

**RECORD OF THE REGULAR MEETING OF THE
UNIVERSITY OF WISCONSIN SYSTEM BOARD OF REGENTS**

Thursday, December 7, 2023
7:30 a.m.

Gordon Dining & Event Center
Symphony Room
770 W. Dayton Street
Madison, Wisconsin

-President Walsh presiding-

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The recording of this meeting's afternoon open session is available at: [December 7, 2023 Webcast](#)

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CALLING OF THE ROLL (A.M.)

PRESENT: Regents Angela Adams, Robert Atwell, Amy Bogost, Evan Brenkus, Héctor Colón, Mike Jones, Jim Kreuser, Edmund Manydeeds, John Miller, Cris Peterson, Joan Prince, Ashok Rai, Mark Tyler, Dana Wachs, Karen Walsh, and Kyle Weatherly

UNABLE TO ATTEND: Regents Jennifer Staton and Jill Underly

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CLOSED SESSION (A.M.)

President Walsh called upon Vice President Bogost to read the motion to move into closed session. The motion was seconded by Regent Wachs and adopted on a roll call vote, with Regents Adams, Atwell, Bogost, Brenkus, Colón, Jones, Kreuser, Manydeeds, Miller,

Peterson, Prince, Rai, Tyler, Wachs, Walsh, and Weatherly voting in the affirmative. There were no dissenting votes and no abstentions.

Closed Session Resolution

Resolution 12103 That the Board of Regents move into closed session to: a) consider personal histories related to UW-Madison, UW-Milwaukee, and UW-Eau Claire honorary degree nominations, as permitted by s. 19.85(1)(f), Wis. Stats.; b) consider a student request for review of a UW-Madison disciplinary decision, as permitted by s. 19.85(1)(a), (f), and (g), Wis. Stats; c) confer with legal counsel regarding pending (*Tony Evers v. Howard Marklein, Appeal Number 2023AP0002020 – OA*) and potential litigation, as permitted by s. 19.85(1)(g), Wis. Stats; d) deliberate and negotiate funding proposals and matters that require a closed session for competitive or bargaining reasons, as permitted by s. 19.85(1)(e), Wis. Stats.; and e) consider personnel evaluation of the UW System President, as permitted by s. 19.85(1)(c), Wis. Stats.

Before considering items on the closed session agenda, President Walsh asked if any Board members wished to declare any conflicts of interest as per Regent Policy Document 2-4, "Ethics and Conflict of Interest Policy for the UW System Board of Regents."

No conflicts were declared.

Regent Jones offered a motion to adjourn the morning session. The motion was seconded by Regent Colón and approved on a voice vote.

The morning session was adjourned at 8:40 a.m.

The Board reconvened in open session at 1:00 p.m.

CALLING OF THE ROLL (P.M.)

[\[Recording: 00:00:10\]](#)

PRESENT: Regents Angela Adams, Robert Atwell, Amy Bogost, Evan Brenkus, Héctor Colón, Mike Jones, Jim Kreuser, Edmund Manydeeds, John Miller, Cris Peterson, Joan Prince, Ashok Rai, Mark Tyler, Dana Wachs, Karen Walsh, and Kyle Weatherly

UNABLE TO ATTEND: Regents Jennifer Staton and Jill Underly

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DECLARATION OF CONFLICTS

Before considering any items on the open session agenda, President Walsh asked if any Board members wished to declare any conflicts of interest as per Regent Policy Document 2-4, "Ethics and Conflict of Interest Policy for the UW System Board of Regents."

No conflicts were declared.

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UPDATES AND INTRODUCTIONS

[\[Recording: 00:00:59\]](#)

President Walsh reported that Patricia Kleine, UW-Eau Claire Provost and Vice Chancellor for Academic Affairs, would be retiring in July 2024, and as a planned transition will continue to serve in the role until January 2024. Mike Carney, professor and Interim Assistant Chancellor for Strategic Partnerships and Program Development, will then serve as interim Vice Chancellor and Provost until summer of 2025, when UW-Eau Claire expects a new permanent Provost to start.

