

06/20/2024



**SPECIAL MEETING OF THE  
BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM**

Wednesday, June 26, 2024  
8:00 a.m.

To be held by virtual teleconference. For connection details, please visit:  
<https://www.wisconsin.edu/regents/videoconference-information/>

AGENDA

1. Calling of the Roll
2. Declaration of Conflicts
3. Consider Revisions to University Policies on Campaigning in Residence Halls
4. Approval of UW-Stout Faculty Policies and Procedures relating to Post-Tenure Review
5. Overview of New Title IX 2024 Regulations and Approval of Administrative Code Scope Statements for Chapters UWS 1, 4, 7, 11, and 17 Permanent and Emergency Rules
6. Adjourn

Meeting materials can be accessed at <https://www.wisconsin.edu/regents/meetingmaterials>

**REVISIONS TO UNIVERSITY POLICIES ON  
CAMPAIGNING IN RESIDENCE HALLS**

**REQUESTED ACTION**

On June 6, 2024, the Board's Education Committee approved the following resolution.

On June 7, 2024, the Board of Regents approved a motion to postpone consideration of the following resolution to its next meeting on June 26, 2024.

**Resolution 3.** That, upon the recommendation of the President of the University of Wisconsin System, the Board of Regents approves the attached revisions to each university's implementation policies under s. UWS 18.11(9), Wisconsin Administrative Code, relating to campaigning in state-owned residence halls.

**SUMMARY**

Wisconsin Statutes, s. 36.11(1)(cm) requires the Board to promulgate rules prescribing the time, place, and manner in which political literature may be distributed and political campaigning may be conducted in state-owned residence halls. The Board complied by promulgating UWS s. 18.11(9) of Wisconsin Administrative Code, requiring institutions to adopt policies permitting and regulating political campaign activities in the residence halls. The institutional policies are subject to review and approval by the Board of Regents under UWS 18.11(9)(c). The Board last reviewed and approved institutional policies on campaigning in residence halls for all UW universities in 1988.

There have been no significant legal developments since 1988 requiring changes, but new threats to campus safety and evolving attitudes towards student privacy support updated approaches.

These updates are also part of an ongoing effort to review and update campus policies which under Wisconsin Administrative Code require Board submission, review, or approval.

**Presenter**

- Quinn Williams, General Counsel, University of Wisconsin System

## **BACKGROUND**

### **Administrative Code Requirements**

Section 36.11(1)(cm), Wisconsin Statutes, requires the Board of Regents to promulgate rules regulating the distribution of political literature and political campaigning in state-owned residence halls. Accordingly, in 1986, the Board adopted s. UWS 18.06(16m), Wisconsin Administrative Code, subsequently renumbered s. UWS 18.11(9), which provides in part:

The residence halls students of each institution, subject to the approval of the chief administrative officer, shall establish policies and procedures assuring that political literature may be distributed and political campaigning may be conducted in state-owned residence halls consistent with the rights of residence halls students, and prescribing the time, place and manner in which these activities may be conducted.

The rule further requires that institutional policies address the following:

- 1) The hours of the day and the time of year, if any, to which particular activities shall be limited;
- 2) The locations in residence halls, if any, to which particular activities shall be limited; and
- 3) Any requirement for registering or obtaining permission to enter a residence hall before engaging in a particular activity.

### **Campus Processes for Updating Policies**

Each of the UW universities has submitted proposed revisions updating their policies on campaigning in residence halls. Most institutions elected to re-write their policies to better align with current practices rather than modify their 1988 policy. **Attachment A** summarizes the time, place, and manner limitations included in the proposed revised policies as required by UWS 18.11(9), Wis. Admin. Code.

The proposed revised policies were reviewed and approved by the appropriate student governance body and the Chancellor for each university. **Attachment B** includes a brief overview of the review and approval process at each campus.

Each of the proposed revised policies were also reviewed by the Universities of Wisconsin Office of General Counsel for consistency and to ensure compliance with the requirements of state statute and administrative code. A copy of each university's proposed revised policy and previous 1988 policy are included as **Attachments C-O**.

## Previous Board Actions

Resolution 4046  
*Adopted 05/06/1988*

Approval of Institutional Policy on Campaigning in Residence Halls pursuant to UWS 18.06(16m) for UW-Madison

Resolution 4007  
*Adopted 03/11/1988*

Approval of Institutional Policies on Campaigning in Residence Halls pursuant to UWS 18.06(16m) for all UW Institutions except UW-Madison

Resolution 3621  
*Adopted 09/05/1986*

Adoption of Amendments to UWS 18.06(13) and (16m) of Wis. Admin. Code relating to Use or Possession of Alcohol Beverages on University Premises and Campaigning in State-Owned Residence Halls

## Related Laws and Policies

- [Wisconsin Statutes s. 36.11\(1\)\(cm\)](#), "University of Wisconsin System: Powers and duties of the board of regents: Protection of People; Custody and Management of Property..."
- [Wisconsin Administrative Code s. UWS 18.11\(09\)](#), "Conduct on University Lands: Offenses against public peace and order: Campaigning in State-Owned Residence Halls"

## ATTACHMENTS

- A) Summary of Institutional Policies Implementing UWS 18.11(9)
- B) Summary of Campus Policy Development Processes
- C) UW-Eau Claire proposed and 1988 policies
- D) UW-Green Bay proposed and 1988 policies
- E) UW-La Crosse proposed and 1988 policies
- F) UW-Madison proposed and 1988 policies
- G) UW-Milwaukee proposed and 1988 policies
- H) UW Oshkosh proposed and 1988 policies
- I) UW-Parkside proposed and 1988 policies
- J) UW-Platteville proposed and 1988 policies
- K) UW-River Falls proposed and 1988 policies
- L) UW-Stevens Point proposed and 1988 policies
- M) UW-Stout proposed and 1988 policies
- N) UW-Superior proposed and 1988 policies
- O) UW-Whitewater proposed and 1988 policies

### Summary of University Policies

The table summarizes the prescribed location, time, and other limits on campaigning in residence halls that each UW university has defined in their respective policies (see Attachments C-O), pursuant to UWS s. 18.11(9).

<u>Institution</u>	<u>Locations</u>	<u>Times</u>	<u>Other Limits</u>	<u>Changes from 1988 Policy</u>
UW-Eau Claire	Lobbies & main lounges	11 am – 7 pm	Registration with Hall Director for residence halls; separate policy for posting.	None.
UW-Green Bay	Common areas (must be ADA accessible)	Monday – Friday, 10 am – 10 pm	Approval from Residence Hall and Apartment Associate 1 month in advance; must be candidate in next election; must be sponsored by registered student org; no door-to-door campaigning; separate posting policy; no distributing materials under doors (can send materials via US mail).	Addition of provision for e-bulletin board postings and advance approval requirement for posters and e-bulletin board postings; requirement of physical accompaniment by sponsor; prohibition on door-to-door campaigning.
UW-La Crosse	Reserved common areas; door-to-door	3 pm – 6 pm	Individuals must check-in; no more than 2 individuals at a time per hall; no distributing materials under doors.	Removal of requirement that small candidate/ student actions occur in students' dorm rooms.

<u>Institution</u>	<u>Locations</u>	<u>Times</u>	<u>Other Limits</u>	<u>Changes from 1988 Policy</u>
UW-Madison	Designated tabeling locations	Designated university housing desk operating hours	Non-students or members of community must be accompanied by student or member; registration with Housing Event Services; cannot occur on election day; no door-to-door campaigning; separate policy for posting; no distributing materials under doors; no amplified sound.	Removal of limit of posting to once (or in some cases twice) per campaign; removal of student mailbox distribution; addition of requirement for physical accompaniment by sponsor.
UW-Milwaukee	Designated tabling locations and multi-purpose rooms	Not listed.	Distribution of printed materials must be approved by University Housing Office and distributed by University Housing Staff; students, registered student organizations, housing staff, or university departments must sponsor requests to reserve resident halls facilities at least 7 business days in advance.	Similar reliance on internal housing policies.
UW Oshkosh	Main lobbies	Monday – Thursday, 4 pm – 7 pm	Registration with residence hall director and/or director of housing 5 business days in advance; no door-to-door campaigning; no distributing materials under doors.	None.

<u>Institution</u>	<u>Locations</u>	<u>Times</u>	<u>Other Limits</u>	<u>Changes from 1988 Policy</u>
UW-Parkside	Common area designated by residence hall	2:50 pm – 5:50 pm	Must be sponsored by registered student org; reservation with Office of Housing & Residence Life 1 week in advance; individuals must check in; no more than 2 individuals; no door-to-door campaigning; separate policy for posting; no distributing materials under doors.	Addition of prohibition on door-to-door campaigning, under-door distribution.
UW-Platteville	Lobbies	5 pm – 8 pm	Reservation with Senior Assistant 1 week in advance; individuals must check in; schedule with residence hall governance representatives to speak at meeting; no door-to-door campaigning; no posting; no distributing materials under doors.	Removal of posting policy specific to political campaign materials; removal of campaigning restriction to 3-week period before election.
UW-River Falls	Designated space in lobbies	Monday – Thursday, 2 pm – 4:30 pm	Schedule with Department of Residence Life 1 week in advance; no more than 2 individuals at a time; no door-to-door campaigning; no posting; no distributing materials under doors; no placing materials in mailboxes (can send via US mail); no amplified sound; residents to be notified of registrations.	Removal of most of explicit posting policy.

<u>Institution</u>	<u>Locations</u>	<u>Times</u>	<u>Other Limits</u>	<u>Changes from 1988 Policy</u>
UW-Stevens Point	Lobbies	Building courtesy hours (varies by residence hall)	Contact Housing and Residence Life 1 week in advance; no more than 1 hour per week per candidate; no more than 2 individuals at a time; no more than 1 activity at a time per building; no bringing furniture.	Addition of 1 hour/residence/week/candidate limit on campaign activity.
UW-Stout	Main lobbies	Monday – Friday, 12 pm – 9 pm	Request at least 6 business days in advance; individuals must check-in; no more than 2 individuals at a time; no more than 1 campaign at a time per hall; no door-to-door campaigning; posting guidelines included.	Removal of allowance of "student visits" only where students have indicated interest; addition of registration/check-in requirements and prohibitions on door-to-door canvassing/distribution.
UW-Superior	Front lobbies	6 pm – 10 pm	Registration with Residence Life Office 5 business days in advance; no more than 2 individuals at a time; no door-to-door campaigning; no posting; no distributing materials under doors.	Addition of prohibition on door-to-door campaigning, under-door distribution.
UW-Whitewater	Lobbies	3 pm – 8 pm	Registration with Complex director at least 5 business days in advance; individuals must check-in; no door-to-door campaigning; no distributing materials under doors; no amplified sounds.	Addition of registration/check-in requirements; removal of candidate ability to access floors by student request.



