Design Workshop
- Art 524: Professional Practice in Design
- Infost 717: Information Architecture and Knowledge Organization
- Infost 691: Special Topics (Content Management Systems)
- Geog 525: Geographic Information Science
- Bus Adm 810: Development of Web-Based Solutions
- Bus Adm 747: Service Oriented Analysis and Design
- CS 481: Server Side Internet Programming (U/G)
- CS 482: Rich Internet Applications (Client Side)

Electives for the Information Security Track:

- Bus Admin 743: Information Privacy, Security, & Continuity
- Bus Admin 817: Infrastructure for Information Systems
- CompSci 469: Introduction to Computer Security
- CompSci 520: Computer Networks
- CompSci 759: Data Security

Electives for the Data Science Track:

- Infost 691: Special Topics in Information Science
- Infost 714: Metadata
- Infost 719: Advanced Topics in Information Organization
- Infost 719: Thesaurus Construction
- Infost 780: XML for Libraries
- Infost 783 (L&I Sci 671): Information and Storage Retrieval
- Infost 785 (742) Database Management for Information Professionals
- HCA/CS 744: Text Mining
- HCA 644: Data and Text Mining
- HCA 760: Biomedical and Healthcare Ontology and Controlled Terminology I
- HCA 761: Biomedical Ontologies and Controlled Terminologies II
- HCA 643: Health Data Analytics
- Geog 525: Geographic Information Science
- Bus Adm 749: Data and Information Management
- Bus Adm 816: Business Intelligence Technologies & Solutions
- Bus Adm 810: Development of Web-Based Solutions
- Bus Adm 741: Web Mining and Analytics

For admission to the program, students must meet the general requirements of the UW-Milwaukee Graduate School including a baccalaureate degree, English proficiency language, a minimum cumulative undergraduate GPA of 3.0, and two letters of recommendation. Those students whose undergraduate GPA is below a 3.0 may meet the admissions requirement through satisfactory scores on the Miller Analogies Test or Graduate Record Examination or by demonstrating a 3.0 GPA in their undergraduate major coursework. Preference will be given to applicants who have a baccalaureate degree in information sciences, computer information systems, computer science, engineering, statistics, or a related field. Students with sufficient background gained through work experience or professional training in information technologies, such as networks, web services, and database development, will also be considered for admission to the program. Those who have neither of the aforementioned qualifications will be encouraged to successfully complete the following prerequisites, or their equivalents, before taking related courses:

- Infost 240: Introduction to Web Design
- Infost 410: Database Information Retrieval Systems
- Infost 440: Web Application Development

Projected Time to Degree

Students taking four courses per semester can complete the requirements in three semesters. Part-time students taking two courses per semester will be able to complete the program in six semesters.

Institutional Review

The program will undergo the standard UW-Milwaukee graduate program review process.⁴ The initial review will be conducted in year five based on a self-study document following established guidelines. After the initial review, the normal review cycle will be every 10 years, unless the Graduate Faculty Committee requires more frequent reviews.

Accreditation

This program does not need specialized accreditation. It will be reviewed as part of the campus accreditation process by the Higher Learning Commission.

⁴ UWM Graduate School, Graduate Program Reviews (accessed at <http://www.graduateschool.uwm.edu/faculty-staff/governance/graduate-program-reviews/>)

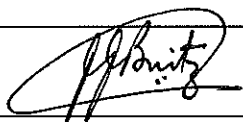
University of Wisconsin - Milwaukee
Cost and Revenue Projections For MSIST Program

	Items	Projections				
		2016(FY17)	2017	2018	2019	2020
		Year 1	Year 2	Year 3	Year 4	Year 5
I a	Enrollment (New Student) Headcount	30	50	50	75	75
b	Enrollment (Continuing Student) Headcount	0	29	72	87	111
c	Enrollment (New Student) FTE	21.67	36.67	36.67	55	55
d	Enrollment (Continuing Student) FTE	0	20.59	50.66	60.16	77.59
e	Total Student FTE	21.67	57.26	87.33	115.16	132.59
II a	SOIS New Core Credit Hours (9 x new FTE)	195	330	330	495	495
b	SOIS Existing Core Credit Hours (6 x new FTE)	130	220	220	330	330
c	CEAS Core Credit Hours (3 x new FTE)	65	240	330	385	495
d	SOIS Existing Elective Hours (6 x continuing FTE)	0	124	304	361	466
e	Other Elective Hours (6x continuing FTE)	0	124	304	361	466
III a	FTE of New Faculty/Instructional Staff	0	0	1	2	3
b	FTE of Current Fac/IAS	3	3	3	4	4
c	FTE of New Admin Staff	0	0	0	1	1
d	FTE Current Admin Staff	1	1	1	1	1
IV	New Revenues					
a	From Non-Resident Tuition	\$63,449	\$167,645	\$255,709	\$337,194	\$388,208
b	From Resident Tuition	\$84,405	\$223,015	\$340,166	\$448,564	\$516,427
c	Per credit online tuition (\$760 x total SOIS credit hours)	\$123,519	\$255,956	\$324,532	\$450,673	\$490,397
d	Program Revenue - Grants	\$0	\$0	\$0	\$0	\$0
e	Program Revenue - Other	\$0	\$0	\$0	\$0	\$0
f	Reallocation	\$0	\$0	\$0	\$0	\$0
g	Total New Revenue	\$271,373	\$646,616	\$920,407	\$1,236,431	\$1,395,032
V	New Expenses					
	Salaries plus Fringes					
a	NEW SOIS Faculty/Instructional Staff	\$0	\$0	\$84,000	\$169,200	\$255,600
b	NEW SOIS Other Staff	\$0	\$0	\$0	\$63,450	\$63,450
c	NEW SOIS Grad Student Support	\$0	\$0	\$24,979	\$49,958	\$49,958
	Other Expenses					
d	Facilities	\$0	\$0	\$0	\$0	\$0
e	Equipment	\$5,000	\$5,000	\$5,000	\$5,000	\$5,000
f	Marketing	\$25,000	\$13,500	\$12,000	\$12,000	\$12,000
g	Other: (20% to campus)	\$12,690	\$33,529	\$51,142	\$67,439	\$77,642
h	Total Expenses	\$42,690	\$52,029	\$177,121	\$367,047	\$463,650
VI	Net Revenue	\$228,683	\$594,587	\$743,286	\$869,384	\$931,383

Narrative: Explanation of the Numbers and Other Ongoing Commitments that will Benefit the Proposed Program

See attached narrative

Signature:



Date:

09.27.16



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/

August 9, 2016

To: Ray Cross, President, University of Wisconsin System

From: Johannes J. Britz, Provost and Vice Chancellor

A handwritten signature in black ink, appearing to read "J. Britz", written over the name "Johannes J. Britz" in the "From:" line.

Re: Authorization to implement a Master of Science in Information Science and Technology Management (MSIST)

Per UW System guidelines for new program development, I am writing to you to assure the support of the University of Wisconsin – Milwaukee for the proposed Master of Science in Information Science and Technology (MSIST).

The MSIST program has been developed by the faculty of the School of Information Studies with the collaboration of Computer Science faculty in the College of Engineering and Applied Science. The program fits in the niche area web and app development and user interface with devices and applications, which is not covered by other computer and information technology programs both at UW-Milwaukee and the UW System. It is designed to meet the needs for IT workforce in Wisconsin and the nation as seen in the job projections.

The new degree is aimed at students who have a computer science or IT background as well as those who have their bachelor's degree in a different discipline but want to enter the information science and technology field for career advancement. The program can be taken fully online, face-to-face, or in a hybrid mode to fit with the students' schedules and other life commitments. Thus, it is a program well suited for part-time students as well as for full-time students who want to complete the degree within three semesters.

The authorization document has been vetted through campus faculty governance processes – at the department, school, and campus levels. The proposal meets all of the UW-Milwaukee standards and expectations for quality and rigor at the master's level. Upon implementation, the program will be reviewed in five years and subsequently according to the regular campus program review process.

I am pleased to strongly support this request for authorization for approval.

- c: Stephen Kolison, Associate Vice President, UWSA Academic and Student Affairs
- James Henderson, Vice President, UWSA Academic and Student Affairs
- Diane Treis-Rusk, UWSA Academic and Student Affairs
- Tomas Lipinski, Dean, School of Information Studies
- Dev Venugopalan, Vice Provost, UWM Academic Affairs

EDUCATION COMMITTEE

Resolution I.1.e:

That, upon the recommendation of the Chancellor of the University of Wisconsin-Oshkosh and the President of the University of Wisconsin System, the Chancellor is authorized implement the revised UW-Oshkosh mission statement.

**REVISED MISSION STATEMENT
UNIVERSITY OF WISCONSIN-OSHKOSH
(SECOND READING AND APPROVAL)**

BACKGROUND

Section 36.09(1)(b), Wis. Stats., requires that “the Board, after public hearing at each institution, shall establish for each institution a mission statement delineating specific program responsibilities and types of degrees to be granted.” Regent Policy Document (RPD) 1-1 (UW System Mission), (RPD) 1-2 (Approval of Mission Statements), and UW System policy ACIS 1.0 indicate that, in addition to the UW System mission, the University of Wisconsin-Oshkosh shall establish a select mission.

Section 36.09(1)(b), Wis. Stats., also requires that the UW institutions’ select missions include a listing of the degrees offered by the institution. In addition, university missions must coincide with the Higher Learning Commission (HLC) Criteria for Accreditation Mission Components (effective January 1, 2013), available at <http://www.ncahlc.org/Information-for-Institutions/criteria-and-core-components.html>.

REQUESTED ACTION

Adoption of Resolution I.1.e, approving the UW-Oshkosh revised mission statement.

DISCUSSION

UW-Oshkosh requests approval for its revised mission statement. The revised statement is the result of strategic planning and extensive discussion with constituents and the public. The UW-Oshkosh strategic planning committee approved the revised language on January 15, 2016. The revised mission statement reflects the institution’s commitment to liberal education, teaching, research, economic development, entrepreneurship, community engagement and sustainability as well as the current program array. The University will continue to offer certificate programs as well as associate, baccalaureate, master’s and professional doctorate degrees.

The draft mission statement has received numerous on-campus and off-campus public hearings. Campus governance endorsed the mission statement at the February 2, 2016 Faculty Senate meeting. The Leadership Council, a campus group of governance leaders, endorsed the mission statement on February 10, 2016. The Chancellor approved the mission statement on February 10, 2016. The statement has been shared with the Chancellor’s Advisory Boards, the UW-Oshkosh Foundation Board, and the Oshkosh community on five occasions. Feedback at these sessions was very positive, and the strategic planning steering committee did not make any changes to the revised mission statement.

At a first reading, on June 8, 2016, the Education Committee reviewed the proposed mission language change. In fulfillment of the statutory requirement, on July 21, 2016, a public hearing on the proposed mission change was held at the Alumni Welcome Center on the UW-Oshkosh campus. Regent Drew Petersen presided over the hearing. UW-Oshkosh submitted notices of the public hearing to the *Oshkosh Northwestern*, the *Milwaukee Journal Sentinel* and the *Wisconsin State Journal*. The University did not receive any written or verbal testimony expressing reservations or concerns.

REVISED MISSION STATEMENT

Former Mission Statement of UW-Oshkosh

The University of Wisconsin-Oshkosh provides a wide array of quality educational opportunities to the people of northeastern Wisconsin and beyond through the discovery, synthesis, preservation and dissemination of knowledge. The interaction of our dedicated faculty, staff and students fosters an inclusive learning environment that prepares our graduates to meet the challenges of an increasingly global society.

The New Mission Statement of UW-Oshkosh with Tracked Changes

The University of Wisconsin-Oshkosh provides a high-quality liberal education to all of its students in order to prepare them to become successful leaders in an increasingly diverse and global society. ~~wide array of quality educational opportunities to the people of northeastern Wisconsin and beyond through the discovery, synthesis, preservation and dissemination of knowledge. The interaction of our dedicated faculty, staff and students fosters an inclusive learning environment that prepares our graduates to meet the challenges of an increasingly global society.~~ Our dedicated faculty and staff are committed to innovative teaching, research, economic development, entrepreneurship and community engagement to create a more sustainable future for Wisconsin and beyond.

High-quality academic programs in nursing, education, business, social sciences, natural science, humanities, fine and performing arts, engineering technology, information technology, health sciences and applied and liberal studies -- all delivered in an innovative and inclusive learning environment -- lead to degrees at the associate, baccalaureate, master's and professional doctorate levels.

The New Mission Statement of UW-Oshkosh

The University of Wisconsin-Oshkosh provides a high-quality liberal education to all of its students in order to prepare them to become successful leaders in an increasingly diverse and global society. Our dedicated faculty and staff are committed to innovative teaching, research, economic development, entrepreneurship and community engagement to create a more sustainable future for Wisconsin and beyond.

High-quality academic programs in nursing, education, business, social sciences, natural science, humanities, fine and performing arts, engineering technology, information technology, health sciences and applied and liberal studies -- all delivered in an innovative and inclusive learning environment -- lead to degrees at the associate, baccalaureate, master's and professional doctorate levels.

APPENDIX A

University of Wisconsin Oshkosh Undergraduate Programs

College of Business

BBA Degrees (Bachelor of Business Administration)

- Accounting
- Economics
- Finance
- Human Resource Management
- Interactive Web Management
- Information Systems
- Management
- Marketing
- Supply Chain Management

College of Education and Human Services

BSE Degrees (Bachelor of Science in Education)

- Broad Field Natural Science
- Broad Field Social Science
- Early Childhood
- Special Education and Early Childhood Education (Dual)
- Elementary Education
- English as a Second Language
- Mathematics Education
- Music Education
- Special Education
- Physical Education

BS Degree (Bachelor of Science)

- Human Services Leadership

College of Letters and Science

AAS Degree (Associate of Arts and Science Degree)

Programs below are either BA or BS Degree (both Bachelor of Arts or Bachelor of Science unless indicated)

- Anthropology

- Art (including Bachelor of Fine Arts)
- Athletic Training (BS only)
- Biology (BSE also)
- Chemistry (BS or BSE only)
- Communication Studies
- Computer Science (BSE also)
- Criminal Justice
- Economics
- Electrical Engineering Technology (collaborative) (BS only)
- English (BSE also)
- Environmental Engineering Technology (collaborative) (BS only)
- Environmental Health
- Environmental Studies
- French (BSE also)
- Geography (BSE also)
- Geology (BSE also in Earth Science)
- German (BSE also)
- History (BSE also)
- Individually Planned Major
- Interactive Web Management (also BBA)
- International Studies
- Japanese Studies (collaborative program) (BS only)
- Journalism
- Kinesiology (BS only)
- Mechanical Engineering Technology (collaborative) (BS only)
- Math (BSE also)
- Medical Technology (BS only)
- Microbiology
- Music (including BSE or Bachelor of Music also)
- Philosophy
- Physics (BSE also)
- Political Science
- Psychology
- Public Relations
- Radio/TV/Film
- Radiologic Science (BS only)
- Religious Studies
- Social Work (BSW Bachelor of Social Work)

- Sociology
- Spanish (BSE also)
- Theatre
- Urban Planning
- Women's and Gender Studies

College of Nursing

BSN Degree (Bachelor of Science in Nursing)

- Traditional program
- Collaborative program
- Accelerated program

Lifelong Learning and Community Engagement

BLS (Bachelor of Liberal Studies)

- Liberal Studies

BAS (Bachelor of Applied Studies)

- Leadership and Organizational Studies
- Fire and Emergency Response Management

Graduate Programs

Master's Degree Programs:

MS Biology (Master of Science)

- (Biology)
- (Microbiology)

MBA (Master of Business Administration)

(Emphases in Finance, Health Care Management, Human Resource Management, International Business, Marketing, MIS, Project Management)

- Professional Path
- Executive Path

MS Data Science (Collaborative)

MS Educational Leadership and Policy

- General

MA English (Master of Arts)

MSE Literacy and Language (Master of Science in Education)

- 17 Reading Specialist Licensure

MS Mathematics Education

MSN Nursing (Master of Science in Nursing)

- Clinical Nurse Leader
- Nurse Educator

MSE Professional Counseling

- School Counselor
- Clinical Mental Health Counselor
- Student Affairs/College Counseling

MS Psychology

- Cognitive and Affective

MPA Public Administration (Master of Public Administration)

- General
- Health Agency

MSW Social Work (Master of Social Work)

- Health Care Practice
- Mental Health

MSE Special Education

- Cross Categorical
- Early Childhood
- Non-licensure/degree only
- Director of Special Education/Pupil Services

MS Sustainable Management (Collaborative)

MSE Teaching and Learning

- Early Childhood Education – Individually Designed Program
- ESL
- ESL/Bilingual Education

- Math Intervention
- Middle Childhood/Early Adolescence
- Science Education
- Secondary Education – Individually Designed Program

MSE Transnational Human Services Leadership

Doctoral Degree Programs:

Ed.D. Educational Leadership and Policy – The Superintendency (Begins Fall 2016)

DNP Nursing

- BSN to DNP with FNP specialty
- MSN to DNP with FNP specialty
- MSN to DNP with Nurse Anesthetist specialty (pending COA approval)



September 1, 2016

Regent Millner, President, UW System Board of Regents
Ray Cross, President, UW System
Jim Henderson, Vice President, UW System
1700 Van Hise Hall
1220 Linden Dr.
Madison, WI 53706

Dear Regent President Millner, President Cross, and Vice President Henderson,

On behalf of UW-Oshkosh, Provost Earns and I request a second reading from the UW System Board of Regents at their October 2016 meeting to change the language of our mission statement. The rationale and the content of the proposed mission change were reviewed in the first reading with the Education Committee of the Board of Regents at its June 8, 2016 meeting.

A public hearing was held on July 21, 2016, chaired by Regent Drew Petersen, to receive input from constituents and stakeholders. No questions or comments were raised at that hearing. As a result, no additional edits were made to the proposed mission language.

The Executive Summary prepared for the second reading summarizes the request and the process used to create the new mission statement.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Leavitt".

Andrew Leavitt
Chancellor
UW Oshkosh

A handwritten signature in black ink, appearing to read "Lane Earns".

Lane Earns
Provost & Vice Chancellor
UW Oshkosh

EDUCATION COMMITTEE

Resolution I.1.f:

That, upon the recommendation of the Chancellor of the University of Wisconsin-Green Bay and the President of the University of Wisconsin System, the Chancellor is authorized to implement the changes to the UW-Green Bay Faculty Personnel Rules Sections 53.12 A and 53.12 E and Sections 54.01-03.

FACULTY PERSONNEL RULES AT UW-GREEN BAY

BACKGROUND

UWS 2.02, Wis. Admin. Code (“Faculty Rules: Coverage and Delegation”), requires that rules, policies, and procedures developed by each institution in the UW System pursuant to Chapters UWS 3, 4, 5, 6 and 8 must be approved by the Board of Regents prior to taking effect.

The proposed revisions are changes to UW-Green Bay Faculty Personnel Rules sections in Section 53.12 A, as adopted by the UW-Green Bay Faculty Senate on April 27, 2016, and Section 53.12. E and Chapter 54.01-3, as adopted by the UW-Green Bay Faculty Senate on January 27, 2016. Chancellor Miller approved the changes and submitted them to the President of the UW System on July 25, 2016.

REQUESTED ACTION

Adoption of Resolution I.1.f, approving revisions to the UW-Green Bay Faculty Personnel Rules, in Sections 53.12 A and 53.12 E, and Sections 54.01-03.

DISCUSSION

The changes to Sections 53.12 A and 53.12 E can be summarized in the following ways: The Graduate Studies Council (GSC) was replaced by a newly formed Graduate Academic Affairs Council, the membership requirements for becoming a member of the graduate faculty were redefined, and the related code in the UW-Green Bay Faculty Handbook was removed. The changes to Sections 54.01-03 include a statement that the Graduate Academic Affairs Council (GAAC) shall be represented by each college that houses a graduate program. The revisions to specific sections include the following:

Changes to “53.12 A. Graduate Degree Programs: Membership, Responsibilities, Appointment Process”

Membership on the graduate faculty is redefined in the proposed revision. The revisions now include language stating that individuals in administrative positions are automatically granted “faculty status – ex-officio,” as long as these administrators hold the highest degree or equivalent in their fields. In this context ex-officio status means non-voting with respect to all faculty governance and curriculum issues with the exception of graduate committees.

Similarly, emeriti, retired faculty, research scientists, artists in residence, and affiliated academics and professionals may be granted adjunct graduate faculty status, as long as they hold the highest degree or equivalent in their fields. They may also serve on students’ graduate committees (for purposes of thesis supervision and mentorship). The section now includes a provision that professors leaving university employment may remain on a graduate student’s committee (without compensation) until the graduate student completes the thesis.

Once appointed, UW-Green Bay graduate faculty will have unlimited granted graduate faculty status, i.e., the status does not expire. However, adjunct graduate faculty are appointed for three-year terms at which point the appointment must be reviewed.

Changes to Section “53.12 E. Graduate Studies Council”

In the existing sections of UW-Green Bay Faculty Codification Chapter 53, the Graduate Studies Council membership was composed of 12 individuals and a graduate student representative. UW-Green Bay found that the size of the council had become ineffective for completing a timely review and approval of courses and academic programs at the graduate level. UW-Green Bay is proposing to replace the current GSC with the new Graduate Academic Affairs Council (GAAC), which has fewer members and is modeled on the existing Undergraduate Academic Affairs Council.

Changes to Sections “54.01-03: University Councils”

The GAAC was added to the list of UW-Green Bay’s other university councils in response to the elimination of the GSC. The membership of the Graduate Academic Affairs Council shall be represented by each college that houses a graduate program. The functions of the GAAC mirror those of the UW-Green Bay’s Academic Affairs Council except that the GAAC acts solely on behalf of the graduate programs.

Following below are three versions of the relevant sections of the UW-Green Bay Faculty Policies and Procedures: (Appendix A) the original version before changes, (Appendix B) a version with proposed changes tracked (strikeouts and new language added in bold script), and (Appendix C) a clean copy of the UW-Green Bay Faculty Personnel Rules as these sections would read subsequent to Board approval.

APPENDIX A

Original Code “53.12 A. Graduate Degree Programs: Membership, Responsibilities, Appointment Process”

53.12 Graduate Program

A. Graduate Degree Programs: Membership, Responsibilities, Appointment Process.

1. Membership. The faculty of a graduate program shall consist of those UW-Green Bay faculty members holding professorial rank and Lecturers with faculty status who have been appointed to that program by the Provost/Vice Chancellor for Academic Affairs on the recommendation of the appropriate dean and the graduate program executive committee. A faculty member may have a split assignment with another graduate program and may vote in more than one.
2. Responsibilities. Graduate program faculty members will be expected to regularly contribute to the success of the program in one or more of the following ways: (1) serve on thesis committees, either as major professor and/or committee member (in programs that require a culminating research project, the expectation is that faculty will regularly serve as project advisors); (2) provide graduate level instruction either through the teaching of graduate level courses, cross-listed courses, or independent studies/internships; and/or (3) contribute to the graduate program’s development (e.g., serving on program committees, attending program meetings, etc.). Interdisciplinary Budget Units are strongly encouraged to recognize the contributions of individuals with an appointment to a graduate program as part of the individual’s budgetary unit periodic performance review.
3. Appointment Process. Graduate program faculty appointments will be for a period of three years. Prior to the end of the second year of the appointment an individual should be considered for renewal by members of a program’s Executive Committee. Faculty determined not to have met graduate faculty expectations would not have their graduate program appointment renewed. An individual could also decline the opportunity to have her/his appointment renewed by submitting a note to the program chair.