President Rothman reported that Dr. Bob Hetzel, UW-La Crosse Vice Chancellor for Administration & Finance, would retire at the end of the 2023-24 academic year. President Rothman thanked him for his 17 years of service at UW-La Crosse.

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APPROVAL OF MEETING RECORDS

[\[Recording: 00:03:35\]](#)

The records of the November 9, 2023 regular meeting and the December 1, 2023 special meeting of the UW System Board of Regents were approved as distributed.

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REPORT OF THE BOARD PRESIDENT

[\[Recording: 00:04:10\]](#)

Reports of the Wisconsin Technical College System Board

The November 2023 report of the Wisconsin Technical College System Board had been provided. There were no comments or questions.

Update on the UW-La Crosse Chancellor Search Process

President Walsh provided an update on the search for the next chancellor of UW-La Crosse. She said the search officially opened in November 2023 and the deadline to submit nominations and applications for full consideration would be January 2, 2023.

President Walsh reported listening sessions were recently held on the UW-La Crosse campus to provide an opportunity for students, faculty, staff, and community members to share what qualities they would like to see in candidates for UW-La Crosse's next chancellor. She said the feedback would help inform the work of the Search & Screen Committee, which is led by vice chair Professor Enilda Delgado and Regent Ashok Rai as chair, with Regents Angela Adams, Evan Brenkus, Jim Kreuser, and Joan Prince also serving. President Walsh said the Search & Screen committee would reconvene later in December 2023 in preparation for reviewing nominations and applications.

Regent Rai said the committee was very excited to see the candidates and thanked Regents, faculty and staff, and the community for participating in the listening sessions.

Regents Business Partnership Award Update

President Walsh reported that on November 30, 2023, UW-Stevens Point and Sentry were recognized for their long, productive, and mutually beneficial relationship. She invited Vice President Bogost, who took part in the award presentation, to share more.

Vice President Bogost said the longstanding relationship between UW-Stevens Point and Sentry, over six decades, has had a positive and transformative impact on students, faculty, staff, and the community. She noted that Sentry and its foundation have funded scholarships for hundreds of students who need financial support to access a college education. Vice President Bogost congratulated Sentry, Chancellor Gibson, and the entire UW-Stevens Point community.

UW School of Veterinary Medicine Ribbon-cutting

President Walsh reported that in November 2023, she and President Rothman participated in the ribbon-cutting for the expansion of the University of Wisconsin School of Veterinary Medicine at UW-Madison. She said the University of Wisconsin School of Veterinary Medicine is consistently ranked in the top 10 around the country. It has earned a reputation for providing outstanding programs in veterinary medical education, research, clinical practice, and service that enhance the health and welfare of both animals and people and contribute to the well-being of the state of Wisconsin. She said having state-of-the-art facilities is essential to the work the school performs. Even more essential, President Walsh said, are the people who will work in this new facility. She said the new School will help to attract and retain the best faculty and staff and give students an even greater opportunity to be the next generation of leaders in veterinary medicine.

Athletic Accomplishments

President Walsh shared that the Team USA wheelchair basketball men's and women's teams, with current and former UW-Whitewater student-athletes on the teams, captured gold medals recent at the Parapan American Games in Santiago, Chile. She said the wins have earned both teams spots at the 2024 Paralympic Games in Paris, France.

President Walsh noted UW-Whitewater is recognized consistently for exceptional programming and outcomes for students with disabilities. The UW-Whitewater men's and women's wheelchair basketball teams are club sports that compete nationally. She said the Men's team has won 13 national titles since 1982 and the women's team has won three national titles.

President Walsh congratulated the UW Oshkosh women's volleyball team in making it to the Elite Eight at the NCAA tournament the week prior in Claremont, California. She said they had an impressive season with 34 straight wins, which broke the program's previous win-streak of 29 set in 2009.

Winter Commencement

President Walsh reported that about 10,000 students from all around the Universities of Wisconsin would receive their UW degrees. She said the graduates are the workers, leaders, and innovators who will define the economy and culture of Wisconsin. She thanked the faculty, staff, university communities, and families who supported the students as they progressed through their UW experience. She offered her congratulations to the Class of 2023 and wished them great success.