## SUMMARY OF CAMPUS POLICY DEVELOPMENT PROCESSES

### UW-Eau Claire

The University of Wisconsin-Eau Claire had an existing campaigning policy. The campus representative for the Campus Policies/Handbooks Requiring Board of Regents Review consulted with the Associate Director of Housing and Residence Life to review and ensure the existing policy regarding process to reserve space, and the website was updated accordingly so the policy is publicly available. The policy was reviewed and approved by the Residence Hall Association on April 2, 2024. The initial document that was provided included solicitation policies that were beyond the scope of the Wis. Admin. Code UWS 18.11(9) policies for campaigning in residence halls. UWEC administration modified the document to remove those non-applicable policies and has now only included the portions of the policy related to campaigning in residence halls.

### UW-Green Bay

Mark Olkowski, Associate Dean of Students was designated by Assistant Vice Chancellor, Gail Sims-Aubert, to be the responsible party for updating the Campaigning in Residence Halls policy in early March, 2024 on behalf of the University of Wisconsin – Green Bay. Mr. Olkowski gathered the related documents and created an additional draft with the necessary updates for the various parties to review. This draft was first reviewed by Christopher Paquet, Assistant Vice Chancellor for Policy & Compliance on behalf of the Chancellor's Cabinet, and Dr. Kelly Thacker, Executive Director for Residential Education. Both approved the draft as written on March 22, 2024. The document was submitted to the Office of General Counsel for review and was approved for meeting the necessary elements of the policy.

The draft was then presented to the Student Government Associate (SGA) and Residence Hall and Apartment Association (RHAA) for input and approval. SGA reviewed the document on April 8<sup>th</sup> and voted in favor of proposed changes on April 22, 2024. RHAA followed a similar process with presentation of the document on April 10<sup>th</sup> and voted for approval on April 24, 2024.

Updates made to the policies based on the feedback from students included:

- Updated language to more current terms regarding the Americans with Disability Act.
- Restricted the area for in person campaigning to the Hendrickson Community Center and reservable outdoor spaces.
- Created a process for electronic display of campaign materials.

Discussions with both groups also included the topics of freedom of expression, view point neutrality in the approval process and ways SGA and RHAA can assist in education of

students about their rights and the voting process. The final document was submitted for Board of Regents approval on April 25, 2024.

### **UW-La Crosse**

The University of Wisconsin-La Crosse's Campaigning in the Residence Halls policies were drafted by Residence Life, edited by the Dean of Students, and sent to UWL's Student Association for review and feedback. UWL Student Association was provided the document early afternoon on March 27, 2024. UWL Student Association met on March 27, 2024, and approved the document unanimously after a brief discussion. The discussion included questions related to what campaigning meant and what the previous policy permitted as well as the applicability of the current UWL Student Association senator campaign period. There were no concerns related to the document itself.

### **UW-Madison**

This policy had always been in place. The current update process was led by Sarah Oleksy, Director of Residence Life for University Housing, and Jeff Novak, Director of University Housing. The draft policy was reviewed by Craig Fischer, Associate University Legal Counsel, Brendon Dybdahl, Director of Marketing/Communication for University Housing, and Amanda Thwing, Director of Conferences/Events for University Housing.

The Residence Hall Advisory Board (RHAB) also reviewed the draft. RHAB is a student leadership position that presents suggestions, concerns, and ideas of the larger campus community to the Director of University Housing and other housing senior leadership members. The RHAB exists to enhance the voice of residents by working directly with University Housing leadership. RHAB members are to gather relevant feedback to better serve our residents and influence decisions made by University Housing leadership. RHAB membership consists of students living in campus residence halls. 17 students attended the meeting where policy was discussed and reviewed. Their feedback was as follows:

- They shared it was important to them to be aware of campus, local, state and national elections. So more information sharing in different mediums was well received.
- They also shared they do not want anyone going door to door. They don't like being bothered and don't want to worry about being confronted/approached by campaigners in their room.
- They liked the idea of knowing where campaigning was allowed and having the opportunity to go to those spaces.
- They focused on the idea of them going to the campaigners rather than campaigners coming to them (i.e. door knocking, approaching them in lobbies/lounges). So the idea of tabling resonated with them. They leaned toward high traffic/visible areas so it was the best use of the candidate's time/energy. They did want campaigners to stay at the table (i.e. materials, noise, etc.).

- They were comfortable with flyers for individual candidates if they were registered for what election they were running for.
- They were ok with tabling from non-student/university affiliated candidates if they were officially registered as a candidate. They were also ok with someone else campaigning for someone who was officially registered as a candidate (meaning the candidate didn't have to be present).

The student feedback was incorporated into the policy. No additional feedback or concerns were provided by the RHAB after updates were made.

The Associated Students of Madison (ASM) were given the opportunity to provide feedback as well. Jeff Novak also spoke with the City of Madison Student Alder and incorporated feedback into the policy.

### **UW-Milwaukee**

UW-Milwaukee's policy was drafted by University Housing and the UWM Office of Legal Affairs using existing University Housing policies. The policy was reviewed by the Vice Chancellor for Student Affairs and reviewed and approved by the Student Housing Administrative Council, which is the student governance body for the residence halls. Finally, the policy was shared and discussed with the Student Association, UWM's main student governance group. No concerns were raised during the review process.

### **UW-Oshkosh**

The University of Wisconsin Oshkosh had an existing campaigning in residence halls policy. The campus representative for the Campus Policies/ Handbooks Requiring Board of Regents Review consulted with the Oshkosh Student Government on March 19th and the director of Housing, and the Coordinator of Student Advocacy and Accountability on March 25th to review the existing policy and make updates as necessary. The policy was reviewed and approved by the OSG on April 3rd.

### **UW-Parkside**

The Dean of Students took the lead in the review and updating of our Political Campaigning policy. The policy was reviewed by the Student Life staff which included the Dean of Students and unit leaders from Housing & Residence Life, Student Union, Orientation and Student Activities, Student Health, Counseling, & Accessibility, and the Office of Multicultural Student Affairs. Proposed updates were made based on guidance from the Universities of Wisconsin's Office of General Counsel. The updated policy was then shared on March 11th with student staff within Housing & Residence Life as well as with members of Parkside's Student Government (PSG). PSG Exec Committee reviewed the policy with the Dean of Students on March 15th and the full PSG Senate discussed and approved the updated policy on March 25th. There were no concerns and/or requested changes by the

student leaders. The policy was then shared with the Chancellor's Cabinet on April 2nd and was approved with no changes on April 16th.

### **UW-Platteville**

The Dean of Students worked with the central office of the Department of Residence Life in drafting an updated version of the current policy. The updated draft was shared with Student Senate and the Residence Hall Association (RHA). RHA had their standard review period (agendas are distributed prior to the meeting) to review, there was discussion at the meeting, and the group voted to approve the draft. Student Senate introduced the draft and had a one-week review period before voting in favor of the language the following week. There were no concerns voiced by either body. This policy will be published in the Residence Hall Handbook, the Student Handbook, and available in every residence hall lobby.

### **UW-River Falls**

On March 8, 2024, the Assistant Director of Residence Life and the Dean of Students reviewed the Campaigning and Solicitation in Residence Halls Policy and found there was a need for an update to ensure that the policy was standardized and inclusive of the UWS 18.11(9). The Assistant Director of Residence Life worked with the Residence Hall Association to generate feedback and final approval of the current Campaigning and Solicitation in Residence Halls Policy. The policy was later shared with UWRF's Student Government Association to ensure that there was a larger student awareness of the current Campaigning and Solicitation in Residence Halls Policy. From the date of the original review of the policy between the Assistant Director of Residence Life and the Dean of Students to the review by the Student Government Association, a total of five weeks had passed. The feedback from RHA was that they overwhelmingly did not want campaigning or solicitation allowed in the residence halls but understood the university is bound by State Statute. The cause for their concern was due to UWS 18.11(9) was developed 30 years ago when safety issues on campus were different at that time.

### **UW-Stevens Point**

The University of Wisconsin-Stevens Point had an existing campaigning policy. The campus representative for the Campus Policies/Handbooks Requiring Board of Regents Review consulted with a representative of Housing and Residence Life to review and ensure the existing policy met the specific requirements of Ch. 18.11(9). Minor administrative adjustments were made to the existing policy. These changes were sent to both UWSP's Student Government Association and Residence Hall Association for comment on April 3, 2024; given the deadline of April 24, 2024, for comment. Student Government Association had no comment and the Residence Hall Association responded with positive feedback, no questions or concerns.

## **UW-Stout**

Individuals involved in drafting of the Campaigning in Residence Halls Policies included the following individuals:

- Adam Ludwig, Director of University Housing
- Emily Ascher, Assistant Director of University Housing
- Residence Life Coordinators – Tavin Maher-Swanberg , Alyssa Belling, Alfred Besler, Sarah Nicole-Frasier, Jacob Ausman

The following individuals reviewed the draft:

- Sandi Scott, Senior Student Affairs Officer/Dean of Students
- Jacqueline Bonneville, Associate Dean of Students
- Nate Kirkman, Assistant Dean of Students
- All student staff teams (10 residence halls) – reviewed during staff meetings week of April 8.
- Student Leadership Assistants (SLA's)
- Residence Hall Students

*All residence hall students were offered the opportunity to give feedback through tabling events the week of April 8, 2024, by SLA's (Student Leadership Assistants) in University Housing. SLAs tabled multiple days during the lunch hours at the residential cafeterias on campus (North Point and the Commons). Signage indicated that students could stop and review the policy and offer comments, feedback, and suggestions.*

Students indicated that their preference is not to allow any campaigning in the residence halls. They understand, however, that UWS Chapter 18 allows residence hall students the opportunity to restrict time, place, and manner for which campaigning activities may be conducted. Consequently, they are supportive of the residence hall campaigning policy.

## **UW-Superior**

On March 13, 2024 the Assistant Dean of Students (UW-Superior rep for the UW System policy review project) provided the Director of Residence Life and Assistant Director information about the required review and potential updating of the current Campaigning in the Residence Hall policy. The guidance provided in the memo for the project was shared with the Residence Life staff as well.

The Director and Assistant Director reviewed the current policy. They also asked colleagues from other UW-System schools to share their policies. Using the guidance document, and policies received from their colleagues, they put together a new draft policy.

The Assistant Dean of Students reviewed the new draft policy. Residence Life then utilized their Hall Council meetings to solicit feedback from students. Approximately 3-4 days prior to each hall's meeting a notice was sent to all the residence in the halls that let them know

that a new proposed campaigning in the residence hall policy would be discussed and feedback would be invited during their hall council meeting. The email also included the current policy as well as the new proposed policy language for students to review ahead of time. A reminder about the hall council meetings went out the day of the meeting as well. Each of the 3 halls had a meeting where feedback was requested, the dates were 3/28/24, 4/2/24, and 4/4/24.