Original Code “53.12 E. Graduate Studies Council”

- E. Graduate Studies Council. Members of the Graduate Studies Council are elected from among the tenured members of the graduate faculty [as defined in 53.12A]. The Council is convened by the Associate Provost for Academic Affairs/Director of Graduate Studies and serves in an advisory capacity to the Provost and Vice Chancellor for Academic Affairs, Associate Provost for Academic Affairs/Director of Graduate Studies, and appropriate Dean(s).
1. Council members are elected from among the tenured members of the graduate faculty and include two at-large members who serve for three years, with terms staggered to ensure continuity, and who may not be elected for consecutive terms.

Graduate program chairs and the chairs of cooperative graduate programs shall also serve as voting members of the Council. The Associate Provost for Academic Affairs/Director of Graduate Studies, Dean of the College of Professional Studies, and Dean of the College of Liberal Arts and Sciences serve *ex-officio*, non-voting. Additionally, a graduate student shall be selected by the Associate Provost for Academic Affairs/Director of Graduate Studies to serve as a nonvoting member of the Board for a one-year term.

2. The Committee on Committees and Nominations shall nominate members for vacancies on the Council, ensuring that the two at-large members do not belong to the same graduate program.
3. Upon the request of the appropriate Dean(s), the Graduate Studies Council shall approve or disapprove all new programs or modifications to existing programs and all new credit courses or modifications to existing credit courses at the graduate level.
4. The Graduate Studies Council shall have the responsibility and authority for review and approval of all credit courses and all academic programs at the graduate level. Its official decision shall be forwarded to the Faculty Senate through the University Committee. The Faculty Senate will publish all curricular decisions made by the Graduate Studies Council in the minutes of its monthly meetings and forward them along with copies of all official Graduate Studies Council correspondence to the Provost/Vice Chancellor for Academic Affairs.
5. In a case where the Graduate Studies Council does not approve a new course or program, the initiator of that new course or program may ask the Graduate Studies Council for reconsideration of the decision, providing new arguments or supplementary evidence in support of the proposal to address the Graduate Studies Council's objections. If this appeal fails to produce a satisfactory conclusion, in the view of the initiator, an appeal to the University Committee can be made. In such cases the University Committee may investigate the appeal themselves or establish an ad hoc committee to do so. If the University Committee chooses to overturn the decision of the Council, the results of that deliberation will be reported to the Senate, published in the Senate minutes, and forwarded to the Provost/Vice Chancellor for Academic Affairs.
6. On its own initiative, or upon request of the University Committee, the Graduate Studies Council may advise the Faculty Senate about issues of graduate level education policy and implementation that falls within the jurisdiction of the Faculty.
7. The Graduate Studies Council shall annually provide the Secretary of the Faculty and Staff, for inclusion in the *Faculty Governance Handbook*, a current list of graduate programs and graduate level certificate programs.

Original Code “Chapter 54 University Councils”

UWGB CHAPTER 54 UNIVERSITY COUNCILS

54.01 University Councils Defined

The Personnel Council is a Faculty council which advises the Provost/Vice Chancellor for Academic Affairs and, as appropriate, the Dean(s).

The Academic Affairs Council and General Education Council are Faculty councils reporting to and working with the Faculty Senate and its executive committee, the University Committee.

54.02 Membership and Election of Members for each Council

- A. The nomination of Council members shall be the responsibility of the Committee on Committees and Nominations
- B. The four domain voting districts shall be as follows: Natural Sciences, Social Sciences, Arts and Humanities, and Professional Studies. The representatives from these domain voting districts shall each be elected by members of the appropriate faculty group. At-large members shall be elected by the faculty as a whole.
- C. For each Council there shall be one member from each domain voting district. The Academic Affairs Council and the Personnel Council shall additionally each have one member at-large for a total membership of five. The General Education Council shall have two members at-large for a total membership of six.
- D. A faculty member may not serve on two Councils at the same time.
- E. The length of each term shall be three years and staggered to provide continuity.
- F. Professors and associate professors with tenure are eligible to serve on the Councils with the exception of those who are members of the University Committee or interdisciplinary unit chairpersons. Members of the Committee on Rights and Responsibilities or the Committee of Six Full Professors may not serve on the Personnel Council the same time. If a faculty member has an appointment half-time or more in an administrative position, or one in which there is an apparent conflict of interest, as determined by the University Committee, this faculty member will not be eligible to be elected to, or serve on, any Council.
- G. After serving for a term, a one year period must elapse before a person becomes eligible to serve again on the same Council.
- H. The chairperson for each Council shall be elected by its members annually. The chairperson shall report annually to the Faculty.

- I. When a vacancy occurs, the person with the next highest vote in the district will be appointed. If there are no available candidates or the next person down has received, in the opinion of the University Committee, too few votes, there will be an election for the vacant position.

54.03 Functions of the Councils

A. Academic Affairs Council

1. Upon request of the appropriate Dean(s), the Academic Affairs Council shall approve or disapprove of all new programs or on modification to existing programs (majors and/or minors), and on all new credit courses or modifications to existing credit courses at the undergraduate level.
2. The Academic Affairs Council shall have the responsibility and authority for review of all credit courses and all academic programs at the undergraduate level. Its official response, including its decision, shall be forwarded to the Faculty Senate through the University Committee. The Faculty Senate will publish all curricular decisions made by the Academic Affairs Council in the minutes of its monthly meetings and forward them along with copies of all official Academic Affairs Council correspondence to the Provost/Vice Chancellor for Academic Affairs.

In a case where the Academic Affairs Council does not approve a new course or program, the initiator of that new course or program may ask the Academic Affairs Council for reconsideration of the decision, providing new arguments or supplementary evidence in support of the claim or making appropriate modifications in the proposal to meet the Academic Affairs Council's published objections. If this initial appeal fails to produce a satisfactory conclusion in the view of the initiator, a second appeal to the University Committee is possible. In such cases the University Committee may investigate the appeal themselves or establish an ad hoc committee to do so. If the University Committee chooses to overturn the second no approval decision, the results of that deliberation will be reported to the Senate, published in the Senate minutes and forwarded to the Provost/Vice Chancellor for Academic Affairs.

3. The Academic Affairs Council shall have the responsibility for examining the interrelationships among program areas in the University and for overseeing for the faculty the total academic plan and its various programs and components. This examining and overseeing function shall include, but not be limited to, the reviewing of course titles and content for duplication, and the monitoring of records pertaining to enrollments in lower division courses, upper division courses, and career and adult education courses. The final decision of the Council shall be forwarded to the Faculty Senate through the University Committee. The Faculty Senate will publish all curricular decisions of the Academic Affairs Council in the minutes of its monthly meetings and forward them along with

copies of all official Academic Affairs Council correspondence to the Provost/Vice Chancellor for Academic Affairs.

4. On its own initiative, or upon request of the University Committee the Academic Affairs Council may advise the Faculty Senate about issues of educational policy and implementation that fall within the jurisdiction of the Faculty.
5. The Academic Affairs Council shall annually provide the Secretary of the Faculty and Staff, for inclusion in the Faculty Governance Handbook, a current list of: 1) Interdisciplinary Units and 2) approved academic programs (including majors, minors, emphases, and certificate programs).

B. Personnel Council

1. The appropriate Dean(s) shall seek the advice of the Personnel Council whenever a candidate for appointment or promotion is to receive tenure.
2. The Council shall develop written criteria to be used in providing its advice.
3. While serving on the Personnel Council, a member shall not take part in the deliberations or voting on a candidate for promotion in any review body other than the Personnel Council.
4. On its own initiative, or upon the request of the University Committee, the Personnel Council may advise the Faculty Senate about issues of personnel policy and implementation that fall within the jurisdiction of the Faculty.

C. General Education Council

1. The General Education Council shall provide advice to the Faculty Senate as well as to the Provost/Vice Chancellor, Associate Deans, and Deans on all aspects related to the general education curriculum.
2. The General Education Council will establish and manage the model for assessment and review of the general education curriculum.
3. The General Education Council may establish sub-committees for each General Education program component without an otherwise established governance or administrative structure. Such sub-committees will have delegated responsibilities as determined by the GEC.
4. Changes in General Education requirements may be initiated by the General Education Council, after consultation with the faculty groups and sub-committees affected, and are subject to approval by the Faculty Senate.

APPENDIX B

Changes to Code “53.12 A. Graduate Degree Programs: Membership, Responsibilities, Appointment Process”

53.12 Graduate Program

A. Graduate Degree Programs: Membership, Responsibilities, Appointment Process.

1. Membership. ~~The faculty of a graduate program shall consist of those UW-Green Bay faculty members holding professorial rank and Lecturers with faculty status who have been appointed to that program by the Provost/Vice Chancellor for Academic Affairs on the recommendation of the appropriate dean and the graduate program executive committee. A faculty member may have a split assignment with another program and may vote in more than one.~~ **Graduate faculty status may be granted to UW-Green Bay faculty members holding professorial rank and Lecturers with faculty status. The Chancellor, Provost, Associate Provost, Director of Graduate Studies, deans and associate deans, directors and associate directors of research institutes, and curators of UWGB’s academic museums and collections are also granted graduate faculty status; ex-officio (non-voting) for all faculty governance and curriculum issues with the exception of graduate committees. In all cases graduate faculty must hold the highest degree or equivalent in their fields. Emeritus, retired faculty, research scientists, artists in residence, and affiliated academics and professionals may be granted adjunct graduate faculty status, provided they hold the highest degree or equivalent in their fields. Graduate faculty who leave UWGB for other employment opportunities may retain their graduate faculty status (non-voting except for graduate committee service) for additional year from the end of their formal employment with UWGB at no compensation; additional extensions may be granted by the Director of Graduate Studies following a formal request from the relevant program executive committee.**

2. Responsibilities. Graduate ~~program~~ faculty members are expected to regularly contribute to the success of the program in one or more of the following ways: (1) serve on thesis committees, either as major professor and/or committee member (in programs that require a culminating research project, the expectation is that faculty will regularly serve as project advisors); (2) provide graduate level instruction either through the teaching of graduate level courses, cross-listed courses, or independent studies/internships; and/or (3) contribute to the graduate program’s development (e.g., serving on program committees, attending program meetings, etc.). Interdisciplinary Budget Units are strongly encouraged to recognize the contributions of individuals with an appointment to a graduate program as part of the individual’s budgetary unit periodic performance review.

3. Appointment Process. ~~Graduate program faculty appointments will be for a period of three years.~~ **Graduate faculty and graduate adjunct faculty are appointed to specific program(s) by the Provost/Vice Chancellor for Academic Affairs on the recommendation of the appropriate dean, the Director of Graduate Studies, and the program executive committee. A faculty member may have a split assignment with another program and may vote in more than one. Graduate adjunct faculty appointments are for a period of three years.** Prior to the end of the second year of the appointment an individual should be considered for renewal by members of a program’s Executive Committee. ~~Faculty determined not to have met graduate faculty expectations would not have their graduate program appointment renewed. An individual could also decline the opportunity to have her/his appointment renewed by submitting~~

a note to the program chair. Adjunct graduate faculty can withdraw participation at any time. Graduate faculty may request to terminate their participation in specific programs or their graduate faculty status. Recommendations regarding adjunct graduate faculty and graduate faculty status are made from a graduate program's executive committee, must be reviewed by appropriate budgetary unit executive committees, deans, and the Director of Graduate Studies. Final approval for appointments is made by the Provost/Vice Chancellor of Academic Affairs.

Changes to Code "53.12 E. Graduate Studies Council"

~~E. Graduate Studies Council. Members of the Graduate Studies Council are elected from among the tenured members of the graduate faculty [as defined in 53.12A]. The Council is convened by the Associate Provost for Academic Affairs/Director of Graduate Studies and serves in an advisory capacity to the Provost and Vice Chancellor for Academic Affairs, Associate Provost for Academic Affairs/Director of Graduate Studies, and appropriate Dean(s).~~

- ~~1. Council members are elected from among the tenured members of the graduate faculty and include two at-large members who serve for three years, with terms staggered to ensure continuity, and who may not be elected for consecutive terms. Graduate program chairs and the chairs of cooperative graduate programs shall also serve as voting members of the Council. The Associate Provost for Academic Affairs/Director of Graduate Studies, Dean of the College of Professional Studies, and Dean of the College of Liberal Arts and Sciences serve *ex officio*, non-voting. Additionally, a graduate student shall be selected by the Associate Provost for Academic Affairs/Director of Graduate Studies to serve as a nonvoting member of the Board for a one-year term.~~
- ~~2. The Committee on Committees and Nominations shall nominate members for vacancies on the Council, ensuring that the two at-large members do not belong to the same graduate program.~~
- ~~3. Upon the request of the appropriate Dean(s), the Graduate Studies Council shall approve or disapprove all new programs or modifications to existing programs and all new credit courses or modifications to existing credit courses at the graduate level.~~
- ~~4. The Graduate Studies Council shall have the responsibility and authority for review and approval of all credit courses and all academic programs at the graduate level. Its official decision shall be forwarded to the Faculty Senate through the University Committee. The Faculty Senate will publish all curricular decisions made by the Graduate Studies Council in the minutes of its monthly meetings and forward them along with copies of all official Graduate Studies Council correspondence to the Provost/Vice Chancellor for Academic Affairs.~~
- ~~5. In a case where the Graduate Studies Council does not approve a new course~~

~~or program, the initiator of that new course or program may ask the Graduate Studies Council for reconsideration of the decision, providing new arguments or supplementary evidence in support of the proposal to address the Graduate Studies Council's objections. If this appeal fails to produce a satisfactory conclusion, in the view of the initiator, an appeal to the University Committee can be made. In such cases the University Committee may investigate the appeal themselves or establish an ad hoc committee to do so. If the University Committee chooses to overturn the decision of the Council, the results of that deliberation will be reported to the Senate, published in the Senate minutes, and forwarded to the Provost/Vice Chancellor for Academic Affairs.~~

- ~~6. On its own initiative, or upon request of the University Committee, the Graduate Studies Council may advise the Faculty Senate about issues of graduate level education policy and implementation that falls within the jurisdiction of the Faculty.~~
- ~~7. The Graduate Studies Council shall annually provide the Secretary of the Faculty and Staff, for inclusion in the *Faculty Governance Handbook*, a current list of graduate programs and graduate level certificate programs.~~

Changes to Code “Chapter 54 University Councils”

54.01 University Councils Defined

The Personnel Council is a Faculty council which advises the Provost/Vice Chancellor for Academic Affairs and, as appropriate, the Dean(s).

The Academic Affairs Council, **Graduate Academic Affairs Council**, and General Education Council are Faculty councils reporting to and working with the Faculty Senate and its executive committee, the University Committee.

54.02 Membership and Election of Members for each Council

- A. The nomination of Council members shall be the responsibility of the Committee on Committees and Nominations.
- B. **For the Academic Affairs Council, Personnel Council, and General Education Council, the** ~~The~~ four domain voting districts shall be as follows: Natural Sciences, Social Sciences, Arts and Humanities, and Professional Studies. The representatives from these domain voting districts shall each be elected by members of the appropriate faculty group. At-large members shall be elected by the faculty as a whole.
- C. ~~For each Council~~ **the Academic Affairs Council, Personnel Council, and General Education Council** there shall be one member from each domain voting district. The Academic Affairs Council and the Personnel Council shall additionally each have one member at-large for a total membership of five. The General Education Council shall

have two members at-large for a total membership of six.

- D. **The Graduate Academic Affairs Council members are elected from among the tenured members of the graduate faculty. The Council shall consist of one member from each of the colleges that house a graduate program who is elected by members of the faculty of the college being represented, plus one at-large member who is elected by the faculty as a whole. Additionally, a graduate student shall be selected by the Director of Graduate Studies to serve as a nonvoting member of the Council for a one-year term.**
- E. A faculty member may not serve on two Councils at the same time.
- F. The length of each term shall be three years and staggered to provide continuity.
- G. Professors and associate professors with tenure are eligible to serve on the Councils with the exception of those who are members of the University Committee or interdisciplinary unit chairpersons. Members of the Committee on Rights and Responsibilities or the Committee of Six Full Professors may not serve on the Personnel Council at the same time. If a faculty member has an appointment half-time or more in an administrative position, or one in which there is an apparent conflict of interest, as determined by the University Committee, this faculty member will not be eligible to be elected to, or serve on, any Council.
- H. After serving for a term, a one-year period must elapse before a person becomes eligible to serve again on the same Council.
- I. The chairperson for each Council shall be elected by its members annually. The chairperson shall report annually to the Faculty.
- J. When a vacancy occurs, the person with the next highest vote in the district will be appointed. If there are no available candidates or the next person down has received, in the opinion of the University Committee, too few votes, there will be an election for the vacant position.

54.03 Functions of the Councils

A. Academic Affairs Council

1. Upon request of the appropriate Dean(s), the Academic Affairs Council shall approve or disapprove of all new programs or on modification to existing programs (majors and/or minors), and on all new credit courses or modifications to existing credit courses at the undergraduate level.
2. The Academic Affairs Council shall have the responsibility and authority for review of all credit courses and all academic programs at the undergraduate level. Its official response, including its decision, shall be forwarded to the Faculty Senate through the University Committee. The Faculty Senate will publish all

curricular decisions made by the Academic Affairs Council in the minutes of its monthly meetings and forward them along with copies of all official Academic Affairs Council correspondence to the Provost/Vice Chancellor for Academic Affairs.

In a case where the Academic Affairs Council does not approve a new course or program, the initiator of that new course or program may ask the Academic Affairs Council for reconsideration of the decision, providing new arguments or supplementary evidence in support of the claim or making appropriate modifications in the proposal to meet the Academic Affairs Council's published objections. If this initial appeal fails to produce a satisfactory conclusion in the view of the initiator, a second appeal to the University Committee is possible. In such cases the University Committee may investigate the appeal themselves or establish an ad hoc committee to do so. If the University Committee chooses to overturn the second no approval decision, the results of that deliberation will be reported to the Senate, published in the Senate minutes and forwarded to the Provost/Vice Chancellor for Academic Affairs.

3. The Academic Affairs Council shall have the responsibility for examining the interrelationships among program areas in the University and for overseeing for the faculty the total academic plan and its various programs and components. This examining and overseeing function shall include, but not be limited to, the reviewing of course titles and content for duplication, and the monitoring of records pertaining to enrollments in lower division courses, upper division courses, and career and adult education courses. The final decision of the Council shall be forwarded to the Faculty Senate through the University Committee. The Faculty Senate will publish all curricular decisions of the Academic Affairs Council in the minutes of its monthly meetings and forward them along with copies of all official Academic Affairs Council correspondence to the Provost/Vice Chancellor for Academic Affairs.
4. On its own initiative, or upon request of the University Committee, the Academic Affairs Council may advise the Faculty Senate about issues of educational policy and implementation that fall within the jurisdiction of the Faculty.
5. The Academic Affairs Council shall annually provide the Secretary of the Faculty and Staff, for inclusion in the Faculty Governance Handbook, a current list of: 1) Interdisciplinary Units and 2) approved academic programs (including majors, minors, emphases, and certificate programs).

B. Personnel Council

1. The appropriate Dean(s) shall seek the advice of the Personnel Council whenever a candidate for appointment or promotion is to receive tenure.
2. The Council shall develop written criteria to be used in providing its advice.

3. While serving on the Personnel Council, a member shall not take part in the deliberations or voting on a candidate for promotion in any review body other than the Personnel Council.
4. On its own initiative, or upon the request of the University Committee, the Personnel Council may advise the Faculty Senate about issues of personnel policy and implementation that fall within the jurisdiction of the Faculty.

C. General Education Council

1. The General Education Council shall provide advice to the Faculty Senate as well as to the Provost/Vice Chancellor, Associate Deans, and Deans on all aspects related to the general education curriculum.
2. The General Education Council will establish and manage the model for assessment and review of the general education curriculum.
3. The General Education Council may establish sub-committees for each General Education program component without an otherwise established governance or administrative structure. Such sub-committees will have delegated responsibilities as determined by the GEC.
4. Changes in General Education requirements may be initiated by the General Education Council, after consultation with the faculty groups and sub-committees affected, and are subject to approval by the Faculty Senate.

D. Graduate Academic Affairs Council

1. **Upon the request of the appropriate Dean(s), the Graduate Academic Affairs Council shall approve or disapprove all new programs or modifications to existing programs, and all new credit courses or modifications to existing credit courses at the graduate level.**
2. **The Graduate Academic Affairs Council shall have the responsibility and authority for review and approval of all credit courses and all academic programs at the graduate level. Its official decision shall be forwarded to the Faculty Senate through the University Committee. All curricular decisions made by the Graduate Academic Affairs Council will be published in the agenda of the Faculty Senate and forwarded along with copies of all official Graduate Academic Affairs Council correspondence to the Director of Graduate Studies and the Provost/Vice Chancellor for Academic Affairs.**
3. **In a case where the Graduate Academic Affairs Council does not approve a new course or program, the initiator of that new course or program may ask the Graduate Academic Affairs Council for reconsideration of the decision,**

providing new arguments or supplementary evidence in support of the proposal to address the Graduate Academic Affairs Council's objections. If this appeal fails to produce a satisfactory conclusion, in the view of the initiator, an appeal to the University Committee can be made. In such cases the University Committee may investigate the appeal themselves or establish an ad hoc committee to do so. If the University Committee chooses to overturn the decision of the Council, the results of that deliberation will be reported to the Senate, published in the Senate minutes, and forwarded to the Director of Graduate Studies and the Provost/Vice Chancellor for Academic Affairs.

4. The Graduate Academic Affairs Council shall have the responsibility for examining the interrelationships among graduate program areas in the University and for overseeing for the faculty the total graduate academic plan and its various programs and components. This examining and overseeing function shall include, but not be limited to, the reviewing of course titles and content for duplication, and the monitoring of records pertaining to enrollments in graduate programs. The final decision of the Council shall be forwarded to the Faculty Senate through the University Committee. All curricular decisions made by the Graduate Academic Affairs Council will be published in the agenda of the Faculty Senate and forwarded along with copies of all official Graduate Academic Affairs Council correspondence to the Director of Graduate Studies and the Provost/Vice Chancellor for Academic Affairs.
5. On its own initiative, or upon request of the University Committee, the Graduate Academic Affairs Council may advise the Faculty Senate about issues of graduate level education policy and implementation that fall within the jurisdiction of the Faculty.
6. The Graduate Academic Affairs Council shall annually provide the Secretary of the Faculty and Staff, for inclusion in the *Faculty Governance Handbook*, a current list of graduate programs and graduate-level certificate programs.

