



Board of Regents of The University of Wisconsin System

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

CR 88-118

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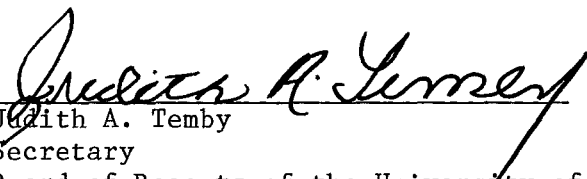
Revisor of Statutes
Bureau

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

I, Judith A. Temby, Secretary to the Board of Regents of the University of Wisconsin System, and custodian of the official records, certify that the annexed rules, relating to student academic misconduct, were duly approved and adopted by this board on December 9, 1988.

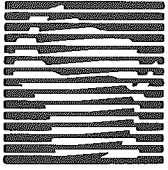
I further certify that this copy has been compared by me with the original on file with this board, and that it is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Regents of the University of Wisconsin System at 1860 Van Hise Hall, 1220 Linden Drive in the city of Madison, this 14th day of December, 1988.



Judith A. Temby
Secretary
Board of Regents of the University of Wisconsin System

3-1-89



Board of Regents of The University of Wisconsin System

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

December 15, 1988

Mr. Gary L. Poulson
Office of the Revisor of Statutes
Room 702
30 West Mifflin Street
Madison, Wisconsin 53703

Dear Mr. Poulson:

Enclosed for filing with your office are one certified copy and one uncertified copy of rules concerning student academic misconduct. These rules were approved and adopted by the Board of Regents at its meeting on December 9, 1988, and publication is now appropriate.

Thank you for your assistance.

Sincerely,

Judith A. Temby
Judith A. Temby
Secretary

2890Q/528X

Enclosures

cc: President Shaw
Executive Vice President Lyall
Vice President Trani
Professor John Kidwell
Committee to Revise UWS 17
Elizabeth Schoenfeld

ORDER OF THE BOARD OF REGENTS OF
THE UNIVERSITY OF WISCONSIN SYSTEM
ADOPTING, AMENDING AND REPEALING RULES

Agency contact persons: Patricia B. Hodulik (262-6497); Judith Temby (262-6425); Elizabeth Wright (263-2208)

[INTRODUCTORY CLAUSE]

The Board of Regents of the University of Wisconsin System adopts an order to repeal UWS 17.02(8), UWS 17.06(2) and UWS 17.13; to renumber UWS 17.02(9) and (10), and UWS 17.06(1); to amend UWS 17 (title), UWS 17.02(4) and UWS 17.07(1); and to create UWS 14, relating to student academic misconduct.

[PLAIN LANGUAGE ANALYSIS PREPARED BY THE UW SYSTEM]

Under s. 36.35, Wisconsin Statutes, the Board of Regents of the University of Wisconsin System ("Board") is authorized to promulgate rules governing student conduct and procedures for the administration of violations. The order makes substantive revisions in the Board's existing rules concerning student academic misconduct, and reorganizes all student disciplinary rules by placing those pertaining to academic misconduct in a chapter separate from the rules regulating other, nonacademic misconduct. The revised rules governing student academic misconduct are proposed for inclusion in Chapter UWS 14. Existing rules relating to student academic misconduct now found in Chapter UWS 17 would be amended or repealed under the order, making Chapter UWS 17 applicable only to nonacademic forms of misconduct.

The principal effects of the proposed academic misconduct rules, and the changes they make in existing rules, are as follows:

(1) Definition of academic misconduct. Proposed UWS 14.03(1) would define academic misconduct in terms of the types of intellectual dishonesty or fraud it encompasses, rather than by means of specific examples as is done under current UWS 17.06(2).