Questions regarding the process for those wanting to campaign were addressed at the council meetings. The Residence Life staff explained the sign-up process and safeguards to ensure those entering the building for campaigning are aware of the guidelines. They also clarified that the policy allows access for on and off campus groups and will be consistently applied for any person/group wanting to campaign in the halls. The feedback was very positive. Students were happy to hear that door-to-door campaigning will not be allowed and that the new policy provides a clearer process for how people can gain access to campaign in the halls.

On April 18, 2024, the Assistant Dean of Students attended the Student Government Association (SGA) meeting. The Associate Vice Chancellor for Student Affairs was also present. The proposed policy discussion and feedback had been placed on the agenda no less than 1 week before the meeting. At the meeting, attendees were provided with a copy of the current policy as well as the proposed new policy. A description of the UW System policy review project was provided as well. The Assistant Dean also shared that the Residence Hall Councils had also had an opportunity to provide feedback. Senators had similar questions about sign-up process who can/cannot campaign in the halls. The Assistant Dean of Students and Associate Vice Chancellor for Student Affairs were able to help answer questions and clarify points of confusion. The SGA's feedback was also positive, and they were also appreciative of the clarity the new proposed policy provided.

Through the four student feedback meetings, no changes were proposed.

## **UW-Whitewater**

The Leadership Involvement Teams (LITs) were asked on Monday April 1st to take the proposed policy for campaigning in the Residence Halls and offer their feedback. Their feedback is below.

On Friday April 5th, the Residence Hall Association (RHA) convened and read over all the compile feedback and made their final suggestions based on the LIT feedback.

Document and overview of process taken to Whitewater Student Government on Monday, April 29th for their records.

### **RHA: (Final suggestions based on LIT Feedback)**

RHA, and the students consulted, agree with the policy as written. However, in addition to it being posted at the desks and online, they would like one laminated copy per floor so

residents are more aware of what the policy is as well. They would also like to make sure we are telling other groups on campus so they (and any potential stakeholders) can be aware, if Student Activities and Involvement could send this out to student groups.

**UW-Eau Claire Proposed and 1988 Policies**

**[PROPOSED]**

**Policies: Solicitation on University Premises**

Political campaigning and the distribution of political literature is permitted only in designated areas of University residence halls during designated hours, when the residence halls are in use and occupied by students during the academic year, winterim, and summer session. Such activity may be conducted after registration with the appropriate Hall Director, provided such space has not been previously reserved.

In University residence halls, political campaigning is limited to these designated areas and times:

HALL	TIME	LOCATION
AMH	11 a.m. – 7 p.m.	Main Lobby
Bridgman	11 a.m. – 7 p.m.	Main Lobby
Chancellors	11 a.m. – 7 p.m.	Main Lobby
Governors	11 a.m. – 7 p.m.	Main Lobby
Haymarket	11 a.m. – 7 p.m.	Main Lobby
Horan	11 a.m. – 7 p.m.	Main Lobby
Murray	11 a.m. – 7 p.m.	Main Lobby
Oak Ridge	11 a.m. – 7 p.m.	Main Lobby
Priory	11 a.m. – 7 p.m.	Main Lounge, Building B
The Suites	11 a.m. – 7 p.m.	Main Lobby
Sutherland	11 a.m. – 7 p.m.	Main Lobby
Towers	11 a.m. – 7 p.m.	Main Lobby

**Housing**

For posting in the residence halls, visit [Policies: Housing and Residence Life Posting](#).



**[1988 POLICY]****POLITICAL CAMPAIGNING  
U.W.E.C. RESIDENCE HALLS**

Political campaigning along with the distribution of political literature is permitted only in designated areas of university residence halls between designated hours, when the residence halls are in use and occupied by students during the academic year, interim, and summer sessions. Such activity may be conducted after registration with the appropriate Hall Director, provided such space has not previously been reserved. Political campaigning is limited to the following designated areas and times within university residence halls:

		<u>TIME</u>	<u>PLACE</u>
1.	Bridgman Hall	9:00 am – 10:30 pm	Main Lobby
2.	Governors Hall	12:00 Noon- 7:00 pm	Main Lobby
3.	E. Horan Hall	11:00 am – 7:00 pm	Main Lobby
4.	Murray Hall	12:00 Noon- 7:00 pm	Main Lobby
5.	Oak Ridge Hall	12:00 Noon- 7:00 pm	Main Lobby
6.	K. Putnam Hall	4:00 pm – 6:00 pm	Main Lobby
7.	Sutherland Hall	11:00 am – 7:00 pm	Main Lobby
8.	K. Thomas Hall	11:00 am – 7:00 pm	Bsm't.Meeting Room
9.	Towers Hall	11:00 am – 7:00 pm	Main Lobby

## UW-Green Bay Proposed and 1988 Policies

### [PROPOSED]

#### Campaigning in Residence Halls Policy

**General Policy Statement:** In accordance with Chapter UWS 18.11(9), political campaigning and distribution of literature may take place within the UWGB Housing and Residential Education facilities. However, this must be done consistent with the rights of the students at an appropriate time, place, and manner. This policy for such activity is as follows:

- I. All political campaigning shall adhere to the following:
  - a. Must be done in an ADA accessible space or location.
  - b. The number of people during any program or speech will be limited to the fire code capacity.
  - c. All campaigning must be done Monday through Friday between the hours of 10 a.m. to 10 p.m.
  - d. The location must be approved by Residence Hall and Apartment Association (RHAA).
- II. All literature and posters will be limited to a specific display area approved by RHAA. Candidates are allowed to submit to Housing & Residential Education an electronic image that can be displayed on electronic bulletin boards on a rotating basis. Images must be submitted 10 calendar days in advance and will be displayed for a two-week period per submission. All candidates in a given election will be given equal access and time.
- III. Political candidates/campaigns are required to send their information for each potential voter directly to residential students through the United States Postal Service.
- IV. Political candidates must request space and time for any campaign activities through the Office of Housing and Residential Education, and receive approval from the Residence Hall and Apartment Associate (RHAA) at least one month in advance. Campaigning is limited to common spaces, such as the Community Center Multi-Purpose Room or reservable outdoor areas. In person campaigning is prohibited from all halls or apartments in which residents reside. Exceptions may be made on an as needed basis by RHAA.
- V. Door to door campaigning in all Housing and Residential Education facilities is prohibited.

- VI. Outdoor spaces may be reserved for tabling and other events per policy through the Office of Housing and Residential Education or the Union Reservations Office dependent on which space is being requested. Reservations are subject to all applicable university polices.
- VII. All campaign activities must be in compliance with Housing and University poster, chalking, solicitation, and alcohol policies.
- VIII. All individuals must be official political candidates for the next pending election and be sponsored by a registered student organization or a faculty, staff or administrative member of the University. The sponsor or representative of the sponsoring organization needs to be physically present at the time of the campaigning to assure compliance with related university rules.
- IX. Candidates and their representatives must wear identification while present in Housing and Residential Education facilities.
- X. RHAA has the right to review the above procedures at any time and recommend changes in the policy to the Chancellor. Consistent with the rights of students, any activity that appears it may, or is creating an unsafe or disruptive situation, can be canceled after consultation with the Chancellor or other appropriate administrators.

NOTE: Student Government Association elections are governed by other guidelines and are exempt from this policy.

Approved by: RHAA	April 24, 2024
SGA	April 22, 2024
Board of Regents	June XX, 2024

**[1988 POLICY]**

**University of Wisconsin-Green Bay Housing Political Campaigning Policy**

In accordance with Chapter UWS 18.06(16m), political campaigning and distribution of literature may take place within the UWGB Student Housing complex. However, this must be done consistent with the rights of the students at an appropriate time, place, and manner. This policy for such activity is as follows:

- I. All political campaigning must be done in a space accessible to students with physical disabilities. The number of people during any program or speech will be limited to the fire code capacity as posted. The location must be approved by Housing Council.
- II. All literature and postures will be limited to a specific display area approved by Housing Council. All candidates in a given election will be given equal access and time.
- III. All campaigning must be done Monday through Friday between the hours of 10 a.m. to 10 p.m.
- IV. Political candidates must request space and time for any campaign activities through the Housing Council at least one month in advance.
- V. All campaign activities must be in compliance with Housing and University poster, solicitation, and alcohol policies.
- VI. All individuals must be official political candidates for the next pending election and be sponsored by a registered student organization or a faculty, staff or administrative member of the university.
- VII. Housing Council has the right to review the above procedures at any time and recommend changes in the policy to the Chancellor. Consistent with the rights of students, any activity that appears it may or is creating an unsafe or disruptive situation, can be cancelled after consultation with the Chancellor or other appropriate administrator.

NOTE: Student Association elections are governed by other guidelines and are exempt from this policy.

## UW-La Crosse Proposed and 1988 Policies

### [PROPOSED]

#### Residence Life Procedures: Campaigning

##### **This policy is administered in accordance with state statute 18.11(9)**

The policy and procedures regarding political campaigning are designed to allow candidates or their representatives the opportunity to discuss issues, distribute literature, and provide students opportunities to talk with candidates. In addition, this policy and these procedures are designed to protect student rights to privacy in their residential setting. Candidates or their representatives in elections pertinent to residence hall students, hold open meetings in a designated meeting place, and distribute literature following the procedures below:

- Campaigning may only be done between 3-6 p.m.
- Candidates or their representatives must check in at the residence hall front desk, show identification, and wear a visible name badge (sticker, button, lanyard) while campaigning.
- No more than two people can campaign at a time, in one residence hall.
- Candidates or their representatives may talk to and/or distribute literature to interested students.
- Campaigning needs to be conducted in a considerate manner that minimizes disruption to the community or its members. Candidates or their representatives must honor the wishes of students who choose not to speak with them.
- Candidates may reserve common area space in advance through the Resident Director, by email.
- Campaign materials may be posted on the registered bulletin board in each residence hall.
- Placing campaign materials under doors or posting them anywhere else in the residence hall is prohibited.
- Candidates or their representatives who choose not to follow the above procedures will be asked to leave the residence hall and will not be allowed to return for the duration of the election.

Edited 03/22/2024

Approved through UWL Student Association 03/27/2024

Approved by the Board of Regents, June XX, 2024

**[1988 POLICY]**

**POLITICAL CAMPAIGNING/SOLICITATION POLICY**

Solicitation

Door to door sales are not allowed in the Residence Halls. The Residence Hall Association Council and UW-L Housing Office have established the following guidelines for political campaigning and solicitation of ideas within the residence halls.

Campaigning

The following policy and procedures regarding political campaigning are designed to allow candidates the opportunity to discuss issues, distribute literature, and provide residence hall students the occasion to talk with candidates. Likewise, this policy and these procedures are designed to protect students' rights to privacy and security.

Policy

Candidates in all elections pertinent to residence hall students may conduct timely door-to-door campaigns, hold open meetings in a designated meeting place, and distribute literature following the procedures below.