APPENDIX C New Policy

53.12 Graduate Program

A. Graduate Degree Programs: Membership, Responsibilities, Appointment Process.

1. Membership. Graduate faculty status may be granted to UW-Green Bay faculty members holding professorial rank and Lecturers with faculty status. The Chancellor, Provost, Associate Provost, Director of Graduate Studies, deans and associate deans, directors and associate directors of research institutes, and curators of UWGB's academic museums and collections are also granted graduate faculty status; ex-officio (non-voting) for all faculty governance and curriculum issues with the exception of graduate committees. In all cases graduate faculty must hold the highest degree or equivalent in their fields. Emeritus, retired faculty, research scientists, artists in residence, and affiliated academics and professionals may be granted adjunct graduate faculty status, provided they hold the highest degree or equivalent in their fields. Graduate faculty who leave UWGB for other employment opportunities may retain their graduate faculty status (non-voting except for graduate committee service) for additional year from the end of their formal employment with UWGB at no compensation; additional extensions may be granted by the Director of Graduate Studies following a formal request from the relevant program executive committee.
2. Responsibilities. Graduate faculty members are expected to regularly contribute to the success of the program in one or more of the following ways: (1) serve on thesis committees, either as major professor and/or committee member (in programs that require a culminating research project, the expectation is that faculty will regularly serve as project advisors); (2) provide graduate level instruction either through the teaching of graduate level courses, cross-listed courses, or independent studies/internships; and/or (3) contribute to the graduate program's development (e.g., serving on program committees, attending program meetings, etc.). Interdisciplinary Budget Units are strongly encouraged to recognize the contributions of individuals with an appointment to a graduate program as part of the individual's budgetary unit periodic performance review.
3. Appointment Process. Graduate faculty and graduate adjunct faculty are appointed to specific program(s) by the Provost/Vice Chancellor for Academic Affairs on the recommendation of the appropriate dean, the Director of Graduate Studies, and the program executive committee. A faculty member may have a split assignment with another program and may vote in more than one. Graduate adjunct faculty appointments are for a period of three years. Prior to the end of the second year of the appointment an individual should be considered for renewal by members of a program's Executive Committee. Adjunct graduate faculty can withdraw participation at any time. Graduate faculty may request to terminate their participation in specific programs or their graduate faculty status. Recommendations regarding adjunct graduate faculty and graduate faculty status are made from a graduate program's executive committee, and must be reviewed by appropriate budgetary unit executive committees, deans, and the Director of Graduate Studies. Final approval for appointments is made by the Provost/Vice Chancellor of Academic Affairs.

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- A. The nomination of Council members shall be the responsibility of the Committee on Committees and Nominations.
- B. For the Academic Affairs Council, Personnel Council, and General Education Council, the four domain voting districts shall be as follows: Natural Sciences, Social Sciences, Arts and Humanities, and Professional Studies. The representatives from these domain voting districts shall each be elected by members of the appropriate faculty group. At-large members shall be elected by the faculty as a whole.
- C. For the Academic Affairs Council, Personnel Council, and General Education Council there shall be one member from each domain voting district. The Academic Affairs Council and the Personnel Council shall additionally each have one member at-large for a total membership of five. The General Education Council shall have two members at-large for a total membership of six.
- D. The Graduate Academic Affairs Council members are elected from among the tenured members of the graduate faculty. The Council shall consist of one member from each of the colleges that house a graduate program who is elected by members of the faculty of the college being represented, plus one at-large member who is elected by the faculty as a whole. Additionally, a graduate student shall be selected by the Director of Graduate Studies to serve as a nonvoting member of the Council for a one-year term.
- E. A faculty member may not serve on two Councils at the same time.
- F. The length of each term shall be three years and staggered to provide continuity.
- G. Professors and associate professors with tenure are eligible to serve on the Councils with the exception of those who are members of the University Committee or interdisciplinary unit chairpersons. Members of the Committee on Rights and Responsibilities the Committee of Six Full Professors may not serve on the Personnel Council at the same time. If a faculty member has an appointment half-time or more in an administrative position, or one in which there is an apparent conflict of interest, as determined by the University Committee, this faculty member will not be eligible to be elected to, or serve on, any Council.

- H. After serving for a term, a one-year period must elapse before a person becomes eligible to serve again on the same Council.
- I. The chairperson for each Council shall be elected by its members annually. The chairperson shall report annually to the Faculty.
- J. When a vacancy occurs, the person with the next highest vote in the district will be appointed. If there are no available candidates or the next person down has received, in the opinion of the University Committee, too few votes, there will be an election for the vacant position.

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- 1. Upon request of the appropriate Dean(s), the Academic Affairs Council approve or disapprove of all new programs or on modification to existing programs (majors and/or minors), and on all new credit courses or modifications to existing credit courses at the undergraduate level.
- 2. The Academic Affairs Council shall have the responsibility and authority for review of all credit courses and all academic programs at the undergraduate level. Its official response, including its decision, shall be forwarded to the Faculty Senate through the University Committee. The Faculty Senate will publish all curricular decisions made by the Academic Affairs Council in the minutes of its monthly meetings and forward them along with copies of all official Academic Affairs Council correspondence to the Provost/Vice Chancellor for Academic Affairs.

In a case where the Academic Affairs Council does not approve a new course or program, the initiator of that new course or program may ask the Academic Affairs Council for reconsideration of the decision, providing new arguments or supplementary evidence in support of the claim or making appropriate modifications in the proposal to meet the Academic Affairs Council's published objections. If this initial appeal fails to produce a satisfactory conclusion in the view of the initiator, a second appeal to the University Committee is possible. In such cases the University Committee may investigate the appeal themselves or establish an ad hoc committee to do so. If the University Committee chooses to overturn the second no approval decision, the results of that deliberation will be reported to the Senate, published in the Senate minutes and forwarded to the Provost/Vice Chancellor for Academic Affairs.

- 3. The Academic Affairs Council shall have the responsibility for examining the interrelationships among program areas in the University and for overseeing for the faculty the total academic plan and its various programs and components. This examining and overseeing function shall include, but not be limited to, the reviewing of course titles and content for duplication, and the monitoring of records pertaining

to enrollments in lower division courses, upper division courses, and career and adult education courses. The final decision of the Council shall be forwarded to the Faculty Senate through the University Committee. The Faculty Senate will publish all curricular decisions of the Academic Affairs Council in the minutes of its monthly meetings and forward them along with copies of all official Academic Affairs Council correspondence to the Provost/Vice Chancellor for Academic Affairs.

4. On its own initiative, or upon request of the University Committee, the Academic Affairs Council may advise the Faculty Senate about issues of educational policy and implementation that fall within the jurisdiction of the Faculty.
5. The Academic Affairs Council shall annually provide the Secretary of the Faculty and Staff, for inclusion in the Faculty Governance Handbook, a current list of: 1) Interdisciplinary Units and 2) approved academic programs (including majors, minors, emphases, and certificate programs).

B. Personnel Council

1. The appropriate Dean(s) shall seek the advice of the Personnel Council whenever a candidate for appointment or promotion is to receive tenure.
2. The Council shall develop written criteria to be used in providing its advice.
3. While serving on the Personnel Council, a member shall not take part in the deliberations or voting on a candidate for promotion in any review body other than the Personnel Council.
4. On its own initiative, or upon the request of the University Committee, the Personnel Council may advise the Faculty Senate about issues of personnel policy and implementation that fall within the jurisdiction of the Faculty.

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1. The General Education Council shall provide advice to the Faculty Senate as well as to the Provost/Vice Chancellor, Associate Deans, and Deans on all aspects related to the general education curriculum.
2. The General Education Council will establish and manage the model for assessment and review of the general education curriculum.
3. The General Education Council may establish sub-committees for each General Education program component without an otherwise established governance or administrative structure. Such sub-committees will have delegated responsibilities as determined by the GEC.
4. Changes in General Education requirements may be initiated by the General

Education Council, after consultation with the faculty groups and sub-committees affected, and are subject to approval by the Faculty Senate.

D. Graduate Academic Affairs Council

1. Upon the request of the appropriate Dean(s), the Graduate Academic Affairs Council shall approve or disapprove all new programs or modifications to existing programs, and all new credit courses or modifications to existing credit courses at the graduate level.
2. The Graduate Academic Affairs Council shall have the responsibility and authority for review and approval of all credit courses and all academic programs at the graduate level. Its official decision shall be forwarded to the Faculty Senate through the University Committee. All curricular decisions made by the Graduate Academic Affairs Council will be published in the agenda of the Faculty Senate and forwarded along with copies of all official Graduate Academic Affairs Council correspondence to the Director of Graduate Studies and the Provost/Vice Chancellor for Academic Affairs.
3. In a case where the Graduate Academic Affairs Council does not approve a new course or program, the initiator of that new course or program may ask the Graduate Academic Affairs Council for reconsideration of the decision, providing new arguments or supplementary evidence in support of the proposal to address the Graduate Academic Affairs Council's objections. If this appeal fails to produce a satisfactory conclusion, in the view of the initiator, an appeal to the University Committee can be made. In such cases the University Committee may investigate the appeal themselves or establish an ad hoc committee to do so. If the University Committee chooses to overturn the decision of the Council, the results of that deliberation will be reported to the Senate, published in the Senate minutes, and forwarded to the Director of Graduate Studies and the Provost/Vice Chancellor for Academic Affairs.
4. The Graduate Academic Affairs Council shall have the responsibility for examining the interrelationships among graduate program areas in the University and for overseeing for the faculty the total graduate academic plan and its various programs and components. This examining and overseeing function shall include, but not be limited to, the reviewing of course titles and content for duplication, and the monitoring of records pertaining to enrollments in graduate programs. The final decision of the Council shall be forwarded to the Faculty Senate through the University Committee. All curricular decisions made by the Graduate Academic Affairs Council will be published in the agenda of the Faculty Senate and forwarded along with copies of all official Graduate Academic Affairs Council correspondence to the Director of Graduate Studies and the Provost/Vice Chancellor for Academic Affairs.
5. On its own initiative, or upon request of the University Committee, the Graduate Academic Affairs Council may advise the Faculty Senate about issues of graduate

level education policy and implementation that fall within the jurisdiction of the Faculty.

6. The Graduate Academic Affairs Council shall annually provide the Secretary of the Faculty and Staff, for inclusion in the *Faculty Governance Handbook*, a current list of graduate programs and graduate-level certificate programs.

EDUCATION COMMITTEE

Resolution I.1.g:

That, upon the recommendation of the Chancellor of the University of Wisconsin-Whitewater and the President of the University of Wisconsin System, the Chancellor is authorized to implement the changes to the UW-Whitewater Faculty Personnel Rules, Chapter VI.

FACULTY PERSONNEL RULES AT UW-WHITewater

BACKGROUND

UWS 2.02, Wis. Admin. Code (“Faculty Rules: Coverage and Delegation”), requires that rules, policies, and procedures developed by each institution in the UW System pursuant to Chapters UWS 3, 4, 5, 6 and 8 must be approved by the Board of Regents prior to taking effect.

The proposed revisions represent changes to UW-Whitewater *Faculty Personnel Rules, Chapter VI, Rules Governing Complaints and Grievances Against Faculty Under UWS 6 of the Wisconsin Administrative Code (Chapter VI)*, as adopted by the UW-Whitewater Faculty Senate on August 8, 2016. Chancellor Kopper approved the changes and submitted them to the President of the UW System on September 13, 2016. The UW System Office of General Counsel has reviewed the proposed changes.

REQUESTED ACTION

Adoption of Resolution I.1.g, approving proposed revisions to the UW-Whitewater Faculty Personnel Rules, Chapter VI, Rules Governing Complaints and Grievances Against Faculty Under UWS 6 of the Wisconsin Administrative Code.

DISCUSSION

The proposed new version of Chapter VI primarily modified Sections A and B of the existing UW-Whitewater Chapter VI (Section C has not changed). In general, revisions were proposed to improve the organization and formatting and to streamline the process in regard to complaints filed against faculty members in accordance with UWS Chapter 6 of the Wisconsin Administrative Code. Below is a summary of the substantive changes in the proposed new version provided by UW-Whitewater:

1. In General: Reformatting of numbering, paragraphs and references throughout the policy under Sections A and B. Extend the time frames for notification, interviews and decision-making from 14 calendar days to 21 calendar days.
2. Section A(2)(g): Prohibition of disciplining a faculty member twice for the same conduct addressed in an original complaint. This does not prevent the Chancellor from taking additional disciplinary action against a faculty member for conduct that was not considered during the original disciplinary charges, penalties or remedies.
3. Section A(2)(h): Clarify that the Chancellor may place a faculty member on administrative leave with pay or reassign to different duties or obligations during pendency of a disciplinary proceeding under Section B.

4. Section B:

Sec. B(1)(c): Upon receipt of the complaint, remove the automatic investigation and replace with options for the Chancellor to seek additional information from complainant, dismiss the complaint for lack of merit or untimeliness, or initiate an investigation. Provide for a notification process to both parties if the complaint is dismissed for lack of merit or untimeliness.

Sec. B(1)(e): Add a provision that provides the rights and protections of complainants in cases that involve sexual harassment, sexual assault, domestic violence, dating violence or stalking, in accordance with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013.

Sec. B(2)(a): Extend the time frames for notification, interviews and decision-making from 14 calendar days to 21 calendar days. Provide completion of investigation within 120 calendar days from date it begins.

Sec. B(2)(b): Decrease the 120 calendar day time frame under which the Chancellor must act upon receipt of the investigative report to 30 calendar days.

Sec. B(6)(a): Reduce the time frame for selection of faculty hearing panel members from 30 calendar days to 21 calendar days.

Sec. B(7): Clarify the duties of the hearing panel chairperson in regard to conducting a prehearing teleconference with the parties and respond on behalf of the hearing panel to any procedural matters (other than those that require full hearing panel review under Sec. B(10)(b)).

Sec. B(8): Clarify that the hearing panel may receive the legal assistance from the UW System Office of General Counsel to provide legal advice in regard to procedural matters and drafting of written communications.

Sec. B(10): Provide a new process for conducting a preliminary hearing in order to schedule the hearing, address any concerns or issues in advance of the hearing and discuss the manner in which the hearing will proceed. This additional step is intended to provide a more efficient and productive hearing.

Sec. B(11): The hearing process has been modified by eliminating the two separate hearing processes (one on merit of complaint and one on penalties) and instead conducting one hearing in which the faculty member may contest both the merits and penalty provisions in the Statement of Charges. Both issues shall be reviewed and addressed by the hearing panel to create a more expedient, efficient and productive process. Further, the policy has been modified from limiting a

hearing to only one single charge to allowing multiple charges to be considered as long as they are contained in the Statement of Charges and/or the parties mutually agree to consolidate separate charges into one hearing. These changes are consistent with other internal faculty disciplinary hearing procedures throughout the UW System.

Sec. B(12): A time frame of 21 calendar days has been added for the hearing panel to complete and submit its report and recommendations to the Chancellor upon the conclusion of the hearing. There was no time frame in the current version.

Following below are three versions of the relevant sections of the UW-Whitewater Faculty Personnel Policy: (Appendix A) the original version before changes, (Appendix B) a version with proposed changes tracked (strikeouts and new language underlined), and (Appendix C) a clean copy of the UW-Whitewater Faculty Personnel Rules as these sections would read subsequent to Board approval.

APPENDIX A

UNIVERSITY OF WISCONSIN-WHITEWATER FACULTY PERSONNEL RULES

CHAPTER VI - RULES GOVERNING COMPLAINTS AGAINST AND GRIEVANCES OF FACULTY UNDER UWS 6 OF THE WISCONSIN ADMINISTRATIVE CODE

(Approved by Board of Regents on February 5, 1982 and August 18, 2006)

A. COMPLAINTS AGAINST FACULTY

1. General Principles: Administrators, students, academic staff members, faculty members, classified staff members, or members of the public shall follow the procedures and rules given in this section to assure fair, just, and timely handling of complaints and grievances against faculty members. Generally, seeking relief through a grievance procedure (See VI, A, 2, c of these rules) is preferable to seeking relief through a complaint procedure (See VI, A, 2, d and VI, A, 3-4 of these rules) because a grievance focuses on the undue effects experienced by the grievant rather than upon an alleged misconduct or punishment of an alleged offender.

- a. No person shall be denied recourse to the other means of relief specified in these rules, for example, conflict resolution.
- b. All proceedings shall be conducted in a climate of presumed innocence; every effort shall be made to preserve the rights and dignity of all parties.
- c. If investigation convinces the Chancellor to issue a charge, the burden of proof in a hearing rests with the Chancellor.
- d. At any time in the process, the complainant, faculty member, and Chancellor by mutual written consent may choose to engage in a conflict resolution process.
- e. If, in the course of an investigation of an allegation, an administrator proposes reassignment of a student from a faculty member's class to a comparable class taught by another faculty member, then the administrator shall
 - (1) obtain consent of the student and receiving faculty member,
 - (2) inform the faculty member under investigation of the reason why the change was made,
 - (3) inform the faculty member's department chair and dean, and
 - (4) make all reasonable efforts to insure that neither the receiving faculty member nor the student is disadvantaged by the change in class.
- f. If inconsistencies or conflicts arise between administrative implementation policies and these rules, these rules take precedence unless they are found to be in conflict with UW- System rules or State Statutes. In such a case, UW-System rules or State Statutes take precedence over these faculty rules.

2. Definitions:

- a. Conflict resolution is a voluntary alternative means of resolving disputes by which a neutral third party helps the complainant and faculty member negotiate a mutually acceptable resolution. A conflict resolution process does not preclude further processing under the complaint procedures (See VI, A, 3 and 4 of these rules). At any point in the process, the complainant, the faculty member, and the Chancellor may mutually agree to attempt an alternative dispute resolution process. To allow time for such process, the mutual agreement must stipulate whether any time requirements indicated in these rules are to remain in effect or to be extended for a specific or unspecified period. Such agreement must be uncoerced, without precondition as to outcome, written, and signed by the complainant, the faculty member, the Chancellor, and the neutral third party.
- b. An act or event is alleged conduct, or alleged pattern of conduct, or the discovery or documentation of alleged conduct, or alleged pattern of conduct which has adversely affected the faculty member's performance of her or his obligations to the university or violates university policies.
- c. A grievance alleges that conduct of a faculty member created an unfair, unjust, or hostile work environment for another person. The purpose of a grievance is corrective rather than punitive and seeks to correct the unfair, unjust, or hostile work environment.
- d. A complaint alleges that conduct of a faculty member violated university rules or policies or adversely affected the faculty member's performance of his/her obligation to the university. Such conduct could lead to punishment of the alleged offender under UWS 4 or UWS 6.
- e. A charge is a written statement issued and signed by the Chancellor founded on a complaint which specifies
 - (1) the conduct complained of;
 - (2) the rule(s) or university policy(ies) the faculty member's alleged conduct or pattern of conduct violated, and/or
 - (3) the manner in which the conduct adversely affected the faculty member's performance of his/her obligation to the university;
 - (4) the way in which a faculty member's alleged conduct or pattern of conduct adversely affected the faculty member's performance of his or her obligations to the university (UWS 6.01), except that
 - (a) complaints of, and the reporting of, possible misconduct in science are covered by Part B of this Chapter in accordance with the regulations of the US Department of Health and Human Services (Reference: 42 CFR Part 50.102);
 - (b) no conduct which is constitutionally protected or protected by the principles of academic freedom shall be the subject of a complaint;
 - (c) students who wish to pursue changes of grade should follow the

procedures described in the UWW Handbook, Student Grade Appeal;
and

(d) no charge shall be founded on a complaint which the complainant refuses to sign;

(5) all of the following known as of the date of the charge with the exception of those redactions necessary to protect the identity of a minor:

(a) names of person(s) signing the complaint,

(b) names of persons investigating the complaint,

(c) names of persons drafting the charge,

(d) names of persons who may be called to offer testimony in support of the charge,

(e) names of persons providing information during the investigation, and

(f) unredacted copies of all documents which will be offered in evidence of the charge;

(6) that a hearing panel shall grant a recess to enable either party to investigate evidence about which a valid claim of surprise is made;

(7) the Chancellor's determination whether the charge falls under UWS 6 and UWW VI rather than UWS 4; and

(8) the penalty(ies) and/or remedy(ies) (See VI, A, 3, f, (2), (b) of these rules) the Chancellor proposes if the charge is admitted or upheld.

f. Penalty(ies) or remedy(ies) or combinations thereof as stated in the charge (II, E):

(1) Reprimand: written warning by the Chancellor that the faculty member must cease the specified conduct which violated university rules or policies or adversely affected the faculty member's performance of his/her contractual obligations to the university. This written warning shall be delivered to the faculty member and a copy shall be placed in the faculty member's personnel file.

(2) Corrective intervention: counseling, training, or other appropriate and reasonable remedies which would support necessary changes in behavior. Such interventions may be at the faculty member's expense.

(3) Fine: a forfeiture of up to but not to exceed 10% of the faculty member's contract year salary. Existing benefits would continue and the faculty member would be expected to fulfill his/her contractual obligations to the university.

(4) Reduction of base salary: a reduction of up to but not to exceed 5% of the faculty member's base salary.

(5) Suspension without pay: suspension without pay from all employment by the university and suspension of all rights and privileges derived from

faculty appointment or rank or from departmental or college faculty membership up to but not more than a period equal to one contractual year.

3. Complaint procedures:

a. A valid complaint must:

- (1) be written, signed, and dated by the complainant,
- (2) describe and date the alleged act or event(s),
- (3) indicate whether the complainant is willing to seek resolution of the event or act through a conflict resolution process (See VI, A, 2, a; VI, A, 3, a, (3) ; and VI, A, 3, d, (1), (b), (v) of these rules),
- (4) be filed with the Chancellor within 120 calendar days of the alleged act or event.

b. Acts or events listed in VI, A, 2, e, (4), (a) - (d) of these rules are excluded from these procedures.

c. The complainant has a right to an on-campus representative

- (1) who may be of the complainant's choice, or who, at the request of the complainant, shall be recommended by the
 - (a) Vice Chancellor for Academic Affairs (or designee) if the complainant is not a university employee or student,
 - (b) Vice Chancellor for Academic Affairs (or designee) if the complainant is a faculty member or an unclassified staff member,
 - (c) Vice Chancellor for Administrative Affairs (or designee) if the complainant is a classified staff member, or
 - (d) Assistant Chancellor for Student Affairs (or designee) if the complainant is a university student;
- (2) who shall help insure that the complainant understands the process and his or her rights; however, this person shall be
 - (a) independent of the Chancellor and any representative of or legal counsel for the faculty member or hearing panel, and
 - (b) not serve as legal counsel for the complainant;
- (3) who is a current or retired employee of a University of Wisconsin institution.

d. To process a valid complaint, the Chancellor

- (1) informs the faculty member in writing within 14 calendar days of receipt of the valid complaint that a complaint has been filed and provides
 - (a) a copy of the complaint;
 - (b) a statement of the faculty member's rights and protections:
 - i) Within 120 calendar days of receipt of the valid

complaint (See VI, A, 3, a of these rules) the faculty member has the right to receive from the Chancellor a charge or notice that the complaint has been dismissed;

ii) The faculty member has the right to appeal the charge if rendered by the Chancellor;

iii) The faculty member has the right to an advocate during all aspects of the process;

iv) The faculty member has the right to retain legal counsel; however, see VI, A, 4, b, (4), (b), iii); VI, A, 4, b, (7), (a), iii) and VI, A, 4, a, (2),(c) of these rules;

v) The faculty member has the right to request resolution of the dispute through conflict resolution; and

vi) Anything the faculty member says regarding the matter may be used in investigating and hearing a charge under UWS 4 or UWS 6;

(c) notice of the faculty member's responsibility to cooperate in the investigative process.