Concluding her remarks, President Walsh thanked the Wisconsin State Senate for their vote of confidence in recently confirming several Regents, and expressed her hope that the remaining four would be confirmed soon.

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REPORT OF THE SYSTEM PRESIDENT

[\[Recording: 00:12:52\]](#)

President Rothman extended his congratulations to the Class of 2023 and said it is an honor to be a part of the celebrations.

Legislative and Other Updates

President Rothman said the UWs continue to be engaged in discussions with legislators to resolve a number of differences on critical issues, including support for a UW pay plan and the proposed engineering building at UW-Madison. He said he is hopeful a successful conclusion to those discussions is reached.

OpportUWnity Tour Update

President Rothman reported that the OpportUWnity Tour recently made stops at UW-Platteville and UW-Stevens Point. He said both campuses have strong support in their area business community and that he is excited about the partnerships being built throughout the state. President Rothman said he also met with faculty and staff from UW-Platteville and UW-Stevens point, and as always, was impressed by their passion and commitment to student success.

President Rothman said that during the visit to UW-Stevens Point, as President Walsh had mentioned, UW-Stevens Point and Sentry were presented with Regents Business Partnership Awards. He noted the large number of attendees at the event who indicated

they were UW-Stevens Point alumni, and how this indicates a mutually beneficial relationship.

Universities of Wisconsin Accomplishments

President Rothman reported that UW-Stout received a \$2.5 million award over five years from the U.S. Department of Education to help the polytechnic university expand its ability to serve students, especially low-income, first-generation, and transfer students. He said UW-Stout's STRONG (Strategic Technology, Retention and Organizational Networks and Guidance) program will focus on improved academic advising support, a new First Year Experience program to help students successfully transition into college, a Financial Wellness Center on campus, and enhanced mental health strategies. President Rothman congratulated Chancellor Frank and the UW-Stout campus community.

President Rothman reported UW Oshkosh launched a new School of Informatics, where students will learn how to better understand and apply cutting-edge technology to help solve workforce challenges. He said the new school will not be housed in a traditional brick-and-mortar building but will serve as an umbrella to bring together multidisciplinary programs focused on making information more accessible, accurate, impactful, and secure. President Rothman congratulated Chancellor Leavitt and the UW Oshkosh campus community.

President Rothman reported that UW-Madison, for the first time, has topped \$1.5 billion in research expenditures, according to the National Science Foundation. He said UW-Madison is now ranked 8th among the nearly 900 public and private universities surveyed by NSF, and that NSF's Higher Education Research and Development data showed a 10% increase in research expenditures at the flagship over the previous fiscal year. President Rothman congratulated Chancellor Mnookin and the UW-Madison campus community.

Strategic Planning Update

President Rothman said as part of the UWs' commitment to foster civic engagement and to serve the public good, Strategy 4 of the strategic plan calls for the Universities of Wisconsin to, "champion the democratic principles of free expression, academic freedom, and civil discourse." He said the presentation and discussion on expanding the UWs' efforts on freedom of expression and civil dialogue, which would take place later that day, provides an update to the Board on the work being done on a variety of fronts.

President Rothman said in the Education Committee meeting earlier in the day there was a presentation on, "Strategies and Support to Increase Student Retention." He said this reflects Strategy 2 of the strategic plan and the UWs' commitment to champion student success across the higher education life cycle.

President Rothman said at the next day's meeting the Board would hear an overview of the EAB Navigate student success management system, which is also part of the efforts to support student success.

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PROMOTING CIVIL DISCOURSE & FREEDOM OF EXPRESSION

[\[Recording: 00:23:45\]](#)

Before the presentation began, President Walsh invited state legislators who were present to join Regents at the table to participate in the discussion on promoting civil discourse & freedom of expression. The legislators who joined were Senator Chris Larson, Representative Jodi Emerson, Representative Dave Murphy, Representative Amanda Nedweski, and Representative Robert Wittke.