NOTE: This policy also pertains to all other nonprofit organizations, groups, or persons wishing to address residents at random.

Procedures

1. To assure the security of residents, their property and the university property, all candidates and their representatives (no more than 2) must leave proper identification at the front desk prior to entering the living unit. While campaigning, candidates and their reps must wear visible identification provided by the front desk. Candidates and their reps must return this identification when they pick up their identification before leaving.
2. Door-to-door campaigning may only be conducted from 3:00-7:00 P.M. Monday through Friday and 3:00-5:00 P.M. Saturday and Sunday. During these visits, candidates are welcome to distribute literature only to those residents expressing an interest. Placement of materials under or on doors is prohibited.
3. Candidates must honor the wishes of students who choose not to speak with them or who do not invite them into their rooms.
4. To keep disruptions to a minimum, discussion among candidates, their representatives, and students are to occur in students' rooms only. Discussions in

hallways are prohibited. Larger groups may meet in a designated area at the above times. The designated area should be reserved through individual hall councils.

5. Materials to be posted must be approved by the Hall Director and follow the poster policies of each hall. All Posters not approved must be removed.
6. Candidates and their representatives who choose not to follow the above procedures will be asked to leave the residence halls and will not be allowed to return for the duration of the campaign.
7. Appeals may be made to the Residence Hall Association Council.

## UW-Madison Proposed and 1988 Policies

### [PROPOSED]

#### University Housing Guidelines for Campaign Activities

- Current university students, residence hall student organizations/interest groups/committees, registered student organizations, and registered candidates running for local, state and national elections are permitted to engage in political campaigning with limitations in the residence halls.
  - Candidates who are themselves a university student or members of residence hall student organizations/interest groups/committees, or registered student organizations may engage in political campaigning with limitations but do not need to be accompanied by an additional representative.
  - Candidates who are not current university students or a member of one of the above referenced groups may engage in political campaign activities with limitations in University Housing facilities, including that they be physically accompanied at all times by a representative of at least one of the above referenced groups.
- Political campaigning and the distribution of political literature is permitted only in designated tabling locations (Gordon Dining and Event Center, Chadbourne Hall, Dejope Residence Hall, Frank Holt Information Center and Lowell Center) during designated University Housing Desk Operating Hours (<https://www.housing.wisc.edu/undergraduate/services/desks/#hours>) when the residence halls are in use and occupied by students during the academic year and summer session. Such activity may be conducted after registration has been approved by Housing Event Services and provided such space has not been reserved by another party. Such activity cannot take place on official election days. Requests for alternative public facing locations can be submitted to [ReserveSpace.Mailbox@housing.wisc.edu](mailto:ReserveSpace.Mailbox@housing.wisc.edu).
- Once registration has been approved, political campaigning and the distribution of political literature must be limited to the table and may not interfere with normal operations. Campaign activity may not include the use of music or amplified sound (i.e. megaphones, microphones, etc.) or any other activity that impedes the normal business operations of University Housing.
- Door-to-door campaigning is prohibited. This includes a prohibition against placing informational/promotional materials under or on resident room doors.
- The distribution of political literature must comply with University Housing's Posting Policy.



Pursuant to UWS 18.14 Institutional Regulations. Institutional regulations promulgated under ss. [UWS 18.04](#) to [18.12](#) shall take effect when filed with the secretary of the board.

Adopted Date

Board Approval Date

[1988 POLICY]

**POLICIES AND PROCEDURES  
GOVERNING POLITICAL CAMPAIGNING AND DISTRIBUTION OF POLITICAL  
LITERATURE  
IN UW-MADISON RESIDENCE HALLS**

The UW-Madison Residence Halls Advisory Council and the UW-Madison Chancellor have reviewed and approved the following policies and Procedures governing political campaigning in UW-Madison Residence Halls by or on behalf of candidates for elective student organization office and for municipal, county, state and national office.

A. Posting of campaign materials on bulletin boards.

1. Once during each campaign, each candidate or UW-Madison registered student organization supporting the candidate may request posting of campaign material on open use bulletin boards and house bulletin boards.
2. Houses may approve a second posting on house bulletin boards for candidates during each campaign. Residence halls student associations may approve a second posting on open use bulletin boards in their areas for candidates during each campaign.
3. All posters shall be submitted to the unit's Student Affairs Coordinator who shall arrange for posting. Materials not submitted through the Student Affairs Coordinator will be removed from bulletin boards.

B. Distribution of Campaign literature.

1. A UW-Madison registered student organization supporting a candidate, with the approval of the unit's Student Affairs Coordinator, may set up an information table for distribution of literature in the entrance lobbies to food units.
2. A UW-Madison registered student organization may have campaign literature distributed through student mailboxes, if the literature is individually addressed: "Occupant, room number, house, or hall." Approval for mailbox distribution is obtained through the Assistant Director-Student Affairs, the Coordinator for Student Affairs Administration, or the appropriate Area Coordinator.

C. Meeting Constituents.

1. Candidates may not enter dining rooms or go door to door in the halls, nor may anyone acting on behalf of the candidate do so.

2. UW-Madison registered student organizations supporting a candidate may arrange through the unit's Student Affairs Coordinator for the opportunity for their candidate to meet residents as they enter or leave residence halls food units.
3. Residence halls student associations may schedule a forum in the common areas of the halls for a candidate or group of candidates. Every effort will be made to offer an opportunity for all candidates for public office to be represented.

D. Fund raising.

1. Residence halls student associations may not engage in fund raising for any candidate or political party.
2. Fund raising for any purpose is prohibited in the halls.

## UW-Milwaukee Proposed and 1988 Policies

### [PROPOSED]

#### GUIDELINES ON POLITICAL CAMPAIGNING IN UWM RESIDENCE HALLS UNDER UWS 18.11(09) [from the Student Housing Handbook]

##### SOLICITING, CANVASSING, OR PEDDLING

- a. Under no circumstances will anyone other than University Housing staff members be allowed to canvass, peddle, or solicit door to door within the residence halls, Kenilworth Square Apartments, or University Housing shuttles, including all resident and common areas. This includes placing flyers or door hangers throughout the residence halls and Kenilworth Square Apartments. Persons interested in hanging flyers, door hangers, or any other printed material must contact the University Housing Office for a complete list of guidelines for approval. The number for the University Housing Office is 414.229.4065.
- b. The apartments, residence hall suites, rooms, or any common spaces are allocated as residential space. Residents may not run private businesses, other commercial endeavors, or solicit sales for any business from their apartments/suites/rooms. Use of telephones and mailboxes for private business/commercial endeavors is prohibited.

##### POLITICAL CAMPAIGNING

- a. Consistent with the solicitation rules above, political campaigning by political candidates, other individuals, student organizations, and any other group outside of University Housing in the living areas of residence halls, including student rooms, door-to-door, floor lounges, floor bathrooms, hallways, or in shared common spaces in various locations in the residence halls is prohibited.
- b. Consistent with the solicitation rules above, persons interested in distributing flyers, door hangers, or other printed materials in any residence hall location must contact the University Housing Office for a complete list of guidelines for approval. Approved materials may only be distributed by University Housing staff and may not be distributed by any other individual, including residents. Any materials may be mailed to residents using the U.S. Postal Service.
- c. Registered student organizations that are political in nature may use residence hall facilities consistent with the University Housing Reservation Policy that applies to all registered student organizations and by submitting a request using this form:

<http://uwm.edu/housing/guest-services/reservation-form/>. This includes tabling in designated areas.

- d. If any residence hall serves as a polling place during an election, State laws concerning campaigning supersede the sections above during such election.

[1988 POLICY]

**UNIVERSITY OF WISCONSIN-MILWAUKEE**  
**POLICY ON SOLICITATION FOR PUBLIC ELECTIONS**  
**IN THE SANDBURG RESIDENCE HALLS**

This policy was developed to allow residents the same access to information on political elections as students off campus while maintaining their right to privacy within their living area.

Candidates and their representatives may:

1. Contact residents through direct mail via the U.S. Postal Service.
2. Submit three 8 ½ x 11" flyers to the Main Desk for posting on the Tower Bulletin Boards.
3. Request in writing that individual Housefellows ask their floors whether the floor would be interested in an informal meeting to hear the candidates views on the issues. If so, the Housefellow will contact the person requesting the meeting to schedule a time.

Candidates and their representatives may not:

1. Enter the Towers without an invitation to speak.
2. Enter the Towers unescorted by their Host.
3. Post flyers in the Towers.

**SANDBURG COMMONS**

The Sandburg Residence Halls are served by the Sandburg Union, a Commons through which students pass to attend class or stop to pick up mail, eat, watch television, and socialize. Candidates or their representatives may, in accordance with Union Policy, use the Commons for meetings, literature distribution, or informal contact.

## UW Oshkosh Proposed and 1988 Policies

**[PROPOSED]**

### UW OSHKOSH CAMPAIGNING POLICY

BE IT RESOLVED: that pursuant to Chapter 18.11 (09), that the United Students in Residence Halls legislature establish the following policies, to be effective immediately, regarding political campaigning in the University of Wisconsin Oshkosh residence halls:

1. Campaigning is allowed in the residence halls between the hours of 4 p.m. and 7 p.m., Monday through Thursday, when the halls are in use and occupied by students.
2. Campaigning activities are limited to the main lobbies of each residence halls. Door-to-door campaigning and distributing materials under residents' doors is not permitted.
3. Individuals wishing to engage in political campaigning must first register with the residence hall director and/or director of housing at least five (5) business days in advance of the planned campaigning. Campaigning activity may be conducted after registration, provided such space has not been previously reserved by another party.

BE IT FURTHER RESOLVED: that residence hall directors and hall governments be made aware of the policy, and

BE IT FINALLY RESOLVED: copies of this policy be kept in the Residence Hall Handbook.

**[1988 POLICY]**

**UW OSHKOSH CAMPAIGNING POLICY**

BE IT RESOLVED: that pursuant to Chapter 18.06(16m), that the United Students in Residence Halls legislature establish the following policies, to be effective immediately, regarding political campaigning in the University of Wisconsin Oshkosh residence halls:

1. Campaigning is allowed in the residence halls between the hours of 4 p.m. and 7 p.m.
2. Campaigning activities are limited to the main lobbies of each residence halls.
3. Individuals wishing to engage in political campaigning must first register with the residence hall director and/or hall president at least 24 hours in advance of planned campaigning.

BE IT FURTHER RESOLVED: that residence hall directors and hall governments be made aware of the policy, and

BE IT FINALLY RESOLVED: that copies of this policy be kept at each hall main desk.