(2) Disciplinary sanctions. The penalties which may be imposed for academic misconduct under proposed UWS 14 remain very similar to those currently available. Under existing UWS 17, however, there are two categories of penalties: "academic responses" (such as grade reductions, failing grades and assignments to do additional work) and "disciplinary sanctions" (ranging from written reprimands to expulsion). The former are applicable only to academic misconduct, while the latter may be applied to either academic or nonacademic misconduct. Proposed UWS 14.04 would eliminate this distinction, and list all available sanctions for academic misconduct, arranged in order from the least severe to the most severe. Penalties affecting a student's academic standing or grades are placed before those which affect status as a university student. One new sanction, "a failing grade in the course," has been added to existing penalties found in UWS 17.

(3) Procedures for imposing disciplinary sanctions. A primary reason for undertaking revisions in the rules on student academic misconduct was the expressed concern of faculty members that UWS 17 established overly formalistic procedures for the imposition of discipline for academic misconduct. The process for initiating disciplinary action was most often cited as problematic. Existing UWS 17 requires instructors--before taking any other action--to mail a certified letter detailing the offense being alleged and notifying the involved student of an array of procedural rights, up to and including a full adversary hearing. This degree of formality is felt to deter instructors from taking action on instances of academic misconduct, particularly where the misconduct is minor.

To alleviate this problem, proposed UWS 14.05, 14.06 and 14.07 create a simpler process with greater flexibility for instructors, particularly at the beginning stages of a disciplinary action. The proposed rules would establish three distinct procedural mechanisms for the imposition of disciplinary sanctions for academic misconduct: one to be used by instructors within the classroom setting, for minor instances of misconduct (proposed UWS 14.05); a second to be used by instructors where the misconduct and recommended sanction are more serious, and a formal record of the matter is created (proposed UWS 14.06); the last to be used by campus investigating officers, where the misconduct is outside the scope of any single course or warrants the most severe penalties (proposed UWS 14.07).

The process to be invoked in a particular situation corresponds to the severity of the sanction. Under proposed UWS 14.05, instructors may impose on their own the least severe of the available sanctions (verbal reprimand, written reprimand given only to the student or assignment to repeat the work), without filing a report of the action with any other university office. Students may exercise appeal rights under proposed UWS 14.08 from such an action by the instructor. In the event no appeal is taken, however, the matter would be considered resolved after the instructor's action and no official record of the incident would be created.

For situations involving more serious academic misconduct, and correspondingly harsher sanctions, instructors would employ the procedure outlined in proposed UWS 14.06. Instructors could, under this section, impose the sanctions listed in proposed UWS 14.04(d)-(h) (ranging from a lower grade on an assignment to a written reprimand to be placed in the student's file), after offering to discuss the matter with the student, and filing a formal report of misconduct specifying the nature of the misconduct, the sanction recommended and providing notice of the student's hearing rights. Instructors may, in addition, recommend that the investigating officer impose the most severe penalties, listed under proposed UWS 14.04(i)-(j) (probation, suspension or expulsion).

Investigating officers may act under proposed UWS 14.07 to impose discipline where: the academic misconduct has occurred outside the scope of a course; the misconduct involves a student who has previously engaged in academic misconduct (other than minor misconduct addressed by an

instructor under proposed UWS 14.05 and not appealed by the student); the misconduct is so serious that it warrants the most severe penalties; or the instructor is unable to proceed with the inquiry. Investigating officers are required to discuss their proposed disciplinary actions with involved instructors, and may consult on either the facts underlying the alleged misconduct or the recommended sanction or both.

(4) Hearing and appeals procedures. The procedural protections afforded to students in hearings on academic misconduct remain generally the same in the proposed rules as those under UWS 17. The proposed rules would, however, make the burden of proving academic misconduct more stringent than it is under the existing rules. Given the seriousness of certain penalties, and their potential impact on students' careers, it was felt that a higher standard of proof was appropriate. Accordingly, proposed UWS 14.08(3)(e) would require that, where the penalty sought is suspension or expulsion, the standard is "clear and convincing" proof of misconduct. While this is a stricter standard than the "preponderance of credible evidence" standard in effect under current rules, it is obviously not so strict as the "beyond a reasonable doubt" standard required in criminal proceedings.