(2) upon investigation determines within 120 calendar days of the receipt of the valid complaint whether the complaint will be dismissed or pursued under UWS 4 or UWS 6.

e. If the Chancellor determines that no charge should be issued, the Chancellor shall inform the faculty member and the complainant in writing that the complaint has been dismissed because

(1) of the exclusions given in VI, A, 2, e, (4), (a) - (d) of these rules, and/or

(2) there is not cause to believe that the conduct complained of occurred, and/or

(3) the conduct complained of, if it occurred, did not violate university rules or policies or adversely affect the faculty member's performance of obligation to the university, and/or

(4) the complaint was not filed with the Chancellor within 120 calendar days of the alleged act or event (See VI, A, 2, b and VI, A, 3, a, (4) of these rules), and/or

(5) the investigation has not been completed within 120 calendar days of the filing of the complaint (See VI, A, 3, d, (2) of these rules).

f. If the Chancellor issues a charge,

(1) copies of the charge (See VI, A, 2, e of these rules) shall be sent to the faculty member charged;

(2) the Chancellor shall inform the complainant that a charge has been filed, but the complainant shall not receive the following parts of the

charge until the charge is admitted or upheld

- (a) the persons called to offer testimony in support of the charge,
- (b) the penalty(ies) or remedy(ies) the Chancellor proposes, or
- (c) copies of documents offered in evidence of the charge;

(3) within 5 calendar days of receipt of the faculty member's choice to request a hearing (See VI, A, 3, g, (1), (b) or (c) of these rules) or the Chancellor's request for a hearing panel (See VI, A, 3, f,(4) of these rules) and (See UWS 6.01(2)), the Chancellor shall

(a) request that the Chair of the Faculty Senate draw a five member hearing panel from the Faculty Appeals, Grievance, and Disciplinary Hearing Committee; and

(b) forward to the Chair of the Faculty Senate five copies of the following documents in sealed envelopes

- i) the charge with date filed,
- ii) the complaint with date filed, and
- iii) the supporting documents;

(4) within five calendar days of the receipt of the faculty member's choice or lack thereof (See VI, A, 3, g, (4) of these rules), the Chancellor may request in writing a hearing on the alleged misconduct or penalty(ies) and/or remedy(ies) even if the faculty member elects not to request a hearing on either the alleged misconduct or the penalty(ies) and/or remedy(ies) (See UWS 6.01(2)).

g. Faculty member's options in response to a charge:

(1) Upon receipt of the charge, the faculty member may

(a) admit to the misconduct charged and accept the penalty(ies) and/or remedy(ies), in which case the proposed penalty(ies) and/or remedy(ies) will be imposed by the Chancellor and proceedings in the matter under these rules will cease; or

(b) admit to the misconduct charged but contest the penalty(ies) and/or remedy(ies), in which case the faculty member has the right to a hearing on the penalty(ies) and/or remedy(ies) under the procedures in VI, A, 4, c of these rules; or

(c) deny the misconduct charged, in which case the faculty member may

- i) accept the penalty(ies) and/or remedy(ies) without protest; or
- ii) request a hearing on the charges in which case the penalty(ies) and/or remedy(ies) shall be held in abeyance until completion of the hearing process under the

procedures in VI, A, 4, b of these rules.

(2) The faculty member submits a written statement of his or her choice to the Chancellor within 14 calendar days of receipt of the charge.

(3) If the faculty member requests a hearing, then the faculty member also shall submit a written copy indicating his or her request to the Chair of the Faculty Senate.

(4) Failure to submit a written response to the charge indicating his or her choice of options (See VI, A, 3, g, (1), (a) - (c)) within 14 calendar days, by default, shall revert to VI, A, 3, g, (1), (a) of these rules.

4. Hearing procedures:

a. When the faculty member charged or the Chancellor has requested a hearing panel, within 30 calendar days, the Chair of the Faculty Senate shall

(1) request of the Secretary of the Faculty Senate the names of five potential panel members and two alternates from the Faculty Appeals, Grievance, and Disciplinary Hearing Committee, except that

(a) no potential member or alternate shall be a member of the charged faculty member's department, and

(b) no potential member or alternate shall be a person whom the Chair of the Faculty Senate and Secretary of the Faculty Senate determine to be ineligible due to conflict of interest or personal or professional hardship; and

(2) convene an organizational meeting of the potential panel members and alternates at which

(a) the Faculty Senate Chair shall inform the panel of its tasks (See VI, A, 4, b-d of these rules) and provide

i) copies of these rules and

ii) copies of the relevant documents in sealed envelopes including the

a) charge with the date filed,

b) complaint with the date filed, and

c) supporting documents;

(b) the Faculty Senate Chair shall request that the panel immediately elect a chair and establish a meeting time within 15 calendar days.

(c) the Faculty Senate Chair shall inform the panel of its right to legal counsel at the university's expense if the faculty member chooses to be represented by an attorney. Such counsel shall help the panel conduct impartial, complete, and comprehensive proceedings. In addition, counsel may advise the panel in writing

the rationale for its findings and recommendation.

b. Conduct of a hearing of a denied charge:

(1) All meetings of the panel shall be conducted in accordance with the state law governing meetings of public bodies. The panel may hear witness testimony and deliberate in closed meeting in accordance with all the requirements of s.19.85 (1), (a) & (b) WI Stats.

(a) The panel shall make a reasonable effort to accommodate anyone who wants to record, film, or photograph an open meeting so long as the activity does not interfere with the meeting (see s.19.90 WI Stats.).

(b) No one may record a closed meeting under circumstances that might mean its private and secret nature could be violated. If the panel desires to record its closed meeting, it should arrange for the security of the records to prevent their improper disclosure (see 66 Op. Att’y Gen. 318,325[1977]).

(2) A hearing shall be confined to a single charge against a faculty member.

(3) The hearing shall begin not more than 60 calendar days after the request for a hearing unless the Chancellor and the faculty member agree to another date. The panel shall provide written notice of the meeting at least 5 calendar days in advance.

(4) The notice of the hearing should include

(a) time, date, and location of hearings;

(b) a request that each party provide

i) any new documents regarding procedures for the panel to consider,

ii) copies of documents for each panel member and the other party, and

iii) the name of an advocate (however, if the faculty member chooses to be represented by an attorney, then the Chancellor and panel also may be represented by separate legal counsel, [see VI, A, 4, a, (2), (c) of these rules]); and

(c) a statement that both parties have the right and obligation to be present, and if either or both parties are absent, the hearing panel may recess or proceed at its discretion.

(5) The panel’s record of proceedings shall include

(a) time and date of the meetings,

(b) names of panel members and participants present,

(c) a written record of the motions and roll call votes, (s.19.88(3)),

and

(d) findings and recommendations.

(6) The panel shall conduct a procedural review (See VI, A, 3, a - d, f of these rules). If any significant procedural error is found, the panel shall

(a) terminate the proceedings under these rules,

(b) report its findings, in writing, to the faculty member, the Chancellor, and the Faculty Senate Chair, and

(c) return all copies of all documents to the Faculty Senate Chair who shall file one copy and destroy all other copies.

(7) If there are no procedural errors, the panel shall conduct a substantive review by the following procedures:

(a) Request that each party provide

i) additional documents, if any, concerning substantive issues for the panel to consider,

ii) a list of witnesses to be called,

iii) name of advocate (however, if the faculty member chooses to be represented by an attorney, then the Chancellor and the panel also may be represented by separate legal counsel [see VI, A, 4, a, (2), (c) of these rules]), and

iv) copies for each panel member and the other party.

(b) Review the documents given to them by the Faculty Senate Chair regarding the substantive issues of the charge.

(c) Grant a recess if the faculty member or the Chancellor presents substantive new information under section VI, A, 4, b, (7), (a), i) of these rules. The panel may grant a recess if such recess is necessary for a fair hearing and the need for such recess does not arise from neglect.

(d) Hear oral testimony or take written statements from witnesses about information of which the witnesses have firsthand knowledge. The witnesses shall be available for questioning and cross examination. To this end, the hearing body shall

i) request the attendance of witnesses,

ii) direct the university to assist in securing the attendance of witnesses who university employees, and

iii) give the faculty member access to relevant documents which are in the possession of the university and which are necessary to his or her defense.

(e) Call on its own initiative qualified witnesses to testify as to the

charge. Such witnesses may be cross examined.

(f) Dismiss evidence which is redundant or lacks reasonable probative value.

(8) Faculty member's rights during a hearing:

(a) to have access to all documents presented in evidence (See VI, A, 4, b, (4), (b), ii) and VI, A, 4, b, (7), (a), i) of these rules),

(b) to call witnesses (See VI, A, 4, b, (7), (a), ii) and VI, A, 4, b, (7), (d) of these rules),

(c) to question witnesses (See VI, A, 4, b, (7), (d) and (e) of these rules),

(d) to request a recess if such recess is necessary for a fair hearing and the need for such recess does not arise from neglect (See VI, A, 2, e, (6) and VI, A, 4, b, (7), (c) of these rules),

(e) to have the university's assistance in securing the witnesses' presence at the hearing when such witnesses are university employees (See VI, A, 4, b, (7), (d), ii) of these rules),

(f) to be represented by an advocate (See VI, A, 4, b, (4), (b), iii) of these rules), and

(g) to be heard in his or her own behalf.

(9) Concerning the disciplinary action, the panel may make recommendations to the Chancellor

(a) to uphold the Chancellor's charge and the proposed penalty(ies) and/or remedy(ies),

(b) to uphold some or all of the Chancellor's charge, but recommending reduction of the proposed penalty(ies) and/or remedy(ies), or

(c) to dismiss the Chancellor's charge.

(10) In writing, the panel shall inform the faculty member and the Chancellor of its rationale for the findings and recommendation of penalty(ies) and/or remedy(ies). Penalty(ies) and/remedy(ies) (See VI, A, 2, f of these rules) may include any one or combination of the following:

(a) written reprimand,

(b) corrective intervention,

(c) fine,

(d) reduction in base salary,

(e) suspension without pay.

(11) The panel's report of its findings and recommendations terminates all

faculty responsibility for processing the complaint unless the faculty member contests the proposed penalty(ies) or (remedy(ies) (See VI, A, 4, c of these rules).

c. Hearing on contested penalty(ies) and/or remedy(ies):

(1) When a faculty member has contested a proposed penalty for a charge which has been heard and upheld under VI, A, 4, b, (9), (a) or (b) and (10) of these rules, the hearing on the proposed penalty and recommendation to the Chancellor shall be conducted by the hearing panel which heard the charge.

(a) Such hearing may be conducted expediently if consistent with the requirements of s.19.84 WI Stats; however,

(b) such hearing shall commence no more than 14 calendar days after the panel's decision.

(2) If, within the period allowed for the written statement of his or her choice (VI, A, 3, g, (2) of these rules), a faculty member chooses to contest the proposed penalty(ies) and/or remedy(ies) but not the charge, then a hearing panel on the proposed penalty(ies) and/or remedy(ies) shall be chosen according to VI, A, 4, a of these rules.

(a) Such hearing shall be conducted in accordance with the requirements of s.19.84 WI Stats.

(b) The hearing on the penalty(ies) and/or remedy(ies) shall begin not more than 45 calendar days after the request for a hearing on the penalty(ies) and/or remedy(ies) unless the Chancellor and the faculty member agree to another date. The panel shall provide written notice of the meeting at least 5 calendar days in advance unless both the Chancellor and the faculty member charged agree to a shorter time.

(c) All meetings of a panel to hear a contested penalty(ies) and/or remedy(ies) shall be conducted under procedures in VI, A, 4, b, (1), (4), and (5) of these rules, state law governing meetings of public bodies, and the following:

i) each party may have one opportunity to present argument or evidence as to the

a) seriousness of the offense,

b) faculty member's previous behavior,

c) severity of penalties imposed on other faculty members for similar acts, and

d) extenuating or aggravating circumstances connected with the act(s) or event(s) which gave rise to the charge;

- ii) each party may present one rebuttal.
- (3) In writing, the hearing panel shall inform the faculty member and the Chancellor of its recommendation and rationale for either
 - (a) the proposed penalty(ies) and/or remedy(ies), or
 - (b) penalty(ies) and/or remedy(ies) of lesser severity.
- (4) The panel's report of its recommendations and rationale for the penalty terminates all faculty responsibility for processing the complaint.
- d. Disposition of documents: Copies of the charge, all hearing records, panel recommendations, and Chancellor's decision shall be placed in the faculty member's personnel file in the office of the Vice Chancellor for Academic Affairs and in the University Archives.
- e. The Chancellor shall not impose penalty(ies) or remedy(ies) more severe than the penalty(ies) or remedy(ies) proposed by the Chancellor at the time the charge was issued.
- f. The Chancellor's decision on the recommendations of the hearing panel or on the complaint in the absence of panel recommendation shall be final except that the Board of Regents at its option might grant a review on the record (UWS 6.01 (5)).

B. COMPLAINTS OF MISCONDUCT IN SCIENCE

1. Definitions and Policy. Recognizing that honesty in the conduct of academic research is fundamental to its integrity and credibility, and to the maintenance of public trust in the university, the UW-Whitewater adopts these policies and procedures for reviewing and investigating allegations of scientific misconduct. For purposes of these policies and procedures, "misconduct in science" or "misconduct" means fabrication, falsification, plagiarism or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research.

Misconduct in science is prohibited at the UW-Whitewater, and may be cause for discipline or dismissal.

2. Initial Inquiry and Evaluation or Other Evidence of Possible Misconduct.

a. Informal allegations or reports of possible misconduct in science shall be directed initially to the person with immediate responsibility for the work of the individual against whom the allegations or reports have been made. The person receiving such an informal report or allegation is responsible for either resolving the matter or encouraging the submission of a formal allegation or report. Upon receipt of formal allegations or reports of scientific misconduct, the person with immediate responsibility for the work of the individual against whom the allegations or reports have been made shall immediately inform, in writing, the Vice Chancellor.

b. The Vice Chancellor shall appoint an individual or individuals to conduct a prompt inquiry into the allegation or report of misconduct.

1. The individual or individuals conducting the inquiry shall prepare a written report for the Vice Chancellor describing the evidence reviewed, summarizing relevant interviews and including the conclusions of the inquiry.

2. The inquiry must be completed within 30 calendar days of its initiation unless circumstances clearly warrant a longer period. If the inquiry takes longer than 30 days to complete, the reasons for exceeding the 30-day period shall be documented and included with the record.

3. The individual against whom the allegation was made shall be given a copy of the report of the inquiry by the Vice Chancellor, and shall have an opportunity to respond to the report within 10 days of receipt. Any response must be in writing, and will become a part of the record of the inquiry.

4. To protect the privacy and reputation of all individuals involved, including the individual in good faith reporting possible misconduct and the individual against whom the report is made, information concerning the initial report, the inquiry and any resulting investigation shall be kept confidential and shall be released only to those having a legitimate need to know about the matter.*

*Following Chapter VI Rules Governing Complaints Against and Grievances of Faculty Under UWS 6 of the Wisconsin Administrative Code as outlined in Section VI-F of the University Handbook the accused person shall be considered a person with a legitimate need to know.

c. If the inquiry concludes that the allegation of misconduct is unsubstantiated and if the inquiry concludes that an investigation is not warranted, then the reasons and supporting documentation for this conclusion shall be reported to the Vice Chancellor, who shall be responsible for reviewing the conclusion of the inquiry. If the Vice Chancellor concurs in the conclusion that an investigation is not warranted, his or her determination, and all other supporting documentation from the inquiry shall be recorded and the record maintained confidentially for a period of three years after the termination of the inquiry. If the inquiry or the Vice Chancellor determines that an investigation is warranted, the procedure in paragraph (2) shall be followed.

3. Investigation of Reported Misconduct in Science.

a. If an investigation is determined to be warranted under paragraph (1), the Vice Chancellor shall so inform the Chancellor. The Chancellor shall immediately appoint a committee to conduct the investigation. The committee shall be composed of impartial faculty members possessing appropriate competence and research expertise for the conduct of the investigation, and no faculty member having responsibility for the research under investigation, or having any other conflict with the university's interest in securing a fair and objective

investigation, may serve on the investigating committee. If necessary, individuals possessing the requisite competence and research expertise who are not affiliated with UW-Whitewater may be asked to serve as consultants to the investigating committee.

b. The investigation must be initiated within 20 days of the completion of the inquiry. The investigation normally will include examination of all documentation, including but not necessarily limited to relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. Interviews should be conducted of all individuals involved either in making the allegation or against whom the allegation is made, as well as others who might have information regarding the allegations. Summaries of interviews conducted shall be prepared and provided to the parties interviewed for their comment or revision. These summaries shall be made a part of the record of the investigation.

c. The individual making the allegation and the individual against whom the allegation is made, and all others having relevant information, shall cooperate fully with the work of the investigating committee, and shall make available all relevant documents and materials associated with the research under investigation.

d. The investigation should ordinarily be completed within 60 days of its initiation. This includes conducting the investigation, preparing the report of the findings, making that report available for comment by the subjects of the investigation, and submitting the report to the Chancellor. If the investigating committee determines that it cannot complete the investigation within the 60-day period, it shall submit to the Chancellor a written request for an extension explaining the need for delay and providing an estimated date of completion. If the research under investigation is funded by an agency within the Public Health Service (PHS), the procedures under paragraph (3) (d) of this policy shall also apply.

e. The report of the investigation should include a description of the policies and procedures under which the investigation was conducted, information obtained and the sources of such information, an accurate summary of the position of the individual under investigation, the findings of the committee, including the bases for its findings, and the committee's recommendation to the Chancellor concerning whether the evidence or scientific misconduct is sufficient to warrant discipline or dismissal under the applicable faculty or academic staff personnel rules. Upon completion of the investigation, all documentation substantiating the findings and recommendation of the investigating committee, together with all other information comprising the record of the investigation, shall be transmitted to the Chancellor with the report.

f. A copy of the investigating committee's report shall be provided to the individual being investigated. Before taking action under paragraph (3) of this policy, the Chancellor or appropriate administrative officer shall afford the individual under investigation an opportunity to discuss the matter.

4. Reporting to the Office of Scientific Integrity (OSI). Where research is Funded by PHS Grants, or Where research is funded by an agency within PHS.

- a. A determination that an investigation should be initiated under paragraph (1) (c) must be reported by the Vice Chancellor in writing to the OSI Director on or before the date the investigation begins. The notification should state the name of the individuals against whom the allegations of scientific misconduct have been made, the general nature of the allegations, and the PHS application or grant numbers involved.
- b. During the course of the investigation, the granting agency should be apprised of any significant findings that might affect current or potential funding of the individual under investigation or that might require agency interpretation of funding regulations
- c. The OSI must be notified at any stage of an inquiry or investigation if the university determines that any of the following conditions exist:
 1. There is an immediate health hazard involved;
 2. There is an immediate need to protect federal funds or equipment;
 3. There is an immediate need to protect the interests of the person making the allegations or of the individual who is the subject of the allegations as well as his or her co-investigators and associates, if any;
 4. It is probable that the alleged incident is going to be reported publicly;
 5. There is a reasonable indication of possible criminal violation. In that instance, the university must inform OSI within 24 hours of obtaining that information.
- d. If the university is unable to complete the investigation within the 60-day period, as described above, the Vice Chancellor must submit to OSI a written request for an extension and an explanation of the delay, including an interim progress report and an estimated date of completion of the investigation. If the request is granted, the institution must file periodic progress reports as requested by the OSI. If satisfactory progress is not made in the institution's investigation, the OSI may undertake an investigation of its own.
- e. If the university plans to terminate an inquiry or investigation for any reason within completing all the relevant requirements, a report of such planned termination, including a description of the reasons for such termination, shall be made by the Vice Chancellor to OSI, which will then decide whether further investigation should be undertaken.
- f. Upon completion of the investigation, the Vice Chancellor will notify OSI of the outcome, in a report which shall include the information and documentation specified in paragraph (2) (e) of this policy.

5. Other Action Following Completion of Investigation.

- a. If the allegation of scientific misconduct is substantiated by the investigation, the Vice Chancellor shall notify the agency, if any, sponsoring the research

project of the result of the investigation. In such a case, the individual involved will be asked to withdraw all pending abstracts and papers emanating from the scientific misconduct, and the Vice Chancellor will notify editors of journals in which relevant papers appeared. In addition, other institutions and sponsoring agencies with which the individual has been affiliated shall be notified if, based on the results of the investigation, it is believed that the validity of previous research by the individual under investigation is questionable.

b. Where scientific misconduct is substantiated, the UW-Whitewater will take appropriate action, which may include discipline or dismissal, with regard to the employment status of the individual or individuals involved. Applicable personnel rules, policies and procedures set forth in Chapters UWS 4, 6, 11 and 13, Wisconsin Administration Code and related university policies shall govern discipline or dismissal actions resulting from an investigation of scientific misconduct.

c. Where allegations of scientific misconduct are not substantiated by the investigation, the UW-Whitewater shall make diligent efforts, as appropriate, to restore the reputations of persons alleged to have engaged in misconduct, and to protect the positions and reputations of those persons who, in good faith, made the allegations.

C. GRIEVANCES OF FACULTY MEMBERS

1. Definition. For purposes of these rules, a grievance of a faculty member is a claim that an act of an employee of the university in his or her capacity as an employee, which affected the faculty member in his or her capacity as a faculty member, was unfair, improper, or contrary to law or the university rules or policies, or interfered with the faculty member's performance of university responsibilities, provided that if formal appeal procedures have been established by the faculty and the chancellor for acts of the type complained of, the act shall not be subject to these grievance procedures unless the rules establishing the formal appeal procedures specifically allow resort both to the formal appeal procedures and to these grievance procedures in the same matter.

2. Responsibility for initial investigation and effort to remedy a grievance of a faculty member.

a. The dean of a college is responsible for dealing with grievances against the acts of employees and committees of the college, except the dean.

b. The vice chancellor is responsible for dealing with grievances against the acts of deans of colleges, employees in the division of academic affairs not in any college, except the vice chancellor, and university faculty committees.

c. An assistant chancellor is responsible for dealing with grievances against the acts of employees under the supervision of the assistant chancellor.

d. The chancellor is responsible for dealing with grievances against the vice chancellor or an assistant chancellor and against any employee or agency of the university not otherwise provided for; if any doubt or dispute exists as to the

responsibility for dealing with any grievance, it shall be decided by the chancellor.