## **UW-Parkside Proposed and 1988 Policies**

**[PROPOSED]**

### **Administrative Policy 31: Political Campaigning**

#### **31.01 Background**

The facilities of the University of Wisconsin-Parkside are open to political parties and candidates for the purpose of holding public meetings on campus, if the facilities have not been previously scheduled, are not being used for academic purposes, and are otherwise available. The use of facilities at the University of Wisconsin-Parkside by political parties or candidates must be under the sponsorship of a recognized student organization, administrative office, department, or school on campus. Such public political use is strictly limited to bona fide public meetings and does not permit use of this University's facilities by political parties or candidates seeking to solicit political campaign contributions or conduct other political fundraising events or activities as prohibited by Wisconsin Statutes, Section 11.1207.

#### **31.02 General Guidelines**

In accordance with Chapter UWS 18.06 (17), Wisconsin Administrative Code, the University of Wisconsin-Parkside does not permit the use of buildings, windows or other university grounds or furnishings (trash cans, outdoor benches, etc.) for political advertising/campaigning or elections (campus or governmental), except as provided in the Policy on Posting Promotional Materials.

Organizations or persons violating these guidelines may be subject to penalties under Chapter UWS 18.06, Wisconsin Administrative Code.

#### **31.03 Campaigning in Residence Halls**

At the University of Wisconsin-Parkside, we value the engagement of our students in the political process while ensuring a respectful and conducive living environment within our residence halls. To this end, the following guidelines govern campaigning activities within our state-owned residence halls, in accordance with Wisconsin Administrative Code, Chapter UWS 18.11 (9). Door-to-door solicitation by political candidates or their representatives in the living areas of residence halls is prohibited. However, political candidates or their representatives are welcome to table in approved areas and provide literature within residence halls.

To ensure transparency and organization:

- Campaign tabling reservations must be made through the Office of Housing & Residence Life at least one week prior to the requested date.
- Tabling is permitted between 2:50 p.m. and 5:50 p.m. when the Housing and Residence Life Office is open.
- Candidates or representatives must check in and out at the Housing and Residence Life Office, wear visible identification, and maintain a respectful demeanor while engaging with students.
- No more than two individuals may table at a time.
- Candidates or their representatives are encouraged to engage with interested students respectfully and distribute campaign materials in designated areas.
- Campaign materials may be placed in approved areas in each residence hall.
- Placing campaign materials under doors or posting them anywhere else in the residence hall is prohibited.
- Candidates or their representatives who choose not to follow the above procedures will be asked to leave the residence hall and not be allowed to return for the election.

Tabling Locations and Literature Placement locations:

- Ranger Hall: Carpeted area outside the Housing and Residence Life Office (lower level); campaign literature may be placed at the front desk on the first floor.
- Pike River Suites: Carpeted area outside the elevator on the first floor; campaign literature may be placed at the front desk on the first floor.
- University Apartments: Table available in the recreational area of the Core Building; campaign literature may be placed on the table in the recreational area.

### **31.04 Policy Review**

The Dean of Students office will initiate an annual review. If there are recommendations for changes, they will be forwarded to the Chancellor's Cabinet for approval no later than April 1<sup>st</sup>.

3/11/2024 (BOR Review and Approval, June 2024)

7/2/2018

2/22/2017

3/11/1988

**[1988 POLICY]**

**POLICY STATEMENT GOVERNING  
POLITICAL CAMPAIGNING IN THE RESIDENCE HALL COMMUNITY OF THE  
UNIVERSITY OF WISCONSIN-PARKSIDE**

**PURPOSE:**

This policy is intended to provide appropriate opportunities for bonafied and registered candidates for public office (whether local, state or national) to provide information about their candidacy and/or express political viewpoints to interested students living in the Residence Hall community. It is the intent of this policy to impose reasonable time, place, and manner restrictions upon political campaigning in the Residence Hall community in order to preserve the living environment of the Residence Hall and the privacy of the individual residents in their own apartments and/or rooms.

**AUTHORIZATION:**

Establishment of this policy is authorized under Chapter UWS 18.06(16m).

**TIME:**

Political activities may be conducted with certain restrictions in the Residence Hall facility between the hours of 9:00 a.m. and 10:00 p.m.

**PLACE:**

Political activities excluding political canvassing may be conducted only in the main lounge of the Community Building of the Residence Hall facility.

**MANNER:**

1. Persons wishing to conduct political activities in the Residence Hall must register that intent in writing with the Director of Residence Life no less than 24 hours in advance of the proposed activity. Door-to-door canvassing of apartments is permitted only between the hours of 7:00 -10:00 pm. Those wishing to conduct political canvassing must notify the Director of Residence Life at least 24 hours in advance of the activity.
2. Only a recognized University organization may sponsor activities in the Commons Lounge of the Residence Hall facility. Candidates for local, state or national political office or political parties must obtain the approval of the Resident Hall Student Association to use the Common Lounge.

## UW-Platteville Proposed and 1988 Policies

### [PROPOSED]

#### 2023-24 Residence Hall Handbook: CAMPAIGNING IN THE RESIDENCE HALLS

The policies surrounding campaigning in the residence halls are designed to allow candidates and their representatives the opportunity to discuss issues and distribute literature pertinent to residence hall students. In addition, these policies are designed to protect residence hall students' rights to privacy in their living spaces. Candidates may meet with students and distribute literature following the procedures outlined below:

#### Candidate campaigning

- Candidates may campaign in the residence hall lobby space of any residence hall. Candidates must reserve this space through the Senior Assistant one week ahead of their desired time. The times when this activity will be allowed is from 5:00 pm-8:00 pm.
- Candidates must check in with the front desk staff at the time of their arrival and must wear a name tag or appropriate identifying button etc. The residence hall staff will provide a table and two chairs in the lobby for the candidate's use.
- No door-to door campaigning is allowed at any time.
- Should they desire to meet with residence hall governance representatives, candidates must attend residence hall council/forum times during each hall's regularly scheduled meeting. This time must be organized and scheduled with prior permission through the hall council/forum of that residence hall at least one week ahead of the desired meeting time.
- Campaigning must be conducted in a considerate manner that minimizes impact to the community or residents. Candidates and their representatives must respect the desires of student's not wishing to engage in conversation or take literature.
- Distributing materials under the residents' doors or posting candidate materials in common areas is prohibited.
- Unless a part of a residence hall organized program, it is not the responsibility of the hall council/forum to ensure all sides are represented to the residents during elections.
- Candidates who do not follow the above procedures will be restricted from accessing the residence halls for similar events during the duration of the election season.

**[1988 POLICY]**

**POLITICAL CAMPAIGNING IN RESIDENCE HALLS  
UNIVERSITY OF WISCONSIN PLATTEVILLE  
DEPARTMENT OF STUDENT HOUSING**

The campaigning for political offices, issues and concerns may be conducted within and around the residence halls of the university of Wisconsin Platteville with the following conditions:

1. There may be no door to door contacting or soliciting of residence hall students within the residence halls, except for the election of hall council positions and for the election of hall representatives to the Residence Hall Council. This also prohibits the placing of campaign materials on or under doors for all elections.
2. Student mailboxes within the residence halls may not have political campaign materials placed with them unless such materials are properly sent through the United States Postal Service or the materials are publications of University recognized student organizations that are non-partisan. The Director of Student Housing, or a designee, will decide upon those materials of recognized student organizations for placement in student mailboxes.
3. Political campaign information may be placed in the lobby area of each residence hall for students to obtain as they wish. The Resident Director of each hall shall have the authority to control the placement and amount of these materials and to remove materials as warranted.
4. Political campaigning within the residence halls is limited to a period of time to be not more than three weeks prior to any regular election or referendum date of either public or campus concern.
5. The posting of political campaign materials within the residence halls is restricted to bulletin boards within the main lobby area of each residence hall. A limit of three (3) 8.5 inches x 11 inches posters, or one (1) larger poster (not to exceed 18 inches x 24 inches), will apply to posters in the lobby. These posters must be stamped as approved for posting by the Student Housing Office. Posters for political campaigning may not be placed elsewhere within the residence halls. Posting of materials hall council or Residence Hall Council representative elections may be placed on any bulletin board within the residence hall or upon individual room doors with the consent of the occupant(s).
6. Persons campaigning for political office or issues may schedule the use of a table within the main lobby area of any residence hall for the purpose of communicating

their information to students. This arrangement is limited to the time period of 4:00 p.m. to 7:00 p.m., Sunday through Thursday, as limited by item #4. There may be no more than two representatives present in the main lobby and only one candidate or organization may be represented on any given date. The Resident Director of each residence hall shall schedule these arrangements. Any individual candidate or organization is limited to three (3) dates of using the main lobby for this purpose for any single election or referendum. No more than two of the three dates may be consecutive. Persons using the lobby for these purposes are not to restrict the flow of pedestrian traffic nor disturb the normal operation of the residence hall. The Resident Director of the residence hall is authorized to suspend this arrangement for any individual or group that disrupts the normal operation of the residence hall. The Director of Student Housing, or a designee, has this authority for all residence halls on campus.

7. Political campaign programs of information may be presented to residence hall students within the common lounge areas of each residence hall as approved by the individual hall governments or as arranged with the Assistant Director at each residence hall. Information programs may not begin prior to 6:30 p.m. and must end by 11:00 p.m. on any given night.
8. No signs or banners for political campaigns may be affixed to the residence halls, except as permitted in item #5, or placed upon the grounds of the residence halls.
9. This policy is established by the Student Housing Office, the Residence Hall Council and Office of the Assistant Chancellor for Student Affairs.

Policy approved unanimously by UW-P Residence Hall Council on April 29, 1987.

## UW-River Falls Proposed and 1988 Policies

### [PROPOSED]

#### Campaigning and Solicitation in Residence Halls Policy

##### Overview:

In accordance with Wis. Admin. Code sec. UWS 18.11(9), designated members of approved campus organizations, service organizations or political campaigns can utilize public areas in the lobby of residence halls to present their viewpoints by discussion or materials following approval of the area, manner, and time by Residence Life provided the space requested has not been previously reserved by another party. Solicitation shall be defined as selling, peddling, and/or distribution of material, free or otherwise.

Candidates or their representatives, as well as the organization which they represent, who choose not to abide by this above policy or policies outlined in the Residence Life Student Handbook, will be asked to leave campus and will not be allowed to return to any residence hall for the duration of the election.

##### Guidelines for Solicitation

###### *Time:*

- Must occur between 2pm- 4:30pm Monday-Thursday.
- Must contact the Department of Residence Life at least one calendar week prior to the date requested to schedule. [reslife@uwrf.edu](mailto:reslife@uwrf.edu) or 715-425-4555

###### *Place:*

- Public areas are marked and located in the lobby of each residence hall for solicitation. Adherence to this location is required.
  - Directions to this space will be supplied when the space is reserved.

###### *Manner:*

- Due to limited space, no more than two people can campaign at a time per residence hall.
  - Individuals wear identification while present in the residence halls.
  - This event is only open to residents of the hall and their guests.
- Must not interfere with the flow of traffic.
- Must not constitute harassment to residents.
- Must be done in a responsible fashion so the information/discussion is conducted on a voluntary basis to residents.
- Posting of advertising materials on a resident's room door and slipping materials under doors is unauthorized.
- Door-to-door campaigning, canvassing, or soliciting is prohibited even when accompanied by a resident.