In his introductory remarks, President Rothman said freedom of expression is a concept that is deeply woven into the fabric of academia and that he believes universities must be marketplaces of ideas, where civil dialogue is encouraged, and differing ideas can be exchanged and vigorously debated. However, he said there is no place on Universities of Wisconsin campuses for bigotry of any kind. President Rothman said steps must be taken to ensure students feel safe on campus.

President Rothman recognized the work the UWs have done to protect the practice of civil dialogue, but noted there is still work to be done to ensure that all viewpoints are heard.

2023 Annual Academic Freedom & Freedom of Expression Report

Presenting to the Board were Jeff Buhandt, Universities of Wisconsin Vice President for University Relations; Eric Giordano, executive director of the Wisconsin Institute for Public Policy and Service (WIPPS); and Tim Shiell, director of the Wisconsin Institute for Citizenship and Civil Dialogue (WICCD).

Vice President Buhandt said the strategic plan guides the work being done on campuses in support of academic freedom and freedom of expression. He said this can be seen in amplifying efforts to be advocates of free expression, academic freedom, and civil discourse; measuring student understanding of the First Amendment and civil discourse; developing resources for the UWs; and working with the UWs to strengthen policies. Vice President Buhandt highlighted President Rothman's support of academic freedom and freedom of expression, including testifying to legislature on its importance and meeting with students at "It's Just Coffee" events on campuses.

Vice President Buhrandt said WICCD will work very closely with WIPPS in order to help develop and identify resources for the UWs as they review policies and procedures that will help them to better promote civil dialogue.

Vice President Buhrandt said the 2023 Annual Academic Freedom and Freedom of Expression report provides an overview of the activities the UWs engaged in during fiscal year 2022-2023 that affirm commitment to and support of academic freedom and freedom of expression. He said the report also details the variety of ways the UWs inform students of their free speech rights, protections, and responsibilities.

Wisconsin Institute for Citizenship and Civil Dialogue

Mr. Giordano said WICCD will help coordinate the UWs' numerous academic centers that focus on the Constitution and public affairs as a way of elevating, enhancing, and promoting their existing excellent programming and research. He said WICCD will also assist in measuring, researching, assessing, and evaluating activities at UWs, in compliance with Regent Policy Document (RPD) 4-21.

Mr. Shiell gave an overview of WICCD's priorities for 2024, including establishing a Board of Advisors, creating a primary channel of communication and a website, establishing relationships with UWs as well as non-university partners, overseeing grant distribution to UWs, and organizing 2024 programming and workshops.

University Perspectives: UW-Superior and UW-Madison

UW-Superior Chancellor Renée Wachter and UW-Madison Chancellor Jenneifer Mnookin shared their perspectives on how universities can foster environments that promote a greater understanding of free speech and its responsibilities.

Chancellor Wachter said that while it is important to provide students with multiple communications that help students understand the free speech policy and responsibilities, it is even more important to encourage civil dialogue. She noted the importance of having educational conversations about free speech and diverse opinions when controversial events or speakers come to campus.

Chancellor Mnookin said human freedom and constitutional democracy depend on the free and open exchange of ideas. She noted that free speech and belonging are core values at the university, though they are at times in contention with one another, and that it is important to learn to engage across differences.

Discussion

Legislators engaged with Regents in wide-ranging discussion that touched on how to determine what is free speech and how to define hate speech or harm. Regents and legislators also discussed the consequences for violations of free speech protections and how the university can foster civil dialogue.

Representative Dave Murphy thanked President Rothman for the open dialogue they are able to have. He said he also appreciated working with WIPPS and WICCD, and their commitment to protecting free speech on campus. Rep. Murphy said it is important that speakers with differing views come to campuses, which allows for conversation around divisive topics.

Representative Bob Wittke said he was pleased to see the efforts made by the UWs shown in the 2023 Annual Academic Freedom & Freedom of Expression Report. He added that he was appreciative of events on campus that include legislators from both sides of the aisle and show that people with differing views can have civil discussion.

Representative Jodi Emerson said many students are being exposed to different ideas, people, or religions they have never known before, and that it is important to show grace to them. She said it can be uncomfortable, but that being uncomfortable isn't necessarily bad.

