ASSEMBLY AMENDMENT 1,  
TO ASSEMBLY BILL 299

May 30, 2017 – Offered by Representative KREMER.

1. Page 6, line 2: delete the material beginning with “violent,” and ending with “interferes with” on line 3 and substitute “violent or other disorderly conduct that materially and substantially disrupts”.

2. Page 6, line 15: delete the material beginning with “, if suspension” and ending with “potential penalties” on line 16.

3. Page 6, line 16: after that line insert:

   “2m. Require informing a student that he or she has the option to record his or her disciplinary hearing under subd. 2.”.

4. Page 6, line 17: delete lines 17 to 19 and substitute:

   “3. Require a formal investigation and disciplinary hearing the 2nd time a student is alleged to have interfered with the expressive rights of others.”
4. Require suspension for a minimum of one semester of any student who has twice been found responsible for interfering with the expressive rights of others at any time during the student's enrollment.

5. Require the expulsion of any student who has thrice been found responsible for interfering with the expressive rights of others at any time during the student's enrollment.

(bm) Reporting. The policy required under par. (a) shall include requirements and procedures for all of the following:

1. Allowing any person to make a report that another person has violated this section or the policy.

2. Requiring a formal investigation and disciplinary hearing if 2 or more reports are made regarding the same person's violation of this section or the policy.

(br) Reports to council. The Board of Regents shall ensure that all disciplinary hearings involving expressive conduct and the outcomes of those hearings are reported to the council on free expression created under sub. (5) (a)."

5. Page 7, line 2: delete the material beginning with “no less than 15 members” and ending with “of the system” on line 3 and substitute “9 members appointed by the Board of Regents. Three of the members shall be public members, one member shall be a member of the Board of Regents, one member shall represent a university with doctorate programs, one member shall represent a university without doctorate programs, one member shall represent the extension or a college campus,”.

6. Page 7, line 14: after “subd. 1.” insert “, including a description of the disciplinary hearings and outcomes reported under sub. (4) (br)”. 

7. Page 7, line 22: delete lines 22 to 24 and substitute:
“(6) NOTICE; ORIENTATION; TRAINING. (a) Upon adoption of the policy required
under sub. (4) (a), the Board of Regents shall provide a notice to all students enrolled
in the system informing the students about the policy.

(b) Each institution shall include in orientation programs for freshmen and
transfer students a section describing the policies and rules regarding free
expression consistent with this section. Upon hiring, each institution shall provide
training to employees on those policies and rules. Each institution shall provide
annual training to instructors on those policies and rules.”.

8. Page 9, line 8: after that line insert:

“(d) If a defendant prevails in an action brought under par. (a) and the court
finds the action was frivolous or brought in bad faith, then, notwithstanding s. 814.04
(1), the defendant shall recover reasonable attorney fees incurred in connection with
defending the action.”.

(END)