- Excessive noise and/or mechanisms to create excessive noise (i.e speakers at loud volume, megaphones) are unauthorized.
- Individuals are welcome to take pictures and videos of their campaign materials, etc. but cannot video, record, or take photos of students and staff without their written permission.

### **Use of Residence Hall Mailboxes**

Non-University affiliated businesses and organizations (e.g. local businesses, political campaigns, private citizens) requesting to mail items to each resident must obtain mailing addresses from Institutional Research at <http://www.uwrf.edu/Research/DataRequest.cfm> and mail the items via U.S. mail. There may be a cost associated with this process if you have the labels printed, otherwise, you will receive a spreadsheet of your labels and your organization can print the labels.

### **Resident Notifications**

Residence Life commits to the following for our residents once logistics are reserved through this policy:

- An email will be sent to all residents of that hall indicating the presence of the group, where and when they will be located, and the process involved if this policy should be violated. We will also include this policy to make sure that residents are informed about what is expected. This email will be sent at least 24-hours prior to the group's reservation.
- Residence Life will ensure hall staff is available during reserved time periods.
- Signs will be posted in the hall and on external doors as to the presence of the group.

Violations of this policy can be reported to the Office of Residence Life at 715-425-4555 or in the case of an emergency Campus Police at 715-425-3133



**[1988 POLICY]**

**SALES AND SOLICITATION POLICY**

Definitions:

1. Solicitation is defined to mean any effort to ask for donations or contributions or contributions of money, goods, or services.
2. Sales are defined to mean the efforts to offer a product or service in return for money, goods, or other services with intention for profit or service.

Solicitation and Sales by Hall Council do not fall under this policy, but are governed by the groups' own regulations.

Commercial Sales and Solicitation

Commercial activities and door-to-door solicitation are not permitted in the residence halls. Designated members of recognized campus organizations or non-profit organizations with approval by the Residence Life Office may utilize public lounge areas (front lobby, floor lounges, etc.) to present their viewpoints, by discussion or materials, following approval of the area, method, and time by the respective Hall Director. The time for such presentations must be scheduled between the hours of 4:00 p.m. to 8:00 p.m., Monday through Friday. The manner of presentation must not interfere with the normal flow of traffic, nor constitute harassment to residents, and must be done in a responsible manner so that the information/discussion is presented on a voluntary, no-obligation basis to student residents.

Residents have the right to sponsor private parties offering commercial goods (i.e. Tupperware, Mary Kay Cosmetics, etc.), but all sales transactions must occur in the privacy of resident rooms. Advertisements for such events may not be put in mailboxes unless the mailings go through the U.S. Mail with proper postage paid.

Political/Religious Campaigning Policy

Soliciting for political or religious reasons is covered in the following policies which are established to provide opportunities for issues to be discussed/presented and provide opportunities for students to meet with candidates. The students' rights to privacy, security, and minimal disruption to the floor community must be kept in mind by candidates.

- No campaign literature will be put in the mailboxes unless addressed and proper postage paid, or placed under residents' doors. Literature may be placed in the front lobby or area designated as the candidates presentation area.
- Each candidate is allowed one poster that may be displayed in the front lobby or appropriate posting area of the building. This must be approved in accordance with the Residence Life posting policy.

- To prevent infringement of residents' privacy and to keep disruption to a minimum, door-to-door campaigning will not be allowed. Candidates' will be allowed time from 5:00 p.m. to 7:00 p.m., Monday through Friday to set up booths or tables in the front lobby or designated area to meet with residents. If desired, the candidates may also have meeting rooms to hold large group discussions that may not be accommodated by small booth set-ups.
- Before visiting a residence Hall, candidates must pick up authorization forms at the Residence Life Office. This must be signed by the respective RD, and will be posted at the candidate booths/tables 48 hours in advance of meetings.
- Candidates who do not abide by these guidelines will be asked to leave the residence hall.

### Publicity Posting/Mailboxes

Hall Councils and IRHC may post announcements in the residence halls upon approval of the Residence Hall Director. Announcements will be posted in hall lobbies and corridors on a space available basis.

All other handbills, notices, or announcements must be approved by the Department of Residence Life and, if approved, will be posted by Hall Staff. Announcements will be displayed at the main desk on a space available basis. Announcements promoting the use of alcohol, using profanity, or implying sexual or racial discrimination will not be approved.

Official notices from University offices, Inter-Residence Hall Council, and hall government will be placed in hall mailboxes. Individuals and/or organizations will not be permitted to stuff residence hall mailboxes. Individual correspondence delivered to hall mailboxes must be addressed (U.S. Mail and Campus Mail).

### Posting Regulations

Only official hall staff or desk workers may post posters, signs, advertisements, etc.

- Residence hall information and official University notices may be posted on lobby or floor bulletin boards on a space available basis. Some halls may have additional designated posting areas in the main lobby. Residence hall information may also be posed on bathroom doors in the residence halls.
- Other campus, recognized campus organizations, and non-University related information may only be posted on main floor residence hall bulletin boards on a space available basis unless otherwise approved by Hall Council.
- All posters must meet the following requirements:
  - Size must not exceed 14" x 22" (exceptions for Homecoming Welcome Week, Res Hall Winter Carnival). Signs can be posted only 7 days prior to the event.
  - The sponsoring organization's name must be clearly available.
  - The date of the event being advertised or a date at which time the poster is considered to have fulfilled its function must be included.

- Transparent tape and/or staples may not be used for posting, however masking tape or thumb tacks (on bulletin boards) are allowed.
- The following may not be posted at anytime in residence halls:
  - Notices advertising or promoting the use of alcohol.
  - Notices considered to be obscene or offensive to race, sex, nationality or handicap.

All notices must be approved by the Director of Residence Life (211-212 /E. Hathorn). All notices will be removed the date following the event. Repeated violations of posting regulations may result in loss of posting privileges.

Revised: October 29, 1986

## **UW-Stevens Point Proposed and 1988 Policy and Procedure**

### **[PROPOSED]**

#### **UW Stevens-Point Campaigning Policy:**

In accordance with this state statute 18.11(9), Housing and Residence Life has the following stipulations for Campaigning in the Residence Halls:

In-person campaign activity is allowed within the residence halls during the academic year. Campaigning must remain in the lobby of each residence hall and must be conducted within the courtesy hours of that building. People wishing to campaign in-person must contact Housing and Residence Life, in writing, at least one week in advance of the desired campaign activity. The specific location of the campaign activity, within the lobby, will be established by that building's Hall Director.

Each candidate/campaign or (representative of a candidate/campaign/political party) may not hold a campaign activity more than one hour per residence hall, per week. No more than two people may campaign together at a singular time. No more than one campaign activity may be held at one time per building.

Those campaigning may not bring in additional furniture. Based on furniture availability, each building may be able to provide a table and/or chairs for a small display and/or handouts.

All behavior expectations of residents and guests also apply to those participating in campaign activities.

**[1988 POLICY]**

**POLITICAL CAMPAIGNING AND DISTRIBUTION OF POLITICAL LITERATURE  
IN RESIDENCE HALLS ON THE UWSP CAMPUS**

CAMPAIGNING

1. Except as provided in items 2 and 3 below, political campaigning shall be restricted to the lobby and main lounge or each residence hall, subject to the following conditions:
  - a. Prior arrangements must be made with the respective Hall Council by the candidate or the candidate's representative;
  - b. Campaigning shall be permitted only during weeks when classes are in session;
  - c. Campaigning is permitted only between 11:00 A.M. and 9:00 P.M., Monday through Friday, and between 2:00 P.M. and 7:30 P.M. Saturday and Sunday; and
  - d. All forms of door to door canvassing, soliciting, and/or promotion, whether for commercial, political, or information purposes, are prohibited.
    - ❖ Residents may not participate in nor escort people conducting these activities.
    - ❖ This prohibition includes placing promotional materials on or under the doors of residents' rooms.
2. Candidates may, by prior arrangement with the respective Hall Council, schedule an appearance before the Council at any regularly scheduled meeting or at a meeting called expressly for the appearance of the candidate. Such appearance may be held in whatever convenient meeting place in the hall the Council and candidate agree upon.
3. Any resident may invite a candidate to the resident's room, and may invite other individuals as guests for the candidate's appearance except that the number of persons in a room shall not exceed a total of 10 and the group may not extend into the corridors.

## EXCLUSION

Elected representatives of residence hall associations may not canvass, solicit, or promote for commercial or political purposes, but may go door to door in their residence hall to conduct the business of their association.

## UW-Stout Proposed and 1988 Policies

### [PROPOSED]

#### Campaigning and Solicitation

Political literature (such as informational flyers, postings, and advertising) may be distributed to approved public posting locations within the residence halls by following these procedures:

- Literature must be submitted in a format no bigger than 11 inches tall by 17 inches wide (preferably landscape) to the Housing Office in 170 Price Commons during business hours (print quantities may be obtained by emailing [housing@uwstout.edu](mailto:housing@uwstout.edu)).
- Literature will be posted within five business days of submission and up to the desired expiration date or ten calendar days from the initial posting date, whichever comes first.
- Literature may be submitted multiple times for recurrent postings.

Political campaigning may be conducted in the main lobby of a residence hall by following these procedures:

- Requests must be made via email to [housing@uwstout.edu](mailto:housing@uwstout.edu) at least six business days prior to the campaigning event and should include: the campaign name, the desired hall(s) to campaign in, and the requested date and time of the event. Due to limited space, only two people from each campaign may attend an event per residence hall at a time and only one campaign will be granted access in any one residence hall at a time.
- Campaigning may occur Monday through Friday between 12:00 PM and 9:00 PM. Campaigns must leave the Residence Hall prior to the front desk closing at 10:00 PM.
- Tables and chairs will be provided within the main lobby of a residence hall for the event and must include clear campaign identification, provided by the campaign staff. Campaign staff are expected to remain within reach of their designated table and not block resident traffic through the lobby. Campaign staff are prohibited from entering resident living and recreation areas unless needing to use the restroom (as indicated on their check-in materials).
- When campaign staff arrive for an event, they must first check-in at the Housing Office in 170 Price Commons before 4:00 PM to obtain hall access and get directions to the event site. Upon arrival to the residence hall, campaign staff must announce their presence to the hall-specific front desk.
- If there are concerns about the campaign event, campaign staff may inform the front desk assistant to request professional housing staff presence.

Student Organizations (recognized by the Stout Student Association) and campus departments may also submit literature and/or table in the main lobby of a residence hall and must follow all procedures outlined in this policy.

Door-to-door solicitation, such as selling, peddling, distributing, and/or collecting materials or information, free or otherwise is not permitted in the residence halls.