3. Presentation, investigation, and resolution of a grievance of a faculty member.

a. A faculty member with a grievance shall present it to the responsible officer, or to the chancellor for referral to the appropriate responsible officer, in a written statement which tells what act is complained of and why and what the faculty member has done to resolve the problem.

b. If the responsible officer believes that he or she can promptly remedy a grievance or satisfy a faculty member that a grievance is not well founded, without resort to the formal procedures here provided, the responsible officer may attempt to do so, but shall not delay the initiation of formal grievance procedures more than 7 days without the consent of the aggrieved faculty member.

c. If informal resolution is not achieved in this manner, a grievance officer shall be appointed by agreement between the faculty member and the responsible officer. If they cannot agree, the faculty member shall select one of three or more persons proposed by the responsible officer from a list of persons established by the Faculty Senate.

4. Investigation and effort at resolution by the grievance officer.

a. The grievance officer shall make inquiries of persons having knowledge of the grievance, examine university records relevant to it, and gather information useful in the determination of whether it is in whole or in part well founded. In the process of this investigation the grievance officer may, with the consent of the aggrieved faculty member, amend the statement of the grievance to clarify or correct it. The grievance officer shall determine that the grievance is well founded if he or she finds that the act complained of was in fact done and that it constitutes a grievance as defined in VI, C, (1) of these rules. If the grievance officer finds that the faculty member's grievance is not well founded even in part, the grievance officer shall so report to the faculty member in writing, with the reasons for the finding.

b. If the grievance officer determines that the grievance is at least in part well founded, he or she shall so report in writing to the aggrieved faculty member and to the employee complained of, with the reasons for the finding; and the grievance officer shall, after consulting the aggrieved faculty member and the employee complained of, attempt to devise a remedy, including, if possible, a particular remedy for the injury done the aggrieved faculty member with a schedule for its accomplishment, and, when appropriate, a general remedy to prevent a recurrence of the basis for the grievance. If the grievance officer can devise a particular remedy, he or she shall propose it in writing to the aggrieved faculty member and to the employee whose act constitutes the basis for the grievance.

c. An employee whose act constitutes the basis for a grievance shall respond to the proposal of a particular remedy within 10 days, either by agreeing to

accomplish the remedy, or by refusing to do so, in which case the reasons for the refusal shall be stated, or by proposing an equivalent alternative remedy, or by setting date by which one of these responses will be made, with the reasons for the delay.

d. If a grievance officer devises a general remedy for a grievance, he or she shall propose it to the employee whose act constitutes the basis for the grievance, to the responsible officer, to the aggrieved faculty member, and to any officer or agency of the university which has the authority to implement the general remedy or the consent of which is required for its implementation.

e. If the grievance officer can devise no particular remedy for a well founded grievance, he or she shall so report in writing to the aggrieved faculty member and to the responsible officer with the reasons for the inability.

f. If the grievance officer proposes a particular remedy for a grievance, the grievance officer shall consider the response of the employee to the proposal, and shall monitor the compliance of the employee with the proposed remedy, until the grievance officer concludes that the proposed remedy or an equivalent alternative remedy has been accomplished in a timely manner, or that the employee has not responded or accomplished the remedy in a timely manner. Upon reaching any of these conclusions, the grievance officer shall report it in writing to the aggrieved faculty member, to the employee, and to the responsible officer.

g. Prior to being discharged of duty in the matter, a grievance officer may withdraw or modify any finding, conclusion, or proposed remedy.

h. If the grievance officer is unable for any reason to perform the duties of a grievance officer, he or she shall so report to the responsible officer and the aggrieved faculty member, with the reason for the inability.

i. A grievance officer shall present to the responsible officer a final report and all papers gathered in the course of the investigation of and effort to resolve the grievance, deliver a copy of the final report to the faculty member, and be discharged from duty as a grievance officer in the matter, when:

1. the grievance officer reports that the grievance is not well founded even in part; or
2. the grievance officer reports that he or she can devise no particular remedy for the grievance; or
3. the grievance officer concludes that the proposed particular remedy or an equivalent alternative remedy has been accomplished in a timely manner; or,
4. the grievance officer concludes that the employee whose act forms the basis for the grievance has not responded to the proposed remedy or accomplished the remedy in a timely manner; or
5. the grievance officer has reported to the responsible officer and the faculty member his or her inability to perform the duties of a grievance officer; or

6. the aggrieved faculty member requests in writing to the responsible officer that the grievance officer be discharged; or
 7. the responsible officer directs the grievance officer to do so.
- j. The grievance officer's final report shall briefly describe what he or she has done in the matter and what findings, proposals, or conclusions have been made, and shall be accompanied by all papers gathered by the grievance officer and by all correspondence of the grievance officer.
 - k. A grievance officer shall act independently in the interest of the university and justice, and not merely as the agent of the aggrieved faculty member or the responsible officer. Service as a grievance officer by any faculty member other than the responsible officer or an assistant to the responsible officer shall be considered a contribution to the university.
5. Duties and authority of the responsible officer when not personally acting as grievance officer.
 - a. The responsible officer shall give the grievance officer such advice as the responsible officer deems appropriate.
 - b. The responsible officer shall give the grievance officer clerical assistance.
6. Referral of a grievance to the University Grievance Committee.
 - a. When a grievance officer is discharged in accordance with VI, C, (4), (i) of these rules, the grievance shall be referred to the University Grievance Committee unless the aggrieved faculty member and the responsible officer agree either;
 1. that the grievance has been remedied, or
 2. that another grievance officer shall be appointed.
 - b. The responsible officer shall refer a grievance to the University Grievance Committee by delivering the statement of the grievance, and the final report of the grievance officer with all accompanying papers to the chairperson of the University Grievance Committee, but if the grievance officer fails to present a final report promptly, the responsible officer shall refer the grievance by delivering the statement of grievance along with copies of any papers in the responsible officer's possession which relate to the matter.
7. University Grievance Committee: formation and functions. A University Grievance Committee shall be established or designated in accordance with the rules of the faculty governing the establishment of and assignment of duties to standing committees, but pending or in the absence of such action to establish or designate a University Grievance Committee, the Faculty Senate shall establish a University Grievance Committee.
8. Investigation and effort at resolution of a grievance by the University Grievance Committee. When a grievance is referred to the University Grievance Committee under these rules, the committee shall investigate it and attempt to remedy it if it is well founded, and shall have all powers and responsibilities of a grievance officer under these

rules, but shall report to the chancellor rather than to the responsible officer and shall retain jurisdiction over any grievance referred to it until it presents its final report to the aggrieved faculty member.

9. The University Grievance Committee may recommend a remedy for a grievance to the board of regents if the grievance is not resolved or cannot be resolved at the university.

10. Upon completion of its investigation of and attempt to resolve a grievance, the University Grievance Committee shall make a final report to the aggrieved faculty member, stating its findings as to whether the grievance was well founded, the solution proposed by it, if any, and the results of its efforts.

11. If an aggrieved faculty member whose grievance is referred to the University Grievance Committee is not satisfied with the final report of the committee, he or she may appeal to the chancellor, whose decision shall terminate proceedings in the matter under these rules.

APPENDIX B

~~UNIVERSITY OF WISCONSIN-WHITewater~~ ~~FACULTY PERSONNEL RULES~~

CHAPTER VI—RULES GOVERNING COMPLAINTS ~~AGAINST~~ AND GRIEVANCES OF ~~AGAINST~~ FACULTY UNDER UWS CHAPTER 6 OF THE WISCONSIN ADMINISTRATIVE CODE

(Approved by Board of Regents on February 5, 1982 and August 18, 2006. Reviewed)

~~A. COMPLAINTS AGAINST FACULTY~~

~~1. General Principles: Administrators, students, academic staff members, faculty members, classified staff members, or members of the public shall follow the procedures and Approved by UW-Whitewater Faculty Senate rules given in this section to assure fair, just, and timely handling of complaints and grievances against faculty members. Generally, seeking relief through a grievance procedure (See VI, A, 2, c of these rules) is preferable to seeking relief through a complaint procedure (See VI, A, 2, d and VI, A, 3-4 of these rules) because a grievance focuses on August 8, 2016. Approved by the undue effects experienced by the grievant rather than upon an alleged misconduct or punishment of an alleged offender.~~

- ~~a. No person shall be denied recourse to the other means of relief specified in these rules, for example, conflict resolution.~~
- ~~b. All proceedings shall be conducted in a climate of presumed innocence; every effort shall be made to preserve the rights and dignity of all parties.~~

~~If investigation convinces the Chancellor on August 19, 2016. Approved by Board of Regents on _____)~~

SECTION A. GENERAL PRINCIPLES AND DEFINITIONS

1. Definitions:

- ~~c. _____ a. **Statement of Charge(s):** A written statement issued by the to issue a charge, the burden of proof in a hearing rests with the Chancellor in response to a complaint filed against a -~~
- ~~d. At any time in the process, the complainant, faculty member that directs specific disciplinary action and penalties against said, and Chancellor by mutual written consent may choose to engage in a conflict resolution process.~~
- ~~e. If, in the course of an investigation of an allegation, an administrator proposes reassignment of a student from a faculty member's class to a comparable class taught by another faculty member. The charge(s), then the administrator shall describe the conduct alleged~~
 - ~~(1) obtain consent of the student and receiving faculty member,~~
 - ~~(2)(1) inform the faculty member under investigation of the reason why the change was made,~~

~~(3) inform the faculty member's department chair and dean, and~~

~~(4) make all reasonable efforts to insure that neither the receiving faculty member nor the student is disadvantaged by the change in class.~~

~~f. If inconsistencies or conflicts arise between administrative implementation policies and these rules, these rules take precedence unless they are found to be in conflict with UW System rules or State Statutes. In such a case, UW System rules or State Statutes take precedence over these faculty rules.~~

~~2. Definitions:~~

~~a. Conflict resolution is a voluntary alternative means of resolving disputes by which a neutral third party helps the complainant and faculty member negotiate a mutually acceptable resolution. A conflict resolution process does not preclude further processing under the complaint procedures (See VI, A, 3 and 4 of these rules). At any point in the university rule or policy that process, the complainant, the faculty member's member, and the Chancellor may mutually agree to attempt an alternative dispute resolution process. To allow time for such process, the mutual agreement must stipulate whether any time requirements indicated in these rules are to remain in effect or to be extended for a specific or unspecified period. Such agreement must be uncoerced, without precondition as to outcome, written, and signed by the complainant, the faculty member, the Chancellor, and the neutral third party.~~

~~b. An act or event is alleged conduct; or alleged pattern of conduct violated, and/- or how the faculty member's discovery or documentation of alleged conduct; or alleged pattern of conduct which has adversely affected the faculty member's performance of her or his or her obligations to the university. [Note: Any complaint against or violates university policies.~~

~~c. A grievance alleges that conduct of a faculty member created an unfair, unjust, or hostile work environment for conduct described in Section C shall be defined therein another person. The purpose of a grievance is corrective rather than punitive and subject seeks to correct the unfair, unjust, or hostile work environment.~~

~~d. A complaint alleges that conduct of a faculty member violated university rules or policies or adversely affected the faculty member's performance of his/her obligation to the university. Such conduct could lead to punishment of the alleged offender under UWS 4 or UWS 6.~~

~~e. A charge is a written statement issued and signed by the Chancellor founded on a complaint which specifies~~

~~(1) the conduct complained of;~~

~~(2) the rule(s) or university policy(ies) the faculty member's alleged conduct or pattern of conduct violated, and/or~~

~~(3) the manner in which the conduct adversely affected the faculty member's performance of his/her obligation to the university;~~

~~(4) the way in which a faculty member's alleged conduct or pattern of conduct adversely affected the faculty member's performance of his or her obligations to the university (UWS 6.01), except that~~

~~(a) complaints of, and the reporting of, possible misconduct in science are covered by Part B of this Chapter in accordance with the regulations of the United States US Department of Health and Human Services (See Reference: 42 C.F.R., CFR Part 50.102)]);.~~

b. **Complaint:** A formal allegation of conduct against a faculty member which violates university rules or policies or which adversely affects the faculty member's performance of his or her obligation to the university and could lead to discipline or dismissal under UWS 4 or UWS 6.

c. **Conflict Resolution:** A voluntary alternative means of resolving disputes by which a neutral third party facilitates a mutually acceptable resolution between the complainant and faculty member to resolve all outstanding complaints, grievances, disputes or concerns.

d. **Grievance:** An allegation of dissatisfaction or wrongdoing in regard to a faculty member's working conditions, unfair treatment or dispute that does not rise to the level of a formal complaint. A grievance generally seeks some form of corrective resolution for the alleged conduct rather than punitive or disciplinary action.

~~(b)-~~ e. **Penalty or Remedy:** As a part of the disciplinary process under this Chapter, the Chancellor may impose ~~and conduct which is constitutionally protected or protected by the principles of academic freedom shall be the subject of a complaint;~~

~~(c) students who wish to pursue changes of grade should follow the procedures described in the UWW Handbook, Student Grade Appeal; and~~

~~(d) no charge shall be founded on a complaint which the complainant refuses to sign;~~

~~(5) all of the following known as of the date of the charge with the exception of those redactions necessary to protect the identity of a minor:~~

~~(a) names of person(s) signing the complaint,~~

~~(b) names of persons investigating the complaint,~~

~~(c) names of persons drafting the charge,~~

~~(d)(b) names of persons who may be called to offer testimony in support of the charge,~~

~~(e) — names of persons providing information during the investigation, and~~

~~(f) unredacted copies of all documents which will be offered in evidence of the charge;~~

~~(6) that a hearing panel shall grant a recess to enable either party to investigate evidence about which a valid claim of surprise is made;~~

~~(7) the Chancellor's determination whether the charge falls under UWS 6 and UWW VI rather than UWS 4; and~~

~~(8) the penalty(ies) and/or remedy (or a combination(ies) (See VI, A, 3, f, (2), (b) of these rules) the Chancellor proposes if the charge is admitted or upheld.~~

~~f.b. Penalty(ies) or remedy(ies) or combinations thereof) as stated below which shall be included in the Statement of Charge(s): in the charge (II, E):~~

(1) i. Reprimand: A written warning by the Chancellor that the faculty member must cease the specified conduct which violated university rules or policies or adversely affected the faculty member's performance of his/her contractual obligations to the university. ~~This written warning shall be delivered to the faculty member and a copy shall be placed in the faculty member's personnel file.~~

- (2) ii. Corrective intervention: eCounseling, training, or other appropriate and reasonable remedies which would support necessary changes in behavior. ~~Such interventions may be at the faculty member's expense.~~
- (3) iii. Fine: ~~aA~~ one-time forfeiture of up to but not to exceed 10% of the faculty member's annual basecontract year salary. ~~Existing benefits would continue and the faculty member would be expected to fulfill his/her contractual obligations to the university.~~
- (4) iv. Reduction of base salary: ~~aA~~ reduction of up to but not to exceed 5% of the faculty member's annual base salary.
- (5) v. Suspension without pay: sSuspension without pay from all employment by the university and suspension of all rights and privileges derived from faculty appointment or rank or from departmental or college faculty membership up to but not more than a period equal to one contractual year.

2. General Principles:

- a. Sections B and C of these rules shall apply when a complaint is filed against a faculty member by a student, university staff, academic staff, faculty member, administrator or member of the public. In cases involving allegations of misconduct related to research, Section C will apply. For all other complaints against faculty members, Section B will apply.
- b. Section D of these rules shall apply when a faculty member files a grievance during his or her employment at the University of Wisconsin-Whitewater. These rules shall ensure a fair, just, and timely process in regard to the proceedings herein.
- c. No person shall be denied recourse to the other means of relief specified in these rules, for example, conflict resolution. At any time in the process, the complainant, faculty member, and Chancellor by mutual written consent may choose to engage in a conflict resolution process.
- d. Any complaint or grievance that would violate a faculty member's constitutional rights or protections or negatively impact the principles of academic freedom shall be dismissed, in whole or in part, by the Chancellor.
- e. Any dispute, complaint or grievance filed by a student against a faculty member for a grade dispute or appeal shall be referred to the applicable provisions under UWS Chs. 14, 17 or the UW-Whitewater Handbook for student grade appeals. ~~Student Grade Appeal.~~
- f. All proceedings shall be conducted in a climate of presumed innocence. Every effort shall be made to preserve the rights and dignity of all parties.
- g. If disciplinary action is imposed against a faculty member under Section B or C of this Chapter, the faculty member may not be disciplined twice for the original conduct under which the original complaint was made. This does not prevent the Chancellor from taking additional disciplinary action against a faculty member for conduct that was not considered during the original disciplinary charges, penalties or remedies.
- h. During the pendency of the disciplinary process under Section B or C of this Chapter, the Chancellor may place a faculty member on administrative leave with pay or reassign the faculty

member to different duties or obligations that are commensurate with the faculty's education or experience. Said action does not constitute disciplinary action (e.g. a penalty or remedy) under this Chapter.

i. Unless specifically stated otherwise during proceedings under Section B or C of this Chapter, a faculty member shall remain employed and fulfill his or her contractual obligations to the University during the proceedings under Section B, unless immediate suspension without pay is initiated under UWS Chs. 4 or 7.

3. Class Reassignment of Student:

During the proceedings herein, if an administrator seeks to reassign a student from a faculty member's class to a comparable class taught by another faculty member, the administrator will make every reasonable effort to obtain the verbal consent of the student and receiving faculty member unless reassignment is necessary to address a health or safety concern of the student or faculty member. The administrator, or his or her designee, shall inform the faculty member under investigation, his or her department chair and dean of the college of the basis for the reassignment. All reasonable efforts shall be taken to ensure that the reassignment does not disadvantage the student or the receiving faculty member.

4. Voluntary Resolution:

At any point during this process, the Chancellor, complainant or faculty member may initiate a mutually acceptable resolution of the complaint. If a resolution is considered, the Chancellor and faculty member shall agree to such resolution in writing and stipulate to a mutually agreeable extension of any deadlines herein. Any agreement to seek conflict resolution shall be voluntary in nature, uncoerced and without precondition as to outcome. If necessary, a facilitator may be assigned by the Chancellor to assist the parties in seeking a mutual resolution.

SECTION B. COMPLAINTS AGAINST FACULTY

3-2. 1. Receipt of a Complaint: ~~procedures:~~

~~a.~~ a. Time to File: A ~~valid~~ complaint must:

~~(1) be written, signed, and dated by the complainant,~~

~~(2) describe and date the alleged act or event(s),~~

~~(3) indicate whether the complainant (is willing to seek resolution of the event or his or her representative) act through a conflict resolution process (See VI, A, 2, a; VI, A, 3, a, (3); and VI, A, 3, d, (1), (b), (v) of these rules),~~

~~(4) be filed with the Chancellor's OfficeChancellor within one hundred twenty (120) calendar days of the alleged acts or omissions that led to the complaint unless said allegations act or event.~~

b.a. Acts or events listed in VI, A, 2, e, (4), (a) —(d) of these rules are a part of a consistent and continuing pattern of similar behavior(s) that occurred prior to the 120 calendar day periodexcluded from these procedures.

~~e. b. Notice to Faculty Member: Within twenty-one (21) calendar days from the Chancellor's receipt of a complaint against The complainant has a right to an on-campus representative~~

~~(1) who may be of the complainant's choice, or who, at the request of the complainant, shall be recommended by the~~

~~(a) Vice Chancellor for Academic Affairs (or designee) if the complainant is not a university employee or student, Vice Chancellor for Academic Affairs (or designee) if the complainant is a faculty member, the Chancellor, or an unclassified staff member;~~

~~(b) Vice Chancellor for Administrative Affairs (or designee) if the complainant is a classified staff member, or~~

~~(c) Assistant Chancellor for Student Affairs (or designee) if the complainant is a university student;~~

~~(2) who shall help insure that the complainant understands the process and his or her designee, rights; however, this person shall notify be~~

~~(a) independent of the Chancellor and any representative of or legal counsel for the faculty member or hearing panel, and~~

~~(b) not serve as legal counsel for the complainant;~~

~~(3) who is a current or retired employee of a University of Wisconsin institution.~~

~~d. To process a valid complaint, the Chancellor~~

~~(1) informs the faculty member in writing by email and first class mail to last known residence that within 14 calendar days of receipt of the valid complaint that a complaint has been received. The Chancellor, or his or her designee, shall provide the faculty member with filed and provides~~

~~(a) a copy of the complaint or ;~~

~~(b) a statement of the faculty member's rights and protections:~~

~~i) Within 120 calendar days of receipt of the valid complaint (See VI, A, 3, a of these rules) the faculty member has the right to receive from the Chancellor a charge or notice that the complaint has been dismissed;~~

~~ii) The faculty member has the right to appeal the charge if rendered by the Chancellor;~~

~~iii) The faculty member has the right to an advocate during all aspects of the process;~~

~~iv) The faculty member has the right to retain legal counsel; however, see VI, A, 4, b, (4), (b), iii); VI, A, 4, b, (7), (a), iii) and VI, A, 4, a, (2), (c) of these rules;~~

~~v) The faculty member has the right to request resolution of the dispute through conflict resolution; and~~

~~vi) Anything the faculty member says regarding the matter may be used in the alternative, investigating and hearing a written summary charge under UWS 4 or UWS 6;~~

~~(c) notice of the allegations contained faculty member's responsibility~~

~~to cooperate in the complaint. investigative process.~~

c. Initial Action by Chancellor: Upon consideration of the complaint, the Chancellor may request additional information from the complainant, dismiss the complaint for lack of merit or untimeliness, or initiate an investigation into the allegations through the use of an investigator to determine whether there is sufficient evidence to issue a Statement of Charge(s).

i. If the Chancellor dismisses the complaint for lack of merit or untimeliness, the Chancellor will notify the complainant and faculty member in writing of the decision within twenty-one (21) calendar days with the stated reasons for dismissal. The complainant shall be notified of any rights to appeal said decision under any applicable university or system policy or procedure.

ii. If the Chancellor concludes that an investigation is necessary to determine whether to file a charge, the process under subsection B.2 below will be initiated.

~~(2) iii. If upon investigation determines within 120 calendar days of the receipt of the valid complaint whether the complaint will be dismissed or pursued under UWS-4 or UWS-6.~~

~~e. If the Chancellor determines that no charge should be issued, the Chancellor shall inform the faculty member and the complainant in writing that the complaint has been dismissed because~~

~~(1) of the exclusions given in VI, A, 2, e, (4), (a)–(d) of these rules, and/or~~

~~(2) there is not cause to believe that the conduct complained of occurred, and/or the conduct complained of, if it occurred, did not violate university rules or policies or adversely affect the faculty member admits to all of the allegations contained in member's performance of obligation to the university, and/or~~

~~(3)(1) the complaint, then was not filed with the Chancellor may proceed to issuing within 120 calendar days of the alleged act or event (See VI, A, 2, b and VI, A, 3, a Statement, (4) of Charge(s) pursuant to subsection B.3. these rules), and/or~~

~~(4) d. At any time during this process under Section B, either the investigation has not been completed within 120 calendar days of the filing of the complainant and/or complaint (See VI, A, 3, d, (2) of these rules).~~

~~f. If the Chancellor issues a charge,~~

~~(1) copies of the charge (See VI, A, 2, e of these rules) shall be sent to the faculty member charged;~~

~~(2) the Chancellor shall inform the complainant that a charge has been filed, but the complainant shall not receive the following parts of the charge until the charge is admitted or upheld~~

~~(a) the persons called to offer testimony in support of the charge,~~

~~(b) the penalty(ies) or remedy(ies) the Chancellor proposes, or~~

~~(c) copies of documents offered in evidence of the charge;~~

~~(3) within 5 calendar days of receipt of the faculty member's choice to request a hearing (See VI, A, 3, g, (1), (b) or (c) of these rules) or the Chancellor's request for a hearing panel (See VI, A, 3, f, (4) of these rules) and (See UWS 6.01(2)), the Chancellor shall~~

~~(a) request that the Chair of the Faculty Senate draw a five member hearing panel from the Faculty Appeals, Grievance, and Disciplinary Hearing Committee; and~~

~~(b) forward to the Chair of the Faculty Senate five copies of the following documents in sealed envelopes~~

~~i) the charge with date filed,~~

~~ii) the complaint with date filed, and~~

~~iii) the supporting documents;~~

~~within five calendar days of the receipt of the faculty member's choice or lack thereof (See VI, A, 3, g, (4) of these rules), the Chancellor may request that the Chancellor assign an impartial administrator or employee of the university to serve as an advocate for either party throughout the process to ensure that all rights and responsibilities are clearly understood.~~

e. In accordance with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013, if a complaint or allegation involves sexual harassment, sexual assault, domestic or dating violence or stalking, the complainant or person who was allegedly subjected to said conduct shall have all procedural rights and protections provided to the faculty member during the process, including a right to be simultaneously notified of any action, decision or appeal rights that the faculty member receives from the Chancellor, or designee.