Additionally, proposed UWS 14.08(2)(g) clarifies that an instructor may be a witness in a misconduct hearing, but would not necessarily be required to act as a kind of "prosecuting attorney" responsible for the conduct of the case. The appeal process, too, is clarified. Under proposed UWS 14.09, where the discipline prescribed after a hearing is suspension or expulsion, the involved student would have the opportunity to appeal to the chancellor. In any case, the outcome of the institutional process would be final, unless the Board exercised its right to review the matter on the record under proposed UWS 14.10.

[TEXT OF RULE]

SECTION 1. Chapter UWS 14 is created to read:

UWS 14

STUDENT ACADEMIC DISCIPLINARY PROCEDURES

UWS 14.01 STATEMENT OF PRINCIPLES: The board of regents, administrators, faculty, academic staff and students of the university of Wisconsin system believe that academic honesty and integrity are fundamental to the mission of higher education and of the university of Wisconsin system. The university has a responsibility to promote academic honesty and integrity and to develop procedures to deal

effectively with instances of academic dishonesty. Students are responsible for the honest completion and representation of their work, for the appropriate citation of sources, and for respect of others' academic endeavors. Students who violate these standards must be confronted and must accept the consequences of their actions.

UWS 14.02 DEFINITIONS. In this chapter:

- (1) "Academic misconduct" means an act described in s. UWS 14.03.
- (2) "Academic misconduct hearing committee" means the committee or hearing examiner appointed pursuant to s. UWS 14.15 to conduct hearings under s. UWS 14.08.
- (3) "Chancellor" means the chancellor or designee.
- (4) "Days" means calendar days.
- (5) "Disciplinary file" means the record maintained by the student affairs officer responsible for student discipline.
- (6) "Disciplinary probation" means a status in which a student may remain enrolled in the university only upon the condition that the student complies with specified standards of conduct for a specified period of time, not to exceed two semesters.

(7) "Disciplinary sanction" means any action listed in s. UWS 14.04 taken in response to student academic misconduct.

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

(9) "Hearing examiner" means an individual appointed by the chancellor in accordance with s. UWS 14.15 for the purpose of conducting a hearing under s. UWS 14.08.

(10) "Institution" means any university or center, or organizational equivalent designated by the board.

(11) "Instructor" means the faculty member or instructional academic staff member who has responsibility for the overall conduct of a course and ultimate responsibility for the assignment of the grade for the course.

(12) "Investigating officer" means an individual, or his or her designee, appointed by the chancellor of each institution to carry out certain responsibilities in the course of investigations of academic misconduct under this chapter.

(13) "Student" means any person who is registered for study in an institution for the academic period in which the misconduct occurred.

(14) "Student affairs officer" means the dean of students or student affairs officer designated by the chancellor to carry out duties described in this chapter.

(15) "Suspension" means a loss of student status for a specified length of time, not to exceed two years, with resultant loss of all student rights and privileges.

UWS 14.03 ACADEMIC MISCONDUCT SUBJECT TO DISCIPLINARY ACTION. (1)

Academic misconduct is an act in which a student:

- (a) Seeks to claim credit for the work or efforts of another without authorization or citation;
- (b) Uses unauthorized materials or fabricated data in any academic exercise;
- (c) Forges or falsifies academic documents or records;
- (d) Intentionally impedes or damages the academic work of others;
- (e) Engages in conduct aimed at making false representation of a student's academic performance; or
- (f) Assists other students in any of these acts.

(2) Examples of academic misconduct include, but are not limited to: cheating on an examination; collaborating with others in work to be presented, contrary to the stated rules of the course; submitting a paper or assignment as one's own work when a part or all of the paper or assignment is the work of another; submitting a paper or assignment that contains ideas or research of others without appropriately identifying the sources of those ideas; stealing examinations or course materials; submitting, if contrary to the rules of a course, work previously presented in another course; tampering with the laboratory experiment or computer program of another student; knowingly and intentionally assisting another student in any of the above, including assistance in an arrangement whereby any work, classroom performance, examination or other activity is submitted or performed by a person other than the student under whose name the work is submitted or performed.