Failure to follow policies outlined here or in the Residence Hall Handbook may result in immediate removal from the premise or posting location and/or loss of privilege for future events or postings.



**[1988 POLICY]**

**Political Campaigning**

Resident Students may be visited by candidates running for political office and/or student government elections if they have specified that they wish such "visits." During the first month of each semester, students will be asked to designate their preference in regards to visits by candidates. Only those students so specifying their desire for such visits will be contacted by candidates and/or their representatives. Campaign visits may include the dissemination of literature. When talking with candidates, students are expected to invite such individuals into their rooms or conduct those meetings in the floor lounge (if the total group is 4 or less). In the case of larger groups, a basement meeting area should be used.

## **UW-Superior Proposed and 1988 Policies**

**[PROPOSED]**

### **UW-Superior Campaigning in the Residence Halls**

The policy and procedures regarding campaigning are designed to allow candidates or their representatives the opportunity to discuss issues, distribute literature, and provide students opportunities to talk with candidates. In addition, this policy and these procedures are designed to protect student rights to privacy in their residential setting. Candidates or their representatives in elections pertinent to residence hall students, may not conduct door-to-door campaigning. They may distribute literature and campaign by following the procedures below:

- Candidates must register to campaign in the residence halls five business days in advance through the Residence Life Office.
- Campaigning may only be done between 6-10 p.m. in the residence hall front lobby.
- Candidates or their representatives must check in at the residence hall front desk, leave identification, and wear a visible name badge (sticker, button, lanyard) while campaigning.
- No more than two people can campaign at a time.
- Candidates or their representatives may talk to and/or distribute literature to interested students.
- Campaigning needs to be conducted in a considerate manner that minimizes disruption to the community or its members. Candidates or their representatives must honor the wishes of students who choose not to speak with them.
- Placing campaign materials under doors or posting them anywhere in the residence hall is prohibited.
- Candidates or their representatives who choose not to follow the above procedures will be asked to leave the residence hall and will not be allowed to return for the duration of the election.

**Adopted Date:**

**Board Approved Date:**

**[1988 POLICY]**

**UW- SUPERIOR POLITICAL CAMPAIGNING IN RESIDENCE HALLS**

Individuals or supporters of individuals seeking public office may solicit voters living in the residence halls for their voting support.

Each declared candidate is limited only by:

1. Prior Notification Every candidate must inform the Housing Office of the Residence Hall Director in advance of the planned visit.
2. Specific Hours On site campaigning is permitted between the hours of 12 noon and 8:00 p.m.
3. Door to Door Solicitation Candidates may solicit door to door in a reasonable manner and frequency.
4. Campaign Posters and Materials Campaign posters and materials may be permitted in designated areas.

## **UW-Whitewater Proposed and 1988 Policy**

### **[PROPOSED]**

#### **Campaigning in the Residence Halls UW-Whitewater Residence Hall Policy**

In accordance with Wis. Admin. Code sec. UWS 18.11(9) Campaigning in state-owned residence halls; the following is the UW-Whitewater policy:

The policies surrounding campaigning in the residence halls are designed to allow candidates and their representatives the opportunity to discuss issues and distribute literature pertinent to residence hall students. In addition, these policies are designed to protect residence hall students' rights to privacy in their living spaces. University students, residence hall student groups, registered student organizations and registered candidates for local, state, and national elections are permitted to engage in political campaigning in the residence halls. Candidates may meet with students and distribute literature following the procedures outlined below:

- Candidates may campaign in the residence hall lobby space of any residence hall. Candidates must reserve this space through the Complex Director of each residence hall, no later than five business days ahead of the desired time. The times when this activity will be allowed are 3:00 pm-8:00 pm.
- Candidates must check in with the front desk staff at the time of their arrival and must wear a name tag or appropriate identifying button etc. The residence hall will provide a table and two chairs in the lobby for the candidate's use.
- No door-to door campaigning is allowed at any time and candidates are not allowed on the residential floors of the residence hall.
- Campaigning must be conducted in a considerate manner that minimizes impact to the community or residents. Candidates and their representatives must respect the desires of students not wishing to engage in conversation or take literature. This includes but is not limited to the following prohibited acts, playing of music, amplifying sounds such as microphones or megaphones, etc.
- Distributing materials under or on doors is prohibited.
- Unless a part of a residence hall organized program, it is not the responsibility of the residence hall, or University Housing to have all sides represented during elections.
- Candidates who do not follow the above procedures may be restricted from accessing the residence halls for similar events during the duration of the election season.

For posting in the residence halls, please visit:

<https://www.uww.edu/housing/policies#postings>

**[1988 POLICY]**

**UW-WHITEWATER ADVERTISING, SOLICITING, AND VENDING**

Residence Hall Posting Policies

During the academic year, approximately 3500 advertisements will be posted in the residence halls. The following guidelines were established to provide proper management of the large demand to announce events, programs, and scheduled activities.

- The names of the person(s) or organization(s) sponsoring the events or activity must appear on all advertisements.
- For the purpose of record keeping, a copy of the advertisement with the name of the person wishing to put up the poster will be kept in the Office of Student Houring.
- Although a size limit is not mandatory, organizations and university departments are encourage not to submit advertisements larger than 18" x 24".

Commercial Advertisement (non-student organization)

A commercial organization may post one sign in the lobby area designated for such posting. Prior approval of the Housing Office is required. Posters must be brought to 101 Salisbury Hall for approval; approved posters will be stamped at this time. Additional copies may be left at the reception desk for the period of a week.

Signs promoting bars or irresponsible use of alcohol will not be approved. Signs mentioning or implying profanity, sexual or racial discrimination likewise will not be approved.

Masking tape only may be used on painted surfaces.

Residence hall staff may remove any improperly posted, inappropriate, or unapproved materials.

University Departments

University departments may post one sign in the lobby and one on each wing in designated posting areas. Prior approval of the Housing Office is not required. Departments are encouraged to leave copies for posting in 101 Salisbury Hall, and the residence hall staff will post them.

Advertisements announcing sale and consumption of alcohol must be approved under the student organization guidelines.

## Student Organizations

Student organizations may post one flyer in the lobby areas and one on each wing in the designated posting area. Signs may not be posted on doors, in stairwells, windows, etc. Prior approval of the Housing Office is required. Posters must be brought to 101 Salisbury Hall for approval; approved posters will be stamped at this time.

Signs promoting bars, "happy hours", "social hours", or otherwise implying irresponsible use of alcohol will not be approved. Similar signs promoting co-sponsored alcohol related events with the wine/spirits or brewers industries will not be approved for posting. In addition, any sign using a logo or drawing depicting alcohol will not be approved.

Signs mentioning or implying profanity, sexual or racial discrimination likewise will not be approved for posting.

Masking tape only may be used on painted surfaces.

Residence hall staff may remove any improperly posted, inappropriate, or unapproved material.

## Political Solicitation

Solicitation by political candidates in the living areas of the residence halls is prohibited. Political candidates may solicit in the lobby and basement recreational areas or on the floor, if invited by the residents of the floor. All other solicitations within the residence hall are prohibited. Violators will be referred to the University Policy and the Office of Student Housing.

## Commercial Vending

Vending of commercial wares, food, or refreshments door-to-door by student organization/companies/individuals outside of the University is strictly prohibited. Generally, campus organizations may not vend within the hall. The hall government within the residence hall has the option to recommend to the Office of Student Housing that the restriction be waived for a particular situation. Violators will be referred to University Police and the Office of Student Housing.

**APPROVAL OF UW-STOUT FACULTY POLICIES AND PROCEDURES  
RELATING TO POST TENURE REVIEW**

**REQUESTED ACTION**

Adoption of Resolution 4.

**Resolution 4.** That, upon the recommendation of the Chancellor of the University of Wisconsin-Stout and the President of the University of Wisconsin System, the Board of Regents approves the University of Wisconsin-Stout Faculty Policies and Procedures relating to Post-Tenure Review.

**SUMMARY**

The UW System Board of Regents is asked to approved the attached proposed revisions (**Attachment A**) to UW-Stout's Post-Tenure Review policies as interpreted in Stout's Faculty, Academic Staff, and Limited Appointees Handbook (FASHLAH), which were adopted pursuant to [Regent Policy Document 20-9](#), "Periodic Post-Tenure Review in Support of Tenured Faculty Development." These changes are intended to align policy with practice, ensure UW-Stout's policy and practice are in alignment with current Regent policy, and communicate clear processes to the faculty.

The proposed revisions were unanimously approved by the UW-Stout Faculty Senate on April 30, 2024, and by UW-Stout Chancellor Katherine Frank on May 6, 2024 (**Attachment B**). The Universities of Wisconsin Office of Academic & Student Affairs, Office of General Counsel, and Office of Human Resources have also reviewed the proposed revisions.

Pursuant to Wis. Admin. Code s. UWS 2.02, unless disapproved or altered by the Board, the revised policy will be in full force and effect upon approval by the Board of Regents.

**Presenters**

- Chancellor Katherine Frank, University of Wisconsin-Stout
- Provost Glendalí Rodríguez, University of Wisconsin-Stout

## **BACKGROUND**

Section UWS 2.02, Wis. Admin. Code (“Faculty Rules: Coverage and Delegation”), states: “Rules and procedures developed pursuant to UWS 3, 4, 5, 6, 7, and 8 by the faculty of each institution shall be forwarded by the chancellor to the president and by the president to the board for its approval prior to their taking effect. Such policies and procedures, unless disapproved or altered by the regents, shall be in force and effect as rules of the regents.”

Regent Policy Document (RPD) 20-29, “Periodic Post-Tenure Review in Support of Tenured Faculty Development,” requires that “[e]ach institution, through its normal governance process, shall develop and implement a policy for periodic, post-tenure review of tenured faculty members,” that aligns with the minimum requirements outlined in RPD 20-29 related to definitions, timelines, review criteria, roles and responsibilities, reporting, and remediation plans.

## **ATTACHMENTS**

- A) UW-Stout Faculty Policies and Procedures Relating to Post-Tenure Review (Proposed with Tracked Changes)
- B) Memo from UW-Stout Chancellor Katherine Frank



## UW-STOUT POST-TENURE REVIEW POLICY

### I. Scope

This policy applies to tenured faculty members at UW-Stout ~~and is to be implemented starting Fall 2017.~~

### II. Definitions:

FASLAH: UW Stout Faculty, Academic Staff, and Limited Appointees Handbook.

In this document, the definitions of teaching, research and service are ~~as per~~ **to be interpreted consistently with** FASLAH, Chapter IIIA: “Personnel Rules for All Unclassified Personnel.” (See Page 60 of the current edition.)

### III. Purpose

UW-Stout is committed to providing support for the professional development of all faculty members at any time in their careers.

The purposes of the review of tenured faculty are:

- a. to recognize **and reward** achievement;
- b. to help identify and remedy, from a developmental point of view, any deficiencies and to provide opportunities for mentoring and professional development.