2. Investigation:

a. The Chancellor will assign an individual to conduct an investigation into the allegations contained in the complaint. The investigation shall be completed within one hundred twenty (120) calendar days from the date it is assigned to the investigator, unless additional time is required to conduct a thorough and complete investigation. During the investigation, the investigator will provide the complainant, pertinent witnesses and the faculty member with an opportunity to provide verbal or written information related to the allegations within a twenty one (21) calendar day period. At the conclusion of the investigation, the investigator will submit his or her findings in writing to the Chancellor with the following: i) a summary of the allegations; ii) the names of all individuals interviewed; iii) findings of fact based on the evidence considered; and iv) copies of all documents that were relied upon for the findings of facts.

b. Within thirty (30) calendar days from receipt of the investigative report, the Chancellor shall either dismiss the complaint or issue a Statement of Charge(s) against the faculty member. If the Chancellor dismisses the complaint in light of the investigative findings, the Chancellor will notify the complainant and faculty member by email and first class mail to last known residence of the decision with the stated reasons for dismissal. The complainant shall be notified of any rights to appeal the decision under any applicable university or system policy or procedure. If the Chancellor determines that there is sufficient evidence to conclude that the faculty member's conduct violates university rules or policies or adversely affects the faculty member's performance of his or her obligation to the university, a Statement of Charge(s) shall be issued in accordance with subsection 3 below.

3. Statement of Charge(s):

If the Chancellor determines that there is sufficient evidence to conclude that the faculty member's conduct violates university rules or policies or adversely affects the faculty member's performance of his or her obligation to the university, the Chancellor shall prepare a written Statement of Charge(s) to be delivered to the faculty member's official university email account and by U.S. First Class mail to a hearing on the alleged misconduct or penalty(ies) and/or remedy(ies) even if the faculty member's last known home address. The Statement of Charge(s) shall include the following:

- a. A description of the conduct alleged in the complaint;
- b. The university rule or policy that the faculty member's alleged conduct or pattern of conduct violated;
- c. A description of how the faculty member's ~~member elects not to request a hearing on either the alleged~~ conduct or pattern of conduct adversely affected the faculty member's performance of his or her obligation to the university;
- d. The name of the complainant(s)(unless there is a privacy or safety concern that would prevent the disclosure of personal information of the complainant or other individuals);
- e. The name of the individual who investigated the allegation(s), if applicable;
- f. The names of any individuals who may have pertinent information in relation to the charge;
- g. A copy of non-redacted documents or materials that were relied upon by the Chancellor to issue or support the charge, unless privacy laws require redaction;
- h. The Chancellor's ~~initial~~ determination as to whether the charge seeks disciplinary action pursuant to UWS 6 and UW-Whitewater Ch. VI, Section B rather than UWS 4;
- i. A description of any penalty and/or remedy;
- j. The faculty member's right to an advocate or legal representation at his or her own expense at any point in the process; and
- k. The faculty member's right to request a hearing before the Faculty Appeals, Grievance and Disciplinary Hearing Committee in regard to either the findings and/or the penalties or remedies no later than twenty-one (21) calendar days from the date of the Statement of Charge(s).

4. Response by Faculty Member:

Within twenty-one (21) calendar days from the date of the Statement of Charge(s), the faculty member may submit a written request for a hearing to the Chancellor. Failure to file a written request for a hearing within the timeframe herein shall result in the charge(s) being final and any penalties and/or remedies may be immediately imposed against the faculty member.

5. Request for Hearing:

If a faculty member submits a written request to the Chancellor for a hearing within the timeframe herein, then the Chancellor shall stay any penalty or remedy until the hearing process is concluded. The Chancellor shall contact the Faculty Senate Chair and request that a five (5) member hearing panel be formed (plus 2 alternate members) from the membership of the Faculty Appeals, Grievance and Disciplinary Hearing Committee. The Chancellor shall provide the Faculty Senate Chair with a copy of the Statement of Charge(s) (with attachments).

6. Composition of Hearing Panel:

a. Within twenty-one (21) calendar days from receipt of the Chancellor's request for a hearing panel, the Faculty Senate Chair shall select five (5) eligible Faculty Appeals, Grievance and Disciplinary Hearing Committee members and two (2) alternates to serve as the Hearing Panel. Upon the Faculty Senate Chair's receipt of each selected member's confirmation of their availability to serve as a Hearing Panel member, the Faculty Senate Chair will submit the Hearing Panel member's and alternate's names and titles in writing to the Chancellor and faculty member.

b. The Chancellor or the faculty member may each object to one Hearing Panel member or alternate, in which case a new panel member may be chosen.

c. No Hearing Panel member or alternate shall be a member of the faculty member's department, nor shall a member or alternate have a conflict of interest or personal relationship which would impact the member's or alternate's ability to be an impartial and unbiased Hearing Panel member.

7. Initial Meeting of Hearing Panel:

Within twenty-one (21) calendar days of the official composition of the Hearing Panel, the Faculty Senate Chair shall meet with the Hearing Panel in person or by teleconference and provide the Hearing Panel with a copy of the Statement of Charge(s) and attachments. During this meeting, the Hearing Panel shall appoint a Chairperson to officiate the hearing proceedings, conduct all necessary communication with the parties during the process and respond to any procedural matters on behalf of the Hearing Panel.

8. Legal Advisor to Hearing Panel:

Upon the Hearing Panel's request to the Chancellor, an attorney from the UW System Office of General Counsel may be assigned to work with the Hearing Panel in regard to procedural matters and/or drafting of written communications during the hearing process. The function of legal counsel shall be to advise the Hearing Panel, consult with Hearing Panel members on legal matters, and such other responsibilities as shall be determined by the Hearing Panel within the provisions of these rules and procedures.

9. Confidential Materials:

During this hearing process, all documents received by the Faculty Senate Chair and Hearing Panel shall be considered confidential in nature. Only individuals who are involved in the hearing proceedings shall have access to the information contained therein as necessary to participate in the hearing, unless otherwise subject to disclosure by law.

10. Preliminary Meeting:

a. Procedural Issues: Within thirty (30) calendar days from the initial meeting between the Faculty Senate Chair and the Hearing Panel, the Chair of Hearing Panel shall meet with the parties for a preliminary meeting (in person or by teleconference) in order to determine the following:

- i. The date, time and location of the hearing;
- ii. The order in which the parties will present their cases and the time allotted for such presentations;
- iii. Submission and exchange of any pertinent documents that the parties would like the Hearing Panel to consider;
- iv. A date in which the disclosure and exchange of the names and contact information of any witnesses will be provided to the Chair of the Hearing Panel and parties;
- v. The names and contact information of any advocate or legal representative, if any, that will be assisting either party during the hearing proceedings;
- vi. The method of recording the hearing;
- vii. Whether the hearing shall be conducted in open or closed session; and
- viii. Any objections or concerns from either party related to the hearing process.

b. Substantive Procedural Errors: If the faculty member alleges, through credible information, that there has been one or more significant procedural errors in the process, the Chair of the Hearing Panel, in consultation with UW System Office of General Counsel, shall review the alleged error and determine whether such error is substantial enough to prevent a fair, prompt and impartial proceeding. If so, the Chair of the Hearing Panel shall suspend further proceedings and issue a written statement to the Chancellor for consideration within seven (7) calendar days of the date of the allegations. Upon receipt of said statement, and within ten (10) calendar days, the Chancellor shall review said information and issue a determination as to whether, in light of such information, the charge(s) should be dismissed, modified or remain as written. The Chancellor's determination shall be issued in writing to the faculty member and Chair of the Hearing Panel. If the charge(s) are not dismissed, the Chair of the Hearing Panel shall proceed to the hearing stage of this process.

11. Hearing Proceedings:

a. Hearing Date: A hearing shall be conducted within sixty (60) calendar days from the initial meeting between the Faculty Senate Chair and the Hearing Panel. The Chair of the Hearing Panel shall notify all parties of the date, time and location of the hearing by email and First Class mail to the last known residence no less than five (5) calendar days prior to the hearing. The Chair of the Hearing Panel, in consultation with the parties, may extend the hearing date due to a break in the academic calendar, the unavailability of Hearing Panel members, parties or pertinent witnesses, or other extenuating circumstances.

b. Procedural Rights: During the hearing, the faculty member shall have the following procedural rights and protections:

- i. A fair and impartial hearing;
- ii. Reasonable access to all documents presented in evidence;
- iii. Be represented by a university advocate or legal counsel (at the party's expense).

Said advocate or legal counsel may speak on behalf of the party and present the case on behalf of the party;

iv. Be heard on the party's own behalf;

v. Present witnesses to testify on behalf of the party;

vi. Receive a reasonable opportunity to cross examine any witnesses called by the other party;

vii. Request a temporary recess if necessary, to consider new evidence or information not previously known or reasonably discovered prior to the hearing; and

viii. Upon request, obtain a copy of any transcript or recording of the hearing at the party's expense, if applicable.

c. Open Meetings Law: The hearing shall be conducted in accordance with the Wisconsin Open Meetings Law pursuant to Wis. Stats. Ch. 19.85, et. al. The faculty member may request that the hearing be conducted in either open or closed session. However, the Chair of the Hearing Panel shall determine whether to grant said request, considering both the personnel nature of the proceedings and the sensitive information that may be disclosed through testimony during the proceedings. All deliberations of the Hearing Panel shall be conducted in closed session.

d. Documentation: No less than three (3) calendar days prior to the scheduled hearing, the parties shall submit an electronic copy of all documentation that the parties intend to submit to the Hearing Panel for consideration (labeled with numbers and a table of contents), a list of all potential witnesses that either party intends to call to testify during the hearing and the name of each party's representative(s) or legal counsel, if applicable.

e. Hearing Procedures and Rules of Evidence: The Hearing Panel shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value but shall exclude immaterial, irrelevant, or unduly repetitious testimony, and shall give effect to recognized legal privileges. The Hearing Panel may take reasonable steps to maintain order, and to adopt procedures for conducting the hearing in a manner that will provide a reasonable opportunity for both parties to present their cases and question witnesses, provided, however, whatever procedure is adopted, the parties are allowed to effectively present and refute evidence.

f. Recording of Hearing: The Chair of the Hearing Panel shall be responsible for creating a recording of the hearing with a reliable recording device. If the hearing is conducted in open session, any person may record the open meeting unless said recording unduly interferes with the hearing proceedings. If the hearing is conducted in closed session, the Chair of the Hearing Panel shall be responsible for securing the record to prevent any improper disclosure. Either party may request a copy of the recording at their own expense which shall be provided as soon as reasonably practicable.

g. Burden of Proof: The Chancellor shall have the burden of proof to present evidence that proves by a preponderance of the evidence that the allegations contained in the Statement of Charge(s) occurred.

h. Failure to Appear: If either party fails to appear at the hearing, the Chair of the Hearing Panel may proceed with the hearing in their absence or postpone the hearing to a later date.

i. Witnesses: During the hearing, either party may call to testify any individual who is reasonably likely to have relevant or material information that is pertinent to the substantive issues contained in the Statement of Charge. Any witness who is an employee of the University may appear.

upon request by either party, but said attendance is voluntary and no discipline shall be imposed against an employee for failing or refusing to appear as a witness at the hearing. If an employee appears at the hearing, the supervisor shall excuse the employee from work to attend the hearing. If either party is unable to secure a witness to attend the hearing, the Chair of the Hearing Panel may consider alternative options of receiving any relevant information the witness may have, such as a video conference or teleconference.

~~(4)(2)~~ j. Evidence Considered: During the hearing, the Hearing Panel shall accept evidence in the form of statements by the parties, testimony by witnesses and written documentation submitted prior to the hearing. The Hearing Panel shall only consider evidence that is credible, relevant and probative in value. The Hearing Panel shall not consider any evidence that it determines to be redundant, immaterial or lacking in probative value. At the conclusion of the hearing, the Hearing Panel shall deliberate in closed session to consider the evidence and issue its findings of facts and recommendations. At the conclusion of the deliberations, the Hearing Panel members shall take a vote to affirm or oppose each charge listed in the Chancellor's statement of charge letter and affirm, oppose or propose a lesser misconduct or the penalty(ies) and/or remedy contained in the Statement of Charge(s). An affirmative vote of a simple majority of the Hearing Panel members shall be required to sustain a motion. ~~(ies) (See UWS 6.01(2))~~.

12. Hearing Panel's Report:

Within twenty-one (21) calendar days from the conclusion of the Hearing Panel's deliberations, the Chair of the Hearing Panel shall prepare a written report to the Chancellor, with a copy to the faculty member by email and First Class mail to last known residence, which includes the Hearing Panel's findings of facts, conclusions and recommendations in regard to each of the Chancellor's charge(s), penalties and/or remedies contained in the Statement of Charge(s).

13. Chancellor's Decision:

~~g.~~ Within thirty (30) calendar days from Faculty member's options in response to a charge:

~~(1) Upon receipt of the Hearing Panel's report, the Chancellor shall issue a final decision. The Chancellor may impose a lesser or different charge, the faculty member may~~

~~(a) admit to the misconduct charged and accept the penalty(ies) and/or different remedy than originally(ies), in which case the proposed. The Chancellor's decision shall be final penalty(ies) and/or remedy(ies) will be imposed by the Chancellor and proceedings in the matter under these rules will cease; or~~

~~(b) admit to the misconduct charged but contest the penalty(ies) and/or remedy(ies), in which case the faculty member has the right to a hearing on the penalty(ies) and/or remedy(ies) under the procedures in VI, A, 4, c of these rules; or~~

~~(c) deny the misconduct charged, in which case the faculty member may~~

~~i) accept the penalty(ies) and/or remedy(ies) without protest; or~~

~~ii) request a hearing on the charges in which case the penalty(ies)~~

~~and/or remedy(ies) shall be held in abeyance until completion of the hearing process under the procedures in VI, A, 4, b of these rules.~~

~~(2) The faculty member submits a written statement of his or her choice to the Chancellor within 14 calendar days of receipt of the charge.~~

~~(3) If the faculty member requests a hearing, then the faculty member also shall submit a written copy indicating his or her request to the Chair of the Faculty Senate.~~

~~(4) Failure to submit a written response to the charge indicating his or her choice of options (See VI, A, 3, g, (1), (a) — (c)) within 14 calendar days, by default, shall revert to VI, A, 3, g, (1), (a) of these rules.~~

4. Hearing procedures:

~~a. When the faculty member charged or the Chancellor has requested a hearing panel, within 30 calendar days, the Chair of the Faculty Senate shall~~

~~(1) request of the Secretary of the Faculty Senate the names of five potential panel members and two alternates from the Faculty Appeals, Grievance, and Disciplinary Hearing Committee, except that the Board of Regents may,~~

~~(a) no potential member or alternate shall be a member of the charged faculty member's department, and~~

~~(b) no potential member or alternate shall be a person whom the Chair of the Faculty Senate and Secretary of the Faculty Senate determine to be ineligible due to conflict of interest or personal or professional hardship; and~~

~~(2) convene an organizational meeting of the potential panel members and alternates at which~~

~~(a) the Faculty Senate Chair shall inform the panel of its tasks (See VI, A, 4, b — d of these rules) and provide~~

~~i) copies of these rules and~~

~~ii) copies of the relevant documents in sealed envelopes including the~~

~~a) charge with the date filed,~~

~~b) complaint with the date filed, and~~

~~c) supporting documents;~~

~~(b) the Faculty Senate Chair shall request that the panel immediately elect a chair and establish a meeting time within 15 calendar days.~~

~~(c) the Faculty Senate Chair shall inform the panel of its right to legal counsel at the university's expense if the faculty member chooses to be represented by an attorney. Such counsel shall help the panel conduct impartial, complete, and comprehensive proceedings. In addition, counsel may advise the panel in writing the rationale for its findings and recommendation.~~

~~(3) — Conduct of a hearing of a denied charge All meetings of the panel shall be conducted in accordance with the state law governing meetings of public bodies. The panel may hear witness testimony and deliberate in closed meeting in accordance with all the requirements of s.19.85 (1), (a) & (b) WI Stats.~~

~~(a) The panel shall make a reasonable effort to accommodate anyone who wants to record, film, or photograph an open meeting so long as the activity does not interfere with the meeting (see s.19.90 WI Stats.).~~

~~(b) No one may record a closed meeting under circumstances that might mean its private and secret nature could be violated. If the panel desires to record its closed meeting, it should arrange for the security of the records to prevent their improper disclosure (see 66 Op. Att'y Gen. 318,325[1977]).~~

~~(4) A hearing shall be confined to a single charge against a faculty member.~~

~~(5) The hearing shall begin not more than 60 calendar days after the request for a hearing unless the Chancellor and the faculty member agree to another date. The panel shall provide written notice of the meeting at least 5 calendar days in advance.~~

~~(6) The notice of the hearing should include~~

~~(a) time, date, and location of hearings;~~

~~(b) a request that each party provide~~

~~i) any new documents regarding procedures for the panel to consider;~~

~~ii) copies of documents for each panel member and the other party, and~~

~~iii) the name of an advocate (however, if the faculty member chooses to be represented by an attorney, then the Chancellor and panel also may be represented by separate legal counsel, [see VI, A, 4, a, (2), (c) of these rules]); and~~

~~(c)(a) a statement that both parties have the right and obligation to be present, and if either or both parties are absent, the hearing panel may recess or proceed at its discretion, grant a review on the record in accordance with UWS 6.01(5). ;~~

14. Retention of Records:

~~(7) All documentation (including hard copies, email communications, photos, videos, cell phone messages, etc...) that was a part of the evidentiary~~The panel's record considered byof proceedings shall include

~~(a) time and date of the Hearing Panel, including meetings,~~

~~(b) names of panel members and participants present,~~

~~(c) a written record of the recording of motions and roll call votes, (s.19.88(3)), and~~

~~(d) findings and recommendations.~~

~~(8) The panel shall conduct a procedural review (See VI, A, 3, a—d, f of these rules). If any significant procedural error is found, the hearing panel shall be submitted~~

~~(a) terminate the proceedings under these rules,~~

~~(b) report its findings, in writing, to the faculty member, the Chancellor, and the Faculty Senate Chair, and~~

~~(c) return all copies of all documents to the Faculty Senate Chair for collection who shall file one copy and secure forwarding to destroy all other~~

copies.

~~(d) — If there are no procedural errors, the Office panel shall conduct a substantive review by the following procedures: Request that each party provide~~

- ~~i) additional documents, if any, concerning substantive issues for the panel to consider;~~
- ~~ii) a list of the Provost and Vicewitnesses to be called;~~
- ~~iii) name of advocate (however, if the faculty member chooses to be represented by an attorney, then the Chancellor and the panel also may be represented by separate legal counsel [see VI, A, 4, a, (2), (c) of these rules]); and~~
- ~~iv) copies for Academic Affairs to each panel member and the other party.~~

~~(e) Review the documents given to them by the Faculty Senate Chair regarding the substantive issues of the charge.~~

~~(f) Grant a recess if the faculty member or the Chancellor presents substantive new information under section VI, A, 4, b, (7), (a), i) of these rules. The panel may grant a recess if such recess is necessary for a fair hearing and the need for such recess does not arise from neglect.~~

~~(g) Hear oral testimony or take written statements from witnesses about information of which the witnesses have firsthand knowledge. The witnesses shall be available for questioning and cross examination. To this end, the hearing body shall~~

- ~~i) request the attendance of witnesses;~~
- ~~ii) direct the university to assist in securing the attendance of witnesses who university employees, and~~
- ~~iii) give the faculty member access to relevant documents which are in the possession of the university and which are necessary to his or her defense.~~

~~(h) Call on its own initiative qualified witnesses to testify as to the charge. Such witnesses may be cross examined.~~

~~(i) Dismiss evidence which is redundant or lacks reasonable probative value.~~

~~(9) Faculty member's rights during a hearing:~~

~~(a) to have access to all documents presented in evidence (See VI, A, 4, b, (4), (b), ii) and VI, A, 4, b, (7), (a), i) of these rules);~~

~~(b) to call witnesses (See VI, A, 4, b, (7), (a), ii) and VI, A, 4, b, (7), (d) of these rules);~~

~~(c) to question witnesses (See VI, A, 4, b, (7), (d) and (e) of these rules);~~

~~(d) to request a recess if such recess is necessary for a fair hearing and the need for such recess does not arise from neglect (See VI, A, 2, e, (6) and VI, A, 4, b, (7), (e) of these rules);~~

~~(e) to have the university's assistance in securing the witnesses' presence at the~~

~~hearing when such witnesses are university employees (See VI, A, 4, b, (7), (d), ii) of these rules),~~

~~(f) to be represented by an advocate (See VI, A, 4, b, (4), (b), iii) of these rules), and to be heard in his or her own behalf.~~

~~(10) — Concerning the disciplinary action, the panel may make recommendations to the Chancellor~~

~~(a) to uphold the Chancellor's charge and the proposed penalty(ies) and/or remedy(ies),~~

~~(b) to uphold some or all of the Chancellor's charge, but recommending reduction of the proposed penalty(ies) and/or remedy(ies), or~~

~~(c) to dismiss the Chancellor's charge.~~

~~(11) In writing, the panel shall inform the faculty member and the Chancellor of its rationale for the findings and recommendation of penalty(ies) and/or remedy(ies). Penalty(ies) and/or remedy(ies) (See VI, A, 2, f of these rules) may include any one or combination of the following:~~

~~(a) written reprimand,~~

~~(b) corrective intervention,~~

~~(c) fine,~~

~~(d) reduction in base salary,~~

~~(e) suspension without pay.~~

~~(12) The panel's report of its findings and recommendations terminates all faculty responsibility for processing the complaint unless the faculty member contests the proposed penalty(ies) or (remedy(ies)) (See VI, A, 4, c of these rules).~~

b. Hearing on contested penalty(ies) and/or remedy(ies):