UWS 14.04 DISCIPLINARY SANCTIONS. (1) The following are the disciplinary sanctions that may be imposed for academic misconduct in accordance with the procedures of ss. UWS 14.05, 14.06 or 14.07:

- (a) An oral reprimand;
- (b) A written reprimand presented only to the student;
- (c) An assignment to repeat the work, to be graded on its merits;
- (d) A lower or failing grade on the particular assignment or test;
- (e) A lower grade in the course;
- (f) A failing grade in the course;
- (g) Removal of the student from the course in progress;
- (h) A written reprimand to be included in the student's disciplinary file;

- (i) Disciplinary probation; or
- (j) Suspension or expulsion from the university.

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

UWS 14.05 PROCEDURES: DISCIPLINARY SANCTION IMPOSED AT THE DISCRETION

OF THE INSTRUCTOR. (1) Where an instructor concludes that a student enrolled in one of his or her courses has engaged in academic misconduct in the course, the instructor for that course may impose one or more of the following disciplinary sanctions, as listed under s. UWS 14.04(1)(a) through (c):

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

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

(3) A student who receives a disciplinary sanction under this section has the right to a hearing before the academic misconduct hearing committee under s. UWS 14.08 to contest the determination that academic

misconduct occurred, or the disciplinary sanction imposed, or both. If the student desires such a hearing, he or she must file a written request with the student affairs officer within 10 days of imposition of the disciplinary sanction by the instructor.

UWS 14.06 PROCEDURES: DISCIPLINARY SANCTION IMPOSED FOLLOWING A REPORT OF ACADEMIC MISCONDUCT BY THE INSTRUCTOR. Where an instructor believes that a student enrolled in one of his or her courses has engaged in academic misconduct and the sanctions listed under s. UWS 14.04(1)(a) through (c) are inadequate or inappropriate, the instructor may proceed in accordance with this section to impose, subject to hearing rights in s. UWS 14.08, one or more of the disciplinary sanctions listed under s. UWS 14.04(1)(d) through (h).

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

(2) DETERMINATION BY THE INSTRUCTOR THAT NO ACADEMIC MISCONDUCT OCCURRED. If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did not in fact occur or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action or a written report.

(3) PROCESS FOLLOWING DETERMINATION BY THE INSTRUCTOR THAT ACADEMIC MISCONDUCT OCCURRED.

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

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

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

(c) A student who receives a written report under this section has the right to a hearing before the academic misconduct hearing

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

(4) PROCESS FOLLOWING DETERMINATION BY THE INSTRUCTOR THAT DISCIPLINARY PROBATION, SUSPENSION OR EXPULSION MAY BE WARRANTED.

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

1. A description of the misconduct; and
2. Specification of the sanction recommended.

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

UWS 14.07 PROCEDURES: DISCIPLINARY SANCTION IMPOSED FOLLOWING A REPORT OF ACADEMIC MISCONDUCT BY THE INVESTIGATING OFFICER. The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. UWS 14.04(1)(g) through (j).

(1) AUTHORITY OF INVESTIGATING OFFICER. The investigating officer may proceed in accordance with this section when he or she receives information that a student at the institution has engaged in alleged academic misconduct and:

- (a) Some or all of the alleged academic misconduct occurred outside the scope of any course for which the involved student is currently registered;
- (b) The involved student has previously engaged in academic misconduct subject to the disciplinary sanctions listed in s. UWS 14.04(1)(d) through (j);
- (c) The alleged misconduct would, if proved to have occurred, warrant a sanction of disciplinary probation, suspension or expulsion; or
- (d) The instructor in the course is unable to proceed.

