

## ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<b>1. Type of Estimate and Analysis</b> <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected	<b>2. Date</b> 10/12/2020
<b>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable)</b> UWS 4, 7, 11, and 17	
<b>4. Subject</b> Responding to allegations of sexual misconduct under Title IX of the Education Amendments Act of 1972	
<b>5. Fund Sources Affected</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S	<b>6. Chapter 20, Stats. Appropriations Affected</b>
<b>7. Fiscal Effect of Implementing the Rule</b> <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Could Absorb Within Agency's Budget	
<b>8. The Rule Will Impact the Following (Check All That Apply)</b> <input type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses <b>(if checked, complete Attachment A)</b>	
<b>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1).</b> \$N/A	
<b>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>11. Policy Problem Addressed by the Rule</b> Responding to allegations of sexual misconduct under Title IX of the Education Amendments Act of 1972	
<b>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments.</b> Students, staff, and faculty within the University of Wisconsin System	
<b>13. Identify the Local Governmental Units that Participated in the Development of this EIA.</b> N/A	
<b>14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)</b> 1) The UW System will incur extra costs based on the Title IX requirements through staffing additional hearing officers and advisors to represent the parties during cross examination of the hearings, as well as resource and training requirements. <ul style="list-style-type: none"><li>• Based on 2019 figures, approximately 30 hearings occurred across all UW System institutions during the 2019-20 school year. It is anticipated that approximately the same number of hearings will occur during the 2020-21 school year.</li><li>• UW System is providing to UW System institutions administrative law judges to serve as hearing officers, as well as attorneys from the Wisconsin State Public Defender Private Bar pool and other attorney associations to serve as advisors. UW System institutions will utilize the resources provided by UW System as needed.<ul style="list-style-type: none"><li>• Estimated annual cost of \$130,000 for administrative law judges</li><li>• The advisors from the Wisconsin State Public Defender pool are available at \$100/hour which is capped at \$1,500, subject to amendment if needed.</li></ul></li><li>• UW-Madison is providing advisors for its hearings at \$125/hour which is capped at \$2,500.</li></ul>	

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- UW System institutions are utilizing a training service from the State University of New York (SUNY) System to stay informed of the new Title IX regulations. All 13 UW System institutions intend to use this service annually for the foreseeable future. The service is available for an annual fee of \$4,000 per institution, which totals to \$52,000 annually across all UW System institutions.

2) Parties involved in Title IX complaints, if they elect not to accept the advisor UW System provides, could incur extra costs hiring their own advisor.

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#### 15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Benefits: the UW System will be in full compliance with federal Title IX regulations. The potential consequence of noncompliance is revocation of federal funding, which totaled nearly \$1 billion for the UW System in 2019.

Alternatives: Not implementing the rule at all. Doing so could potentially result in revocation of federal funding to the UW System.

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#### 16. Long Range Implications of Implementing the Rule

Implementing the rules will ensure UW System's long-term compliance with Title IX regulations.

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#### 17. Compare With Approaches Being Used by Federal Government

N/A

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18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

The new federal regulations require all universities that receive federal funding to comply with the regulations or risk losing the federal funding. All universities that receive federal funding are required to revise policies and procedures to comply with federal regulations.

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