~~(1) When a faculty member has contested a proposed penalty for a charge which has been heard and upheld under VI, A, 4, b, (9), (a) or (b) and (10) of these rules, the hearing on the proposed penalty and recommendation to the Chancellor shall be conducted by the hearing panel which heard the charge.~~

~~(a) Such hearing may be conducted expediently if consistent with the requirements of s.19.84 WI Stats; however,~~

~~(b) such hearing shall commence no more than 14 calendar days after the panel's decision.~~

~~(2) If, within the period allowed for the written statement of his or her choice (VI, A, 3, g, (2) of these rules), a faculty member chooses to contest the proposed penalty(ies) and/or remedy(ies) but not the charge, then a hearing panel on the proposed penalty(ies) and/or remedy(ies) shall be chosen according to VI, A, 4, a of these rules.~~

~~(a) Such hearing shall be conducted in accordance with the requirements of s.19.84 WI Stats.~~

~~(b) — The hearing on the penalty(ies) and/or remedy(ies) shall begin not more than 45 calendar days after the request for a hearing on the penalty(ies) and/or remedy(ies) unless the Chancellor and the faculty member agree to another date. The panel shall provide written notice~~

~~of the meeting at least 5 calendar days in advance unless both the Chancellor and the faculty member charged agree to a shorter time. All meetings of a panel to hear a contested penalty(ies) and/or remedy(ies) shall be conducted under procedures in VI, A, 4, b, (1), (4), and (5) of these rules, state law governing meetings of public bodies, and the following:~~

~~i) each party may have one opportunity to present argument or evidence as to the~~

~~a) seriousness of the offense,~~

~~b) faculty member's previous behavior,~~

~~c) severity of penalties imposed on other faculty members for similar acts, and~~

~~d) extenuating or aggravating circumstances connected with the act(s) or event(s) which gave rise to the charge;~~

~~ii) each party may present one rebuttal.~~

~~(3) In writing, the hearing panel shall inform the faculty member and the Chancellor of its recommendation and rationale for either~~

~~(a) the proposed penalty(ies) and/or remedy(ies), or~~

~~(b) penalty(ies) and/or remedy(ies) of lesser severity.~~

~~(4) The panel's report of its recommendations and rationale for the penalty terminates all faculty responsibility for processing the complaint.~~

~~e.b. Disposition of documents: Copies of the charge, all hearing records, panel recommendations, and Chancellor's decision shall be placed in the faculty member's personnel file in the office of the Vice Chancellor for Academic Affairs and in the University Archives.~~

~~NOTE: Version reviewed and approved by FPRC and Faculty Senate Executive Committee during July-Aug, 2016.~~

~~d. The Chancellor shall not impose penalty(ies) or remedy(ies) more severe than the penalty(ies) or remedy(ies) proposed by the Chancellor at the time the charge was issued.~~

~~e. The Chancellor's decision on the recommendations of the hearing panel or on the complaint in the absence of panel recommendation shall be final except that the Board of Regents at its option might grant a review on the record (UWS 6.01 (5)).~~

~~B. COMPLAINTS OF MISCONDUCT IN SCIENCE~~

~~1. Definitions and Policy. Recognizing that honesty in the conduct of academic research is fundamental to its integrity and credibility, and to the maintenance of public trust in the university, the UW Whitewater adopts these policies and procedures for reviewing and investigating allegations of scientific misconduct. For purposes of these policies and procedures, "misconduct in science" or "misconduct" means fabrication, falsification,~~

~~plagiarism or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research.~~

~~Misconduct in science is prohibited at the UW Whitewater, and may be cause for discipline or dismissal.~~

~~2. Initial Inquiry and Evaluation of Other Evidence of Possible Misconduct.~~

~~a. Informal allegations or reports of possible misconduct in science shall be directed initially to the person with immediate responsibility for the work of the individual against whom the allegations or reports have been made. The person receiving such an informal report or~~

~~allegation is responsible for either resolving the matter or encouraging the submission of a formal allegation or report. Upon receipt of formal allegations or reports of scientific misconduct, the person with immediate responsibility for the work of the individual against whom the allegations or reports have been made shall immediately inform, in writing, the Vice Chancellor.~~

~~b. The Vice Chancellor shall appoint an individual or individuals to conduct a prompt inquiry into the allegation or report of misconduct.~~

~~1. The individual or individuals conducting the inquiry shall prepare a written report for the Vice Chancellor describing the evidence reviewed, summarizing relevant interviews and including the conclusions of the inquiry.~~

~~2. The inquiry must be completed within 30 calendar days of its initiation unless circumstances clearly warrant a longer period. If the inquiry takes longer than 30 days to complete, the reasons for exceeding the 30-day period shall be documented and included with the record.~~

~~3. The individual against whom the allegation was made shall be given a copy of the report of the inquiry by the Vice Chancellor, and shall have an opportunity to respond to the report within 10 days of receipt. Any response must be in writing, and will become a part of the record of the inquiry.~~

~~4. To protect the privacy and reputation of all individuals involved, including the individual in good faith reporting possible misconduct and the individual against whom the report is made, information concerning the initial report, the inquiry and any resulting investigation shall be kept confidential and shall be released only to those having a legitimate need to know about the matter.*~~

~~*Following Chapter VI Rules Governing Complaints Against and Grievances of Faculty Under UWS 6 of the Wisconsin Administrative Code as outlined in Section VI-F of the University Handbook the accused person shall be considered a person with a legitimate need to know.~~

~~e. If the inquiry concludes that the allegation of misconduct is unsubstantiated and if the inquiry concludes that an investigation is not warranted, then the reasons and supporting documentation for this conclusion shall be reported to the Vice Chancellor, who shall be responsible for reviewing the conclusion of the inquiry. If the Vice Chancellor concurs in the conclusion that an investigation is not warranted, his or her determination, and all other supporting documentation from the inquiry shall be recorded and the record maintained confidentially for a period of three years after the termination of the inquiry. If the inquiry or the Vice Chancellor determines that an investigation is warranted, the procedure in paragraph (2) shall be followed.~~

~~3. Investigation of Reported Misconduct in Science.~~

~~a. If an investigation is determined to be warranted under paragraph (1), the Vice Chancellor shall so inform the Chancellor. The Chancellor shall immediately appoint a committee to conduct the investigation. The committee shall be composed of impartial faculty members possessing appropriate competence and research expertise for the conduct of the investigation, and no faculty member having responsibility for the research under investigation, or having any other conflict with the university's interest in securing a fair and objective investigation, may serve on the investigating committee. If necessary, individuals possessing the requisite competence and research expertise who are not affiliated with UW-Whitewater may be asked to serve as consultants to the investigating committee.~~

~~b. The investigation must be initiated within 20 days of the completion of the inquiry. The investigation normally will include examination of all documentation, including but not necessarily limited to relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. Interviews should be conducted of all individuals involved either in making the allegation or against whom the allegation is made, as well as others who might have information regarding the allegations. Summaries of interviews conducted shall be prepared and provided to the parties interviewed for their comment or revision. These summaries shall be made a part of the record of the investigation.~~

~~c. The individual making the allegation and the individual against whom the allegation is made, and all others having relevant information, shall cooperate fully with the work of the investigating committee, and shall make available all relevant documents and materials associated with the research under investigation.~~

~~d. The investigation should ordinarily be completed within 60 days of its initiation. This includes conducting the investigation, preparing the report of the findings, making that report available for comment by the subjects of the investigation, and submitting the report to the Chancellor. If the investigating committee determines that it cannot complete the investigation within the 60-day period, it shall submit to the Chancellor a written request for an extension explaining the need for delay and providing an estimated date of completion. If the research under investigation is funded by an agency within the Public Health Service (PHS), the procedures under paragraph (3) (d) of this policy shall also apply.~~

~~e. The report of the investigation should include a description of the policies and procedures under which the investigation was conducted, information obtained and the sources of such information, an accurate summary of the position of the individual under investigation, the findings of the committee, including the bases for its findings, and the committee's recommendation to the Chancellor concerning whether the evidence of scientific misconduct is sufficient to warrant discipline or dismissal under the applicable faculty or academic staff personnel rules. Upon completion of the investigation, all documentation substantiating the findings and recommendation of the investigating committee, together with all other information comprising the record of the investigation, shall be transmitted to the Chancellor with the report.~~

~~f. A copy of the investigating committee's report shall be provided to the individual being investigated. Before taking action under paragraph (3) of this policy, the Chancellor or appropriate administrative officer shall afford the individual under investigation an opportunity to discuss the matter.~~

~~4. Reporting to the Office of Scientific Integrity (OSI) Where research is Funded by PHS Grants, or Where Research is Funded by an Agency within PHS.~~

~~a. A determination that an investigation should be initiated under paragraph (1) (c) must be reported by the Vice Chancellor in writing to the OSI Director on or before the date the investigation begins. The notification should state the name of the individuals against whom the allegations of scientific misconduct have been made, the general nature of the allegations, and the PHS application or grant numbers involved.~~

~~b. During the course of the investigation, the granting agency should be apprised of any significant findings that might affect current or potential funding of the individual under investigation or that might require agency interpretation of funding regulations~~

~~c. The OSI must be notified at any stage of an inquiry or investigation if the university determines that any of the following conditions exist:~~

~~1. There is an immediate health hazard involved;~~

~~2. There is an immediate need to protect federal funds or equipment;~~

~~3. There is an immediate need to protect the interests of the person making the allegations or of the individual who is the subject of the allegations as well as his or her co-investigators and associates, if any;~~

~~4. It is probable that the alleged incident is going to be reported publicly;~~

~~5. There is a reasonable indication of possible criminal violation. In that instance, the university must inform OSI within 24 hours of obtaining that information.~~

~~d. If the university is unable to complete the investigation within the 60 day period, as described above, the Vice Chancellor must submit to OSI a written request for an extension and an explanation of the delay, including an interim progress report and an estimated date of completion of the investigation. If the request is granted, the institution must file periodic progress reports as requested by the OSI. If satisfactory progress is not made in the institution's investigation, the OSI may undertake an investigation of its own.~~

~~e. If the university plans to terminate an inquiry or investigation for any reason within completing all the relevant requirements, a report of such planned termination, including a description of the reasons for such termination, shall be made by the Vice Chancellor to OSI, which will then decide whether further investigation should be undertaken.~~

~~f. Upon completion of the investigation, the Vice Chancellor will notify OSI of the outcome, in a report which shall include the information and documentation specified in paragraph (2) (e) of this policy.~~

~~5. Other Action Following Completion of Investigation.~~

~~a. If the allegation of scientific misconduct is substantiated by the investigation, the Vice Chancellor shall notify the agency, if any, sponsoring the research project of the result of the investigation. In such a case, the individual involved will be asked to withdraw all pending abstracts and papers emanating from the scientific misconduct, and the Vice Chancellor will notify editors of journals in which relevant papers appeared. In addition, other institutions and sponsoring agencies with which the individual has been affiliated shall be notified if, based on the results of the investigation, it is believed that the validity of previous research by the individual~~

~~under investigation is questionable.~~

~~b. Where scientific misconduct is substantiated, the UW-Whitewater will take appropriate action, which may include discipline or dismissal, with regard to the employment status of the individual or individuals involved. Applicable personnel rules, policies and procedures set forth in Chapters UWS 4, 6, 11 and 13, Wisconsin Administration Code and related university policies shall govern discipline or dismissal actions resulting from an investigation of scientific misconduct.~~

~~c. Where allegations of scientific misconduct are not substantiated by the investigation, the UW-Whitewater shall make diligent efforts, as appropriate, to restore the reputations of persons alleged to have engaged in misconduct, and to protect the positions and reputations of those persons who, in good faith, made the allegations.~~

~~C. GRIEVANCES OF FACULTY MEMBERS~~

~~1. Definition. For purposes of these rules, a grievance of a faculty member is a claim that an act of an employee of the university in his or her capacity as an employee, which affected the faculty member in his or her capacity as a faculty member, was unfair, improper, or contrary to law or the university rules or policies, or interfered with the faculty member's performance of university responsibilities, provided that if formal appeal procedures have been established by the faculty and the chancellor for~~

~~acts of the type complained of, the act shall not be subject to these grievance procedures unless the rules establishing the formal appeal procedures specifically allow resort both to the formal appeal procedures and to these grievance procedures in the same matter.~~

~~2. Responsibility for initial investigation and effort to remedy a grievance of a faculty member:~~

~~a. The dean of a college is responsible for dealing with grievances against the acts of employees and committees of the college, except the dean.~~

~~b. The vice chancellor is responsible for dealing with grievances against the acts of deans of colleges, employees in the division of academic affairs not in any college, except the vice chancellor, and university faculty committees.~~

~~c. An assistant chancellor is responsible for dealing with grievances against the acts of employees under the supervision of the assistant chancellor.~~

~~d. The chancellor is responsible for dealing with grievances against the vice chancellor or an assistant chancellor and against any employee or agency of the university not otherwise provided for; if any doubt or dispute exists as to the responsibility for dealing with any grievance, it shall be decided by the chancellor.~~

~~3. Presentation, investigation, and resolution of a grievance of a faculty member:~~

~~a. A faculty member with a grievance shall present it to the responsible officer, or to the chancellor for referral to the appropriate responsible officer, in a written statement which tells what act is complained of and why and what the faculty member has done to resolve the problem.~~

~~b. If the responsible officer believes that he or she can promptly remedy a grievance or satisfy a faculty member that a grievance is not well founded, without resort to the formal procedures here provided, the responsible officer may attempt to do so, but shall not delay the initiation of formal grievance procedures more than 7 days without the consent of the aggrieved faculty member.~~

~~c. If informal resolution is not achieved in this manner, a grievance officer shall be appointed by agreement between the faculty member and the responsible officer. If they cannot agree, the faculty member shall select one of three or more persons proposed by the responsible officer from a list of persons established by the Faculty Senate.~~

~~4. Investigation and effort at resolution by the grievance officer.~~

~~a. The grievance officer shall make inquiries of persons having knowledge of the grievance, examine university records relevant to it, and gather information useful in the determination of whether it is in whole or in part well founded. In the process of this investigation the grievance officer may, with the consent of the aggrieved faculty member, amend the statement of the grievance to clarify or correct it. The grievance officer shall determine that the grievance is well founded if he or she finds that the act complained of was in fact done and that it constitutes a grievance as defined in VI, C, (1) of these rules. If the grievance officer finds that the faculty member's grievance is not well founded even in part, the grievance officer shall so report to the faculty member in writing, with the reasons for the finding.~~

~~b. If the grievance officer determines that the grievance is at least in part well founded, he or she shall so report in writing to the aggrieved faculty member and to the employee complained of, with the reasons for the finding; and the grievance officer shall, after _____ consulting the aggrieved faculty member and the employee complained of, attempt to devise a remedy, including, if possible, a particular remedy for the injury done the aggrieved faculty member with a schedule for its accomplishment, and, when appropriate, a general remedy to prevent a recurrence of the basis for the grievance. If the grievance officer can devise a particular remedy, he or she shall propose it in writing to the aggrieved faculty member and to the employee whose act constitutes the basis for the grievance.~~

~~c. An employee whose act constitutes the basis for a grievance shall respond to the proposal of a particular remedy within 10 days, either by agreeing to accomplish the remedy, or by refusing to do so, in which case the reasons for the refusal shall be stated, or by proposing an equivalent alternative remedy, or by setting date by which one of these responses will be made, with the reasons for the delay.~~

~~d. If a grievance officer devises a general remedy for a grievance, he or she shall propose it to the employee whose act constitutes the basis for the grievance, to the responsible officer, to the aggrieved faculty member, and to any officer or agency of the university which has the authority to implement the general remedy or the consent of which is required for its implementation.~~

~~e. If the grievance officer can devise no particular remedy for a well founded grievance, he or she shall so report in writing to the aggrieved faculty member and to the responsible officer with the reasons for the inability.~~

~~f. If the grievance officer proposes a particular remedy for a grievance, the grievance officer shall consider the response of the employee to the proposal, and shall monitor the compliance of the employee with the proposed remedy, until the grievance officer concludes that the proposed remedy or an equivalent alternative remedy has been accomplished in a timely manner, or that the employee has not responded or accomplished the remedy in a timely manner. Upon reaching any of these conclusions, the grievance officer shall report it in writing to the aggrieved faculty member, to the employee, and to the responsible officer.~~

~~g. Prior to being discharged of duty in the matter, a grievance officer may withdraw or modify any finding, conclusion, or proposed remedy.~~

~~h. If the grievance officer is unable for any reason to perform the duties of a grievance officer,~~

~~he or she shall so report to the responsible officer and the aggrieved faculty member, with the reason for the inability.~~

~~i. A grievance officer shall present to the responsible officer a final report and all papers gathered in the course of the investigation of and effort to resolve the grievance, deliver a copy of the final report to the faculty member, and be discharged from duty as a grievance officer in the matter, when:~~

- ~~1. the grievance officer reports that the grievance is not well founded even in part; or~~
- ~~2. the grievance officer reports that he or she can devise no particular remedy for the grievance; or~~
- ~~3. the grievance officer concludes that the proposed particular remedy or an equivalent alternative remedy has been accomplished in a timely manner; or,~~
- ~~4. the grievance officer concludes that the employee whose act forms the basis for the grievance has not responded to the proposed remedy or accomplished the remedy in a timely manner; or~~
- ~~5. the grievance officer has reported to the responsible officer and the faculty member his or her inability to perform the duties of a grievance officer; or~~
- ~~6. the aggrieved faculty member requests in writing to the responsible officer that the grievance officer be discharged; or~~
- ~~7. the responsible officer directs the grievance officer to do so.~~

~~j. The grievance officer's final report shall briefly describe what he or she has done in the matter and what findings, proposals, or conclusions have been made, and shall be accompanied by all papers gathered by the grievance officer and by all correspondence of the grievance officer.~~

~~k. A grievance officer shall act independently in the interest of the university and justice, and not merely as the agent of the aggrieved faculty member or the responsible officer. Service as a grievance officer by any faculty member other than the responsible officer or an assistant to the responsible officer shall be considered a contribution to the university.~~

~~5. Duties and authority of the responsible officer when not personally acting as grievance officer.~~

~~a. The responsible officer shall give the grievance officer such advice as the responsible officer deems appropriate.~~

~~b. The responsible officer shall give the grievance officer clerical assistance.~~

~~6. Referral of a grievance to the University Grievance Committee.~~

~~a. When a grievance officer is discharged in accordance with VI, C, (4), (i) of these rules, the grievance shall be referred to the University Grievance Committee unless the aggrieved faculty member and the responsible officer agree either;~~

- ~~1. that the grievance has been remedied, or~~
- ~~2. that another grievance officer shall be appointed.~~

~~b. The responsible officer shall refer a grievance to the University Grievance Committee by delivering the statement of the grievance, and the final report of the grievance officer with all accompanying papers to the chairperson of the University Grievance Committee, but if the grievance officer fails to present a final report promptly, the responsible officer shall refer the grievance by delivering the statement of grievance along with copies of any papers in the~~

~~responsible officer's possession which relate to the matter.~~

~~7. University Grievance Committee: formation and functions. A University Grievance Committee shall be established or designated in accordance with the rules of the faculty governing the establishment of and assignment of duties to standing committees, but pending or in the absence of such action to establish or designate a University Grievance Committee, the Faculty Senate shall establish a University Grievance Committee.~~

~~8. Investigation and effort at resolution of a grievance by the University Grievance Committee.— When a grievance is referred to the University Grievance Committee under these rules, the committee shall investigate it and attempt to remedy it if it is well founded, and shall have all powers and responsibilities of a grievance officer under these rules, but shall report to the chancellor rather than to the responsible officer and shall retain jurisdiction over any grievance referred to it until it presents its final report to the aggrieved faculty member.~~

~~9. The University Grievance Committee may recommend a remedy for a grievance to the board of regents if the grievance is not resolved or cannot be resolved at the university.~~

~~10. Upon completion of its investigation of and attempt to resolve a grievance, the University Grievance Committee shall make a final report to the aggrieved faculty member, stating its findings as to whether the grievance was well founded, the solution proposed by it, if any, and the results of its efforts.~~

11.5. ~~If an aggrieved faculty member whose grievance is referred to the University Grievance Committee is not satisfied with the final report of the committee, he or she may appeal to the chancellor, whose decision shall terminate proceedings in the matter under these rules.~~

APPENDIX C

CHAPTER VI

RULES GOVERNING COMPLAINTS AND GRIEVANCES AGAINST FACULTY UNDER UWS CHAPTER 6 OF THE WISCONSIN ADMINISTRATIVE CODE

(Approved by Board of Regents on February 5, 1982 and August 18, 2006. Reviewed and Approved by UW-Whitewater Faculty Senate on August 8, 2016. Approved by Chancellor on August 19, 2016. Approved by Board of Regents on _____)

SECTION A. GENERAL PRINCIPLES AND DEFINITIONS

1. Definitions:

a. **Statement of Charge(s):** A written statement issued by the Chancellor in response to a complaint filed against a faculty member that directs specific disciplinary action and penalties against said faculty member. The charge(s) shall describe the conduct alleged in the complaint, the university rule or policy that the faculty member's alleged conduct or pattern of conduct violated, and/or how the faculty member's alleged conduct or pattern of conduct adversely affected the faculty member's performance of his or her obligations to the university. [Note: Any complaint against a faculty member for conduct described in Section C shall be defined therein and subject to the regulations of the United States Department of Health and Human Services (See 42 C.F.R., Part 50.102)].

b. **Complaint:** A formal allegation of conduct against a faculty member which violates university rules or policies or which adversely affects the faculty member's performance of his or her obligation to the university and could lead to discipline or dismissal under UWS 4 or UWS 6.

c. **Conflict Resolution:** A voluntary alternative means of resolving disputes by which a neutral third party facilitates a mutually acceptable resolution between the complainant and faculty member to resolve all outstanding complaints, grievances, disputes or concerns.

d. **Grievance:** An allegation of dissatisfaction or wrongdoing in regard to a faculty member's working conditions, unfair treatment or dispute that does not rise to the level of a formal complaint. A grievance generally seeks some form of corrective resolution for the alleged conduct rather than punitive or disciplinary action.

e. **Penalty or Remedy:** As a part of the disciplinary process under this Chapter, the Chancellor may impose a penalty or remedy (or a combination thereof) as stated below which shall be included in the Statement of Charge(s):

i. **Reprimand:** A written warning by the Chancellor that the faculty member must cease the specified conduct which violated university rules or policies or adversely affected the faculty member's performance of his/her contractual obligations to the university.

- ii. Corrective intervention: Counseling, training, or other appropriate and reasonable remedies which would support necessary changes in behavior.
- iii. Fine: A one-time forfeiture of up to but not to exceed 10% of the faculty member's annual base salary.
- iv. Reduction of base salary: A reduction of up to but not to exceed 5% of the faculty member's annual base salary.
- v. Suspension without pay: Suspension without pay from all employment by the university and suspension of all rights and privileges derived from faculty appointment or rank or from departmental or college faculty membership up to but not more than a period equal to one contractual year.