(2) CONFERENCE WITH STUDENT. When the investigating officer concludes that proceedings under this section are warranted, he or she shall promptly offer to discuss the matter with the student. The purpose

of this discussion is to permit the investigating officer to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

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

(4) DETERMINATION BY THE INVESTIGATING OFFICER THAT NO ACADEMIC MISCONDUCT OCCURRED. If, as a result of discussions under subs. (2) and (3), the investigating officer determines that academic misconduct did not in fact occur or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action or a written report.

(5) PROCESS FOLLOWING DETERMINATION BY THE INVESTIGATING OFFICER THAT ACADEMIC MISCONDUCT OCCURRED.

(a) If, as a result of discussions under subs. (2) and (3), the investigating officer determines that academic misconduct did occur and that one or more of the disciplinary sanctions listed under s. UWS 14.04(1)(g) through (j) should be recommended, the investigating officer shall prepare a written report so informing the student, which shall contain the following:

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

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

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

1. Except in cases where the disciplinary sanction recommended is disciplinary probation, suspension or expulsion, if the student desires the hearing before the academic misconduct hearing committee, the student must file a written request with the student affairs officer within 10 days of personal

delivery or mailing of the written report. If the student does not request a hearing within this period, the determination of academic misconduct shall be regarded as final, and the disciplinary sanction recommended shall be imposed.

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

UWS 14.08 PROCEDURES: HEARING. (1) If a student requests a hearing, or a hearing is required to be scheduled under s. UWS 14.07(5)(c)2, the student affairs officer shall take the necessary steps to convene the academic misconduct hearing committee and shall schedule the hearing within 10 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the student, instructor or investigating officer, and the members of the hearing committee.

(2) Reasonably in advance of the hearing, the committee shall obtain from the instructor or investigating officer, in writing, a full

explanation of the facts upon which the determination of misconduct was based, and shall provide a copy of Chapter UWS 14 to the student.

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

(a) The student shall have the right to question adverse witnesses, the right to present evidence and witnesses, and to be heard in his or her own behalf, and the right to be accompanied by a representative of his or her choice.

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

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

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

- (e) The hearing committee may find academic misconduct and impose a sanction of suspension or expulsion only if the proof of such misconduct is clear and convincing. In other cases, a finding of misconduct must be based on a preponderance of the credible evidence.
- (f) The committee may impose a disciplinary sanction that differs from the recommendation of the instructor or investigating officer.
- (g) The instructor or the investigating officer or both may be witnesses at the hearing conducted by the committee, but do not have responsibility for conducting the hearing.
- (h) The decision of the hearing committee shall be served upon the student either by personal delivery or by first class United States mail and shall become final within 10 days of service, unless an appeal is taken under s. UWS 14.09.

UWS 14.09 APPEAL TO THE CHANCELLOR. (1) Where the sanction prescribed by the hearing committee is suspension or expulsion, the student may appeal to the chancellor to review the decision of the hearing committee on the record. In such a case, the chancellor shall sustain the decision of the academic misconduct hearing committee unless the chancellor finds:

- (a) The evidence of record does not support the findings and recommendations of the hearing committee;

- (b) Established procedures were not followed by the academic misconduct hearing committee and material prejudice to the student resulted; or
- (c) The decision was based on factors proscribed by state or federal law regarding equal educational opportunities.

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

UWS 14.10 DISCRETIONARY APPEAL TO THE BOARD OF REGENTS. Institutional decisions under ss. UWS 14.05 through 14.09 shall be final, except that the board of regents may, at its discretion, grant a review upon the record.

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

UWS 14.12 EFFECT OF DISCIPLINE WITHIN THE UNIVERSITY SYSTEM. Suspension or expulsion shall be systemwide in effect.

(1) A student who is suspended or expelled from one institution in the university of Wisconsin system may not enroll in another institution

in the system unless the suspension has expired by its own terms or one year has elapsed after the student has been suspended or expelled.