Senator Chris Larson noted that many students do not have a full understanding of what their First Amendment rights are. He added that free speech does not mean it is free from consequences. Senator Larson shared emphasized the importance of listening to students, and when speaking with them he said they raise many issues that were more important to them such as affordability of college, mental health and access to healthcare, safety on campus, and climate change.

Representative Amanda Nedweski noted that there is typically bipartisan agreement when it comes to free speech. She agreed that having discussions with people from both sides of the aisle or argument is important and helps people gather more information about the topic. Rep. Nedweski said she would like to see more data, over time, to measure the impact of the efforts for academic freedom and freedom of speech.

Regent Atwell asked for clarification on the definition of hate speech and to what extent the First Amendment prohibits hate speech. Mr. Shiell said "hate speech" is an informal term that does not have an agreed upon definition and is not a term of law. He said speech may be subject to potential legal sanctions if it becomes part of severe harassment or a threat.

President Walsh, Rep. Nedweski, Rep. Murphy, Rep. Emerson, and Rep. Wittke shared their thoughts on consequences if someone violates protected free speech on campus, RPD 4-21, and the First Amendment. Chancellor Mnookin noted that UW-Madison has policies defining consequences for disrupting university authorized activities, including being subject to non-academic misconduct and/or discipline.

Regent Miller asked about the number of incidents relating to academic freedom and freedom of speech on campus reported under RPD 4-21. Vice President Buhrandt said there have been seven recorded incidents since reporting began in 2016.

Regent Peterson noted the conversation around free speech is important, but also to recognize no one has all the answers to it.

Regent Rai said he greatly appreciated the opportunity to have in-depth dialogue with legislators and he hoped there would be similar conversations in the future.

The Board recessed at 3:40 p.m. and reconvened in open session at 3:51 p.m.

CLOSED SESSION (P.M.)

[\[Recording: 02:17:44\]](#)

President Walsh called upon Vice President Bogost to read the motion to move into closed session. The motion was seconded by Regent Rai and adopted on a roll call vote, with Regents Adams, Atwell, Bogost, Brenkus, Colón, Jones, Kreuser, Manydeeds, Miller, Peterson, Prince, Rai, Tyler, Wachs, Walsh, and Weatherly voting in the affirmative. There were no dissenting votes and no abstentions.

Closed Session Resolution

Resolution 12104 That the Board of Regents move into closed session to: a) consider personal histories related to UW-Madison, UW-Milwaukee, and UW-Eau Claire honorary degree nominations, as permitted by s. 19.85(1)(f), Wis. Stats.; b) consider a student request for review of a UW-Madison disciplinary decision, as permitted by s. 19.85(1)(a), (f), and (g), Wis. Stats; c) confer with legal counsel regarding pending

(Tony Evers v. Howard Marklein, Appeal Number 2023AP0002020 – OA)
and potential litigation, as permitted by s. 19.85(1)(g), Wis. Stats; d) deliberate and negotiate funding proposals and matters that require a closed session for competitive or bargaining reasons, as permitted by s. 19.85(1)(e), Wis. Stats.; and e) consider personnel evaluation of the UW System President, as permitted by s. 19.85(1)(c), Wis. Stats.

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Before considering items on the closed session agenda, President Walsh asked if any Board members wished to declare any conflicts of interest as per Regent Policy Document 2-4, "Ethics and Conflict of Interest Policy for the UW System Board of Regents."

No conflicts were declared.

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During closed session Regent Wachs moved for the adoption of Resolution 12105. The motion was seconded by Regent Tyler and approved on a voice vote.

Student Request for Discretionary Review of a UW-Madison Disciplinary Decision

Resolution 12105 That the Board of Regents adopts the attached Proposed Decision and Order as the Board's Final Decision and Order in the matter of a student request for review of a UW-Madison disciplinary decision.

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The meeting was adjourned at 5:51 p.m.

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Submitted by:

/s/ _____

Megan Wasley
Executive Director & Corporate Secretary
Office of the Board of Regents
University of Wisconsin System