2. General Principles:

a. Sections B and C of these rules shall apply when a complaint is filed against a faculty member by a student, university staff, academic staff, faculty member, administrator or member of the public. In cases involving allegations of misconduct related to research, Section C will apply. For all other complaints against faculty members, Section B will apply.

b. Section D of these rules shall apply when a faculty member files a grievance during his or her employment at the University of Wisconsin-Whitewater. These rules shall ensure a fair, just, and timely process in regard to the proceedings herein.

c. No person shall be denied recourse to the other means of relief specified in these rules, for example, conflict resolution. At any time in the process, the complainant, faculty member, and Chancellor by mutual written consent may choose to engage in a conflict resolution process.

d. Any complaint or grievance that would violate a faculty member's constitutional rights or protections or negatively impact the principles of academic freedom shall be dismissed, in whole or in part, by the Chancellor.

e. Any dispute, complaint or grievance filed by a student against a faculty member for a grade dispute or appeal shall be referred to the applicable provisions under UWS Chs. 14, 17 or the UW-Whitewater Handbook for student grade appeals.

f. All proceedings shall be conducted in a climate of presumed innocence. Every effort shall be made to preserve the rights and dignity of all parties.

g. If disciplinary action is imposed against a faculty member under Section B or C of this Chapter, the faculty member may not be disciplined twice for the original conduct under which the original complaint was made. This does not prevent the Chancellor from taking additional disciplinary action against a faculty member for conduct that was not considered during the original disciplinary charges, penalties or remedies.

h. During the pendency of the disciplinary process under Section B or C of this Chapter, the Chancellor may place a faculty member on administrative leave with pay or reassign the faculty member to different duties or obligations that are commensurate with the faculty's education or experience. Said action does not constitute disciplinary action (e.g. a penalty or remedy) under this Chapter.

i. Unless specifically stated otherwise during proceedings under Section B or C of this Chapter, a faculty member shall remain employed and fulfill his or her contractual obligations to the University during the proceedings under Section B, unless immediate suspension with or without pay is initiated under UWS Chs. 4 or 7.

3. Class Reassignment of Student:

During the proceedings herein, if an administrator seeks to reassign a student from a faculty member's class to a comparable class taught by another faculty member, the administrator will make every reasonable effort to obtain the verbal consent of the student and receiving faculty member unless reassignment is necessary to address a health or safety concern of the student or faculty member. The administrator, or his or her designee, shall inform the faculty member under investigation, his or her department chair and dean of the college of the basis for the reassignment. All reasonable efforts shall be taken to ensure that the reassignment does not disadvantage the student or the receiving faculty member.

4. Voluntary Resolution:

At any point during this process, the Chancellor, complainant or faculty member may initiate a mutually acceptable resolution of the complaint. If a resolution is considered, the Chancellor and faculty member shall agree to such resolution in writing and stipulate to a mutually agreeable extension of any deadlines herein. Any agreement to seek conflict resolution shall be voluntary in nature, uncoerced and without precondition as to outcome. If necessary, a facilitator may be assigned by the Chancellor to assist the parties in seeking a mutual resolution.

SECTION B. COMPLAINTS AGAINST FACULTY

1. Receipt of a Complaint:

a. Time to File: A complaint must be signed by the complainant (or his or her representative) and filed with the Chancellor's Office within one hundred twenty (120) calendar days of the alleged acts or omissions that led to the complaint unless said allegations are a part of a consistent and continuing pattern of similar behavior(s) that occurred prior to the 120 calendar day period.

b. Notice to Faculty Member: Within twenty-one (21) calendar days from the Chancellor's receipt of a complaint against a faculty member, the Chancellor, or his or her designee, shall notify the faculty member in writing by email and first class mail to last known residence that a complaint has been received. The Chancellor, or his or her designee, shall

provide the faculty member with a copy of the complaint or in the alternative, a written summary of the allegations contained in the complaint.

c. Initial Action by Chancellor: Upon consideration of the complaint, the Chancellor may request additional information from the complainant, dismiss the complaint for lack of merit or untimeliness, or initiate an investigation into the allegations through the use of an investigator to determine whether there is sufficient evidence to issue a Statement of Charge(s).

- i. If the Chancellor dismisses the complaint for lack of merit or untimeliness, the Chancellor will notify the complainant and faculty member in writing of the decision within twenty-one (21) calendar days with the stated reasons for dismissal. The complainant shall be notified of any rights to appeal said decision under any applicable university or system policy or procedure.
- ii. If the Chancellor concludes that an investigation is necessary to determine whether to file a charge, the process under subsection B.2 below will be initiated.
- iii. If the faculty member admits to all of the allegations contained in the complaint, then the Chancellor may proceed to issuing a Statement of Charge(s) pursuant to subsection B.3.

d. At any time during this process under Section B, either the complainant and/or the faculty member may request that the Chancellor assign an impartial administrator or employee of the university to serve as an advocate for either party throughout the process to ensure that all rights and responsibilities are clearly understood.

e. In accordance with Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013, if a complaint or allegation involves sexual harassment, sexual assault, domestic or dating violence or stalking, the complainant or person who was allegedly subjected to said conduct shall have all procedural rights and protections provided to the faculty member during the process, including a right to be simultaneously notified of any action, decision or appeal rights that the faculty member receives from the Chancellor, or designee.

2. Investigation:

a. The Chancellor will assign an individual to conduct an investigation into the allegations contained in the complaint. The investigation shall be completed within one hundred twenty (120) calendar days from the date it is assigned to the investigator, unless additional time is required to conduct a thorough and complete investigation. During the investigation, the investigator will provide the complainant, pertinent witnesses and the faculty member with an opportunity to provide verbal or written information related to the allegations within a twenty one (21) calendar day period. At the conclusion of the investigation, the investigator will

submit his or her findings in writing to the Chancellor with the following: i) a summary of the allegations; ii) the names of all individuals interviewed; iii) findings of fact based on the evidence considered; and iv) copies of all documents that were relied upon for the findings of facts.

b. Within thirty (30) calendar days from receipt of the investigative report, the Chancellor shall either dismiss the complaint or issue a Statement of Charge(s) against the faculty member. If the Chancellor dismisses the complaint in light of the investigative findings, the Chancellor will notify the complainant and faculty member by email and first class mail to last known residence of the decision with the stated reasons for dismissal. The complainant shall be notified of any rights to appeal the decision under any applicable university or system policy or procedure. If the Chancellor determines that there is sufficient evidence to conclude that the faculty member's conduct violates university rules or policies or adversely affects the faculty member's performance of his or her obligation to the university, a Statement of Charge(s) shall be issued in accordance with subsection 3 below.

3. Statement of Charge(s):

If the Chancellor determines that there is sufficient evidence to conclude that the faculty member's conduct violates university rules or policies or adversely affects the faculty member's performance of his or her obligation to the university, the Chancellor shall prepare a written Statement of Charge(s) to be delivered to the faculty member's official university email account and by U.S. First Class mail to the faculty member's last known home address. The Statement of Charge(s) shall include the following:

- a. A description of the conduct alleged in the complaint;
- b. The university rule or policy that the faculty member's alleged conduct or pattern of conduct violated;
- c. A description of how the faculty member's alleged conduct or pattern of conduct adversely affected the faculty member's performance of his or her obligation to the university;
- d. The name of the complainant(s)(unless there is a privacy or safety concern that would prevent the disclosure of personal information of the complainant or other individuals);
- e. The name of the individual who investigated the allegation(s), if applicable;
- f. The names of any individuals who may have pertinent information in relation to the charge;
- g. A copy of non-redacted documents or materials that were relied upon by the Chancellor to issue or support the charge, unless privacy laws require redaction;

- h. The Chancellor's initial determination as to whether the charge seeks disciplinary action pursuant to UWS 6 and UW-Whitewater Ch. VI, Section B rather than UWS 4;
- i. A description of any penalty and/or remedy;
- j. The faculty member's right to an advocate or legal representation at his or her own expense at any point in the process; and
- k. The faculty member's right to request a hearing before the Faculty Appeals, Grievance and Disciplinary Hearing Committee in regard to either the findings and/or the penalties or remedies no later than twenty-one (21) calendar days from the date of the Statement of Charge(s).

4. Response by Faculty Member:

Within twenty-one (21) calendar days from the date of the Statement of Charge(s), the faculty member may submit a written request for a hearing to the Chancellor. Failure to file a written request for a hearing within the timeframe herein shall result in the charge(s) being final and any penalties and/or remedies may be immediately imposed against the faculty member.

5. Request for Hearing:

If a faculty member submits a written request to the Chancellor for a hearing within the timeframe herein, then the Chancellor shall stay any penalty or remedy until the hearing process is concluded. The Chancellor shall contact the Faculty Senate Chair and request that a five (5) member hearing panel be formed (plus 2 alternate members) from the membership of the Faculty Appeals, Grievance and Disciplinary Hearing Committee. The Chancellor shall provide the Faculty Senate Chair with a copy of the Statement of Charge(s) (with attachments).

6. Composition of Hearing Panel:

a. Within twenty-one (21) calendar days from receipt of the Chancellor's request for a hearing panel, the Faculty Senate Chair shall select five (5) eligible Faculty Appeals, Grievance and Disciplinary Hearing Committee members and two (2) alternates to serve as the Hearing Panel. Upon the Faculty Senate Chair's receipt of each selected member's confirmation of their availability to serve as a Hearing Panel member, the Faculty Senate Chair will submit the Hearing Panel member's and alternate's names and titles in writing to the Chancellor and faculty member.

b. The Chancellor or the faculty member may each object to one Hearing Panel member or alternate, in which case a new panel member may be chosen.

c. No Hearing Panel member or alternate shall be a member of the faculty member's department, nor shall a member or alternate have a conflict of interest or personal

relationship which would impact the member's or alternate's ability to be an impartial and unbiased Hearing Panel member.

7. Initial Meeting of Hearing Panel:

Within twenty-one (21) calendar days of the official composition of the Hearing Panel, the Faculty Senate Chair shall meet with the Hearing Panel in-person or by teleconference and provide the Hearing Panel with a copy of the Statement of Charge(s) and attachments. During this meeting, the Hearing Panel shall appoint a Chairperson to officiate the hearing proceedings, conduct all necessary communication with the parties during the process and respond to any procedural matters on behalf of the Hearing Panel.

8. Legal Advisor to Hearing Panel:

Upon the Hearing Panel's request to the Chancellor, an attorney from the UW System Office of General Counsel may be assigned to work with the Hearing Panel in regard to procedural matters and/or drafting of written communications during the hearing process. The function of legal counsel shall be to advise the Hearing Panel, consult with Hearing Panel members on legal matters, and such other responsibilities as shall be determined by the Hearing Panel within the provisions of these rules and procedures.

9. Confidential Materials:

During this hearing process, all documents received by the Faculty Senate Chair and Hearing Panel shall be considered confidential in nature. Only individuals who are involved in the hearing proceedings shall have access to the information contained therein as necessary to participate in the hearing, unless otherwise subject to disclosure by law.

10. Preliminary Meeting:

a. Procedural Issues: Within thirty (30) calendar days from the initial meeting between the Faculty Senate Chair and the Hearing Panel, the Chair of Hearing Panel shall meet with the parties for a preliminary meeting (in person or by teleconference) in order to determine the following:

- i. The date, time and location of the hearing;
- ii. The order in which the parties will present their cases and the time allotted for such presentations;
- iii. Submission and exchange of any pertinent documents that the parties would like the Hearing Panel to consider;
- iv. A date in which the disclosure and exchange of the names and contact information of any witnesses will be provided to the Chair of the Hearing Panel and parties;
- v. The names and contact information of any advocate or legal representative, if any, that will be assisting either party during the hearing proceedings;

- vi. The method of recording the hearing;
- vii. Whether the hearing shall be conducted in open or closed session; and
- viii. Any objections or concerns from either party related to the hearing process.

b. Substantive Procedural Errors: If the faculty member alleges, through credible information, that there has been one or more significant procedural errors in the process, the Chair of the Hearing Panel, in consultation with UW System Office of General Counsel, shall review the alleged error and determine whether such error is substantial enough to prevent a fair, prompt and impartial proceeding. If so, the Chair of the Hearing Panel shall suspend further proceedings and issue a written statement to the Chancellor for consideration within seven (7) calendar days of the date of the allegations. Upon receipt of said statement, and within ten (10) calendar days, the Chancellor shall review said information and issue a determination as to whether, in light of such information, the charge(s) should be dismissed, modified or remain as written. The Chancellor's determination shall be issued in writing to the faculty member and Chair of the Hearing Panel. If the charge(s) are not dismissed, the Chair of the Hearing Panel shall proceed to the hearing stage of this process.

11. Hearing Proceedings:

a. Hearing Date: A hearing shall be conducted within sixty (60) calendar days from the initial meeting between the Faculty Senate Chair and the Hearing Panel. The Chair of the Hearing Panel shall notify all parties of the date, time and location of the hearing by email and First Class mail to the last known residence no less than five (5) calendar days prior to the hearing. The Chair of the Hearing Panel, in consultation with the parties, may extend the hearing date due to a break in the academic calendar, the unavailability of Hearing Panel members, parties or pertinent witnesses, or other extenuating circumstances.

b. Procedural Rights: During the hearing, the faculty member shall have the following procedural rights and protections:

- i. A fair and impartial hearing;
- ii. Reasonable access to all documents presented in evidence;
- iii. Be represented by a university advocate or legal counsel (at the party's expense). Said advocate or legal counsel may speak on behalf of the party and present the case on behalf of the party;
- iv. Be heard on the party's own behalf;
- v. Present witnesses to testify on behalf of the party;
- vi. Receive a reasonable opportunity to cross examine any witnesses called by the other party;
- vii. Request a temporary recess if necessary, to consider new evidence or information not previously known or reasonably discovered prior to the hearing; and
- viii. Upon request, obtain a copy of any transcript or recording of the hearing at the party's expense, if applicable.

c. Open Meetings Law: The hearing shall be conducted in accordance with the Wisconsin Open Meetings Law pursuant to Wis. Stats. Ch. 19.85, et. al. The faculty member may request that the hearing be conducted in either open or closed session. However, the Chair of the Hearing Panel shall determine whether to grant said request, considering both the personnel nature of the proceedings and the sensitive information that may be disclosed through testimony during the proceedings. All deliberations of the Hearing Panel shall be conducted in closed session.

d. Documentation: No less than three (3) calendar days prior to the scheduled hearing, the parties shall submit an electronic copy of all documentation that the parties intend to submit to the Hearing Panel for consideration (labeled with numbers and a table of contents), a list of all potential witnesses that either party intends to call to testify during the hearing and the name of each party's representative(s) or legal counsel, if applicable.

e. Hearing Procedures and Rules of Evidence: The Hearing Panel shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value but shall exclude immaterial, irrelevant, or unduly repetitious testimony, and shall give effect to recognized legal privileges. The Hearing Panel may take reasonable steps to maintain order, and to adopt procedures for conducting the hearing in a manner that will provide a reasonable opportunity for both parties to present their cases and question witnesses, provided, however, whatever procedure is adopted, the parties are allowed to effectively present and refute evidence.

f. Recording of Hearing: The Chair of the Hearing Panel shall be responsible for creating a recording of the hearing with a reliable recording device. If the hearing is conducted in open session, any person may record the open meeting unless said recording unduly interferes with the hearing proceedings. If the hearing is conducted in closed session, the Chair of the Hearing Panel shall be responsible for securing the record to prevent any improper disclosure. Either party may request a copy of the recording at their own expense which shall be provided as soon as reasonably practicable.

g. Burden of Proof: The Chancellor shall have the burden of proof to present evidence that proves by a preponderance of the evidence that the allegations contained in the Statement of Charge(s) occurred.

h. Failure to Appear: If either party fails to appear at the hearing, the Chair of the Hearing Panel may proceed with the hearing in their absence or postpone the hearing to a later date.

i. Witnesses: During the hearing, either party may call to testify any individual who is reasonably likely to have relevant or material information that is pertinent to the substantive issues contained in the Statement of Charge. Any witness who is an employee of the University may appear, upon request by either party, but said attendance is voluntary and no discipline shall be imposed against an employee for failing or refusing to appear as a witness at the hearing. If an employee appears at the hearing, the supervisor shall excuse the employee from work to attend the hearing. If either party is unable to secure a witness to attend the

hearing, the Chair of the Hearing Panel may consider alternative options of receiving any relevant information the witness may have, such as a video conference or teleconference.

j. Evidence Considered: During the hearing, the Hearing Panel shall accept evidence in the form of statements by the parties, testimony by witnesses and written documentation submitted prior to or during the hearing. The Hearing Panel shall only consider evidence that is credible, relevant and probative in value. The Hearing Panel shall not consider any evidence that it determines to be redundant, immaterial or lacking in probative value. At the conclusion of the hearing, the Hearing Panel shall deliberate in closed session to consider the evidence and issue its findings of facts and recommendations. At the conclusion of the deliberations, the Hearing Panel members shall take a vote to affirm or oppose each charge listed in the Chancellor's statement of charge letter and affirm, oppose or propose a lesser penalty and/or remedy contained in the Statement of Charge(s). An affirmative vote of a simple majority of the Hearing Panel members shall be required to sustain a motion.

12. Hearing Panel's Report:

Within twenty-one (21) calendar days from the conclusion of the Hearing Panel's deliberations, the Chair of the Hearing Panel shall prepare a written report to the Chancellor, with a copy to the faculty member by email and First Class mail to last known residence, which includes the Hearing Panel's findings of facts, conclusions and recommendations in regard to each of the Chancellor's charge(s), penalties and/or remedies contained in the Statement of Charge(s).

13. Chancellor's Decision:

Within thirty (30) calendar days from receipt of the Hearing Panel's report, the Chancellor shall issue a final decision. The Chancellor may impose a lesser or different penalty and/or different remedy than originally proposed. The Chancellor's decision shall be final except that the Board of Regents may, at its discretion, grant a review on the record in accordance with UWS 6.01(5).

14. Retention of Records:

All documentation (including hard copies, email communications, photos, videos, cell phone messages, etc...) that was a part of the evidentiary record considered by the Hearing Panel, including the recording of the hearing, shall be submitted to the Faculty Senate Chair for collection and secure forwarding to the Office of the Provost and Vice Chancellor for Academic Affairs to be placed in the faculty member's personnel file and in the University Archives.



UNIVERSITY OF WISCONSIN
WHITEWATER

Office of the Chancellor

MEMORANDUM

TO: Ray Cross
President, University of Wisconsin System

FROM: Beverly Kopper *BK*
Chancellor, University of Wisconsin-Whitewater

RE: Summary of Revisions to UW-Whitewater Faculty Personnel Rules, Chapter VI

DATE: September 13, 2016

On August 8, 2016, the UW-Whitewater Faculty Senate approved revisions to UW-Whitewater *Faculty Personnel Rules, Chapter VI, Rules Governing Complaints and Grievances Against Faculty Under UWS 6 of the Wisconsin Administrative Code*.

This memorandum is in support of the proposed revisions. The overall purpose of the revision to Chapter VI is to create a more organized, consistent and streamlined process for addressing complaints against faculty members. The last revision to this policy occurred in August of 2006. The existing policy has been described by many users as difficult to follow, unstructured, unclear, burdensome and disorganized.

In order to address these concerns, a number of revisions have been made to create a more organized and user-friendly policy. For example, the procedures have been reorganized to create a chronological approach to each stage of the complaint process. There is now a preliminary hearing process that will prevent unnecessary delays or objections during the hearing. Specific time frames have been created for each stage of the process. The existing bifurcated hearing process on the merits and penalties has been consolidated into one hearing process to create a more efficient and effective hearing process and avoid scheduling conflicts for hearing panel members, parties and witnesses. The new language eliminates unnecessary references to subsections. Finally, the revised policy addresses the equity of rights and protections for both complainants and faculty members for allegations involving sexual misconduct pursuant to Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013. These changes are consistent with due process protections and hearing procedures related to disciplinary proceedings.

These revisions are intended to maintain and promote a fair and equitable process under which complaints may be addressed and adjudicated through proper due process rights and protections for the faculty member.

If you have any questions, please do not hesitate to contact me. Thank you for your consideration and assistance in this matter.

C: James Henderson, Vice President for Academic and Student Affairs
Carmen Faymonville, Special Assistant to the Vice President
Tom Stafford, General Counsel, UW System
Jennifer Lattis, Senior System Legal Counsel, UW System
Susan Elrod, Provost and Executive Vice Chancellor for Academic Affairs
Paige Reed, Chief of Institutional Policy & Compliance, UW-Whitewater

Approval of the Office of Educational Opportunity
UW System Office of the President

EDUCATION COMMITTEE

Resolution I.1.h

That, upon the recommendation of the President of the University of Wisconsin System, and as required by s. 36.64, Wis. Stats., the Board of Regents creates the Office of Educational Opportunity within the Office of the President.

CREATION OF THE OFFICE OF EDUCATIONAL OPPORTUNITY UNIVERSITY OF WISCONSIN SYSTEM ADMINISTRATION

BACKGROUND

Wisconsin Act 55 of 2015 (now s. 36.64, Wis. Stats.) created the Office of Educational Opportunity (“OEO”) within the University of Wisconsin System Administration.

The OEO’s enabling legislation includes a statutory mandate for the Board of Regents to formally create the office. Specifically, s. 36.64 Wis. Stats., states that “the board shall create the office of educational opportunity within the system.” The UW System Office of General Counsel has reviewed the proposed action.

REQUESTED ACTION

Adoption of Resolution I.1.h, approving the creation of the Office of Educational Opportunity within the UW System Office of the President, in accordance with s. 36.64, Wis. Stats.

DISCUSSION

The Wisconsin State Legislature created the OEO as a public charter school authorizer within the University of Wisconsin System as part of Act 55 of 2015. The legislature directed the Board of Regents to create the OEO within the Office of the UW System President. The mission and the organizational structure of the OEO are prescribed in s. 36.64, Wis. Stats., as follows:

- (2) The office of educational opportunity shall evaluate proposals for contracts under s. 118.40(2x), monitor pupil academic performance at charter schools authorized under s. 118.40(2x), and monitor the overall operations of charter schools authorized under s. 118.40(2x).
- (3) The director of the office of educational opportunity is the special assistant to the president appointed under s. 36.09(2)(c).
- (4) The director of the office of educational opportunity may do any of the following:
 - (a) Appoint up to 2 associate directors.
 - (b) Form advisory councils to make recommendations related to authorizing charter schools under s. 118.40(2x).
 - (c) Collaborate with chancellors, faculty, academic staff, and students within the system.
 - (d) Solicit private gifts and grants for charter schools established under s. 118.40(2x).
- (5) (a) The director of the office of educational opportunity shall report to the board any private gift or grant received by the office of educational opportunity and how the director intends to use the private gift or grant.

(b) If the office of educational opportunity receives a private gift or grant, the director shall use the gift or grant, or invest the same in the case of moneys, as the donor or grantor specifies. In the absence of any specific direction as to the use of the gift or grant, the director may, in his or her sole discretion, determine the use or investment of the gift or grant to support the office or any charter school established under s. 118.40(2x). The board may not exercise control over a private gift or grant received by the office of educational opportunity.

UW System Board of Regents approval is necessary to ensure compliance with state law requiring creation of the office.

RELATED REGENT POLICIES

None