(2) Upon completion of a suspension period, a student may re-enroll in the institution which suspended him or her as if no suspension had been imposed.

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

UWS 14.14 INVESTIGATING OFFICER. The chancellor of each institution, in consultation with faculty, academic staff, and student representatives, shall designate an investigating officer or officers for student academic misconduct. The investigating officer shall have responsibility for investigating student academic misconduct and initiating procedures for academic misconduct under s. UWS 14.07. An investigating officer may

also serve on the academic misconduct hearing committee for a case, if he or she has not otherwise been involved in the matter.

UWS 14.15 ACADEMIC MISCONDUCT HEARING COMMITTEE: INSTITUTIONAL OPTION.

The chancellor of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student academic misconduct hearing committee or designation of a hearing examiner to fulfill the responsibilities of the academic misconduct hearing committee in this chapter.

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

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

UWS 14.16 NOTICE TO STUDENTS. Each institution shall publish and make freely available to students copies of Chapter UWS 14 and any institutional policies implementing Chapter UWS 14.

UWS 14.17 NOTICE TO INSTRUCTORS. Each institution shall adopt procedures to ensure that instructors are familiar with these policies. Each institution shall provide instructors with copies of Chapter UWS 14

and any institutional policies implementing Chapter UWS 14 upon employment with the university, and each department chair shall be provided such copies upon assuming the duties of the chair.

UWS 14.18 CONSISTENT INSTITUTIONAL POLICIES. Each institution is authorized to adopt policies consistent with this chapter. A copy of such policies shall be filed with the board of regents and the university of Wisconsin system office of academic affairs.

SECTION 2. UWS 17 (title) is amended to read:

Chapter UWS 17 (title) STUDENT NONACADEMIC DISCIPLINARY PROCEDURES

SECTION 3. UWS 17.02(4) is amended to read:

(4) "Disciplinary sanction" or "sanction" shall mean any action affecting the status of an individual as a student which is taken by the university in response to student nonacademic misconduct. The term shall include probation, resignation or leave for misconduct, suspension or expulsion, ~~removal from the course with no grade assigned in cases of academic misconduct~~, written reprimand, denial of particular university privileges, and other less severe actions not enumerated herein.

Disciplinary sanctions shall not include cut-off or revocation of a student's financial aids; however, this shall not be interpreted as precluding the individual operation of rules or standards governing eligibility for student financial aid under which the imposition of a disciplinary sanction could result in disqualification of the student for

financial aid. ~~Disciplinary/sanctions/do/not/include/academic/responses as defined/in/sub/(8)/~~ Each institution is authorized to adopt a more explicit listing of sanctions which is consistent with the provisions of this section.

SECTION 4. UWS 17.02(8), UWS 17.06(2) and UWS 17.13 are repealed.

SECTION 5. UWS 17.02(9) and (10) are renumbered UWS 17.02(8) and (9).

SECTION 6. UWS 17.06(1)(a),(b),(c),(d),(e) and (f) are renumbered UWS 17.06 (intro.),(1),(2),(3),(4),(5) and (6).

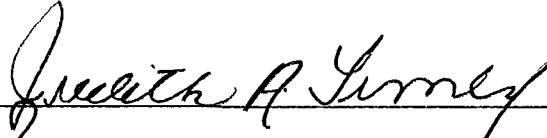
SECTION 7. UWS 17.07(1) is amended to read:

(1) Investigating officer. The chancellor of each institution, after consultation with the elected committee which serves as the faculty's executive arm and with the elected officers of the principal student organization, shall designate a person as "investigating officer" who shall investigate cases of student conduct alleged to be in violation s. UWS 17.06~~(1)~~ and ~~(2)~~. Where it appears that a violation has occurred, the investigating officer shall proceed in accordance with the provisions of this chapter.

This rule shall take effect as provided in s. 227.22(2)(intro., Stats.

Dated: December 14, 1988

Board of Regents of the University of
Wisconsin System



Judith A. Temby, Secretary

2612Q