**Tenured faculty are evaluated on an annual basis through the use of a university-developed and faculty approved annual performance evaluation process as described in FASLAH.**

The process of post-tenure review is the periodic **comprehensive** assessment of each faculty member's activities and performance, in accordance with the mission of the department, college, and institution, and the responsibilities of the faculty as described in FASLAH, **and Regent Policy Document 20-9**. The review is to be appropriately linked to the merit process. Post-tenure review is not a reevaluation of tenure and is not undertaken for the purposes of discipline or dismissal. Faculty members shall be subject to dismissal only for just cause. Departments, schools, colleges, and the university may not use post-tenure reviews as the basis for budgetary decisions or for program modification or redirection.

### **Board of Regents Policy Statement (Regent Policy Document 20-9)**

Tenure is an essential part of the guarantee of academic freedom that is necessary for university-based intellectual life to flourish. The grant of indeterminate tenure to faculty members represents an enormous investment of university and societal resources, and those who receive this investment do so only after rigorous review which established that their scholarship, research, teaching, and service met the highest standards and are congruent with the needs of the university.

It is the policy of the Board of Regents that a periodic, post-tenure review of tenured faculty members is essential to promoting faculty development, including recognizing innovation and creativity; enhancing the educational environment for students; and identifying and redressing

deficiencies in overall performance of duties through a supportive and developmental remediation process.

Nothing in this policy shall be interpreted to alter or to infringe upon existing tenure rights, as set forth in UW System Board of Regents or UW System policies, nor shall this policy diminish the important guarantees of academic freedom. Specifically, this policy does not supersede administrative rules providing for termination for cause set forth in Chapter UWS 4 of the Wisconsin Administrative Code.

### **UW-Stout Post-Tenure Review Process**

The post-tenure review period begins in the academic year following the granting of tenure. **In the case of a faculty member being promoted to full professor during a post-tenure review cycle, the five-year period will reset at the time of promotion.** The review may be deferred, only with the approval of the provost, for unusual circumstances such as when it may coincide with an approved leave, promotion review, or other appointment. In such cases, the provost will specify the new review cycle that applies to the faculty member. The periodic, post-tenure review ~~may~~ will substitute for the **subsequential** annual review **within the same calendar year unless the faculty member under review requests otherwise. The non-substitution request is initiated by the faculty member after receipt of the Chancellor's final decision on post-tenure review.**

#### **IV. Criteria**

The basic standard for review shall be whether the faculty member under review performs conscientiously and with professional competence the duties appropriately associated with the faculty member's position, ~~as stated in the job description and the post-tenure professional development plan.~~ These duties encompass teaching, scholarly activity, and service.

Each department shall develop criteria to measure progress in scholarly activity as appropriate to the field(s) **and these criteria must be included in the department bylaws.** The criteria ~~for review~~ shall be periodically reviewed by the personnel committee of each department. Each department must make these criteria available to each faculty member being reviewed, and the criteria document must be included with the written summary of the post-tenure review, filed by the reviewers. **Likewise, university-wide standards about the content and length of post-tenure review packets shall be listed on the Faculty Senate intranet site.**

The criteria for review should reflect the overall mission of the department, college, and institution, be sufficiently flexible to accommodate faculty members with differing responsibilities and recognize that careers and levels of productivity may change over time. In developing such criteria, departments may draw on statements used in other faculty review procedures, such as merit or promotion review. The criteria must take into account that UW Stout is an institution primarily oriented toward teaching, and the research/scholarship/service expectations must be appropriately scaled to reflect the teaching load of UW Stout faculty. **The faculty member's performance shall be considered holistically, with Faculty Senate developed and recommended university-wide guidelines regarding how to review levels of activity. Recognizing that responsibilities and accomplishments vary based on discipline, department-level criteria shall complement and be consistent with the university-wide guidelines and be applicable upon approval by the dean and inclusion in the department bylaws.** Special care should be taken to ensure that the scholarly productivity of jointly appointed and interdisciplinary faculty members is appropriately evaluated.

The personnel committee of each department shall ensure that the criteria governing faculty

review do not infringe on the accepted standards of academic freedom of faculty, including the freedom to pursue novel, unpopular, or unfashionable lines of inquiry, or innovative methods of teaching, and recognize that scholarly projects take varying amounts of time to come to fruition. Nothing in the criteria or application of these policies shall allow the review to be prejudiced by factors proscribed by applicable state or federal law, such as race, color, religion, creed, marital status, sex, sexual orientation, ethnicity, age, and disability.

## PROCEDURES

### V. Performing the Review

1. Annually, the specific dates that align with the timeline for each step of the post-tenure review process will be published by the Faculty Senate.
2. Reviews shall occur once every five years or earlier if requested by the faculty member reviewed. These post-tenure reviews may be incorporated into the annual merit review. The periodic, post-tenure review will substitute for the subsequential annual review within the same calendar year unless the faculty member under review requests otherwise. The non-substitution request is initiated by the faculty member after receipt of the Chancellor's final decision on post-tenure review.
3. Notice of the intent to review should be provided at least three months before the review is conducted. However, failure to meet this notice deadline does not obviate the requirement to conduct and participate in the review.
4. Each review, as determined by each department's personnel committee, shall be carried out by three or more tenured faculty members at the same rank or above as the faculty reviewed. The committee members who may be drawn from outside the department if there are not sufficient members in the department to serve on the committee. There must be an odd number, not an even number, of reviewers. If the faculty member under review formally objects to one reviewer, the chair, in consultation with the relevant appropriate dean, shall identify another appropriate reviewer. Such formal objections should be kept confidential to the extent permissible by law. In the case of a faculty member with appointments in more than one department, the tenured faculty members of the departments shall jointly conduct the review.
5. Each review must be conducted in accordance with the criteria developed by the department, as required by the section "Criteria" above. Review procedures shall include:
  - a. A review of qualitative and quantitative evidence of the faculty member's performance over at least the previous five-year period. The evidence should include a current curriculum vita, annual activity reports, teaching evaluations or summaries of evaluations, and other materials providing evidence of the faculty member's accomplishments and contributions that the department or the faculty member feel are relevant to the review. The faculty member should provide the reviewers with a brief summary of proposed performance objectives for the next post-tenure review ~~career plans for the future~~. Letters from outside the university would not ordinarily be a part of the review process. The faculty member under review, however, may submit appropriate letters if she or he they so choose. The reviewers shall examine materials to the degree needed to accomplish the purposes of this review.
  - b. ~~Discussion with the faculty member about her or his contributions to the profession,~~

the department, and the university if either the reviewers or the faculty member so desire.

c. ~~Appropriate consideration~~ **Recognition** of a faculty member's contributions outside the department to interdisciplinary and other programs, governance, and administration, **if submitted as part of the materials.**

d. ~~Other steps the reviewers consider useful in making a fair and informed judgment, including, but not limited to consultation with individuals who have knowledge of the faculty member's work.~~

6. The reviewers will identify one of the following categories reflecting the overall results of the review. In determining the category, the review will consider whether the faculty member under review has conscientiously and with professional competence performed the duties appropriately associated with the faculty member's position, ~~as stated in the job description and the faculty member's post-tenure professional development plan.~~ A rating of does not meet expectations is to be given only if a majority of the committee members find the faculty member to have not met ~~her/his~~ **their** expectations.

**Meets expectations.** This category is ~~awarded~~ **assigned** to those tenured faculty members whose performance reflects the expected level of accomplishment.

**Does not meet expectations.** This category is ~~awarded~~ **assigned** to those tenured faculty members whose performance reflects a level of accomplishment below the expected level and which requires correction. All reviews resulting in "does not meet expectations," unless overturned upon further review, will result in a remediation plan as described below.

7. The reviewers shall provide the faculty member with a written summary of the review by the last business day in January. The faculty member shall have the right to prepare a written response to the summary within ~~30~~ **20 business** days after receipt. **This written response will be retained in the departmental post-tenure review file and archived personnel records. After the 20 business days window for the faculty to respond has passed, the reviewers must forward the post-tenure review file (including any written response from the faculty member) to the appropriate dean within 5 business days.**
8. In the event the initial review by the faculty committee leads to a rating of "does not meet expectations," the dean shall review the committee's report. The deficiencies at issue must be described in writing (as required by Regent Policy Document 20-9), and in detail (as part of the report) whenever a "does not meet expectations" ~~result~~ **rating** is given. ~~The faculty member may provide a written statement to accompany the dean's review.~~ In the course of ~~her or his~~ **their** review, the dean should consult and seek input from tenured faculty members in the College or another College of UW Stout if there is a cognate discipline. **Within 20 business days of receiving the departmental report, the dean must complete their review and send it to the faculty member. The faculty member will have 10 business days to provide a written response to accompany the dean's review, before the report is forwarded to the Chancellor. The dean's review will be followed by the chancellor's review, no sooner than 30 days after the dean's review. The Chancellor will have 20 business days to complete their review. The faculty member may provide a written statement to accompany the Chancellor's review.** In the course of ~~her or his~~ **their** review, the Chancellor may consult and seek input from ~~tenured faculty~~ **the department chair, the dean, and the provost.** Following the Chancellor's review, the faculty member shall be informed by the Chancellor that the faculty member has received **either a result rating** of "meets expectations" or ~~that a rating of~~ **a rating of** "does not meet expectations". **If a rating of "does not meet expectations" was assigned received, and a**

remediation plan will be developed. Following receipt of the Chancellor's review, the faculty member will have 20 business days to provide a written response to accompany the Chancellor's review. This written response will be retained in the departmental post-tenure review file and archived personnel records.

9. In the event a **departmental** review leads to a rating of "meets expectations," the ~~Chancellor shall review the report.~~ **appropriate dean will be afforded 10 business days to attach written commentary pertaining to the content of the report before it is forwarded to the provost. The provost will be afforded 10 business days to attach written commentary pertaining to the content of the report before it is forwarded to the Chancellor. Upon reviewing the report and the accompanying commentaries, if the Chancellor has concerns about the department-level review, the Chancellor shall meet with the chair of the department's post-tenure review committee. In the course of the review addition, the Chancellor may consult with and seek input from the faculty reviewers, the dean, the provost, and any other tenured faculty as appropriate. Within 20 business days after the Chancellor receives the report and the accompanying commentaries, Following the Chancellor's review, the faculty member shall be informed by the Chancellor that the faculty member has received a **result rating** of "meets expectations" or "does not meet expectations."**
10. If the Chancellor assigns a "does not meet expectations rating", the Chancellor must provide a carefully considered written explanation of why such a rating was assigned, including specific evidence of deficiencies in the areas of teaching, scholarly activity, or service. The deficiencies at issue must be described in writing (as required by Regent Policy Document 20-9), and in detail (as part of the summary) whenever a "does not meet expectations" **result rating** is given. If a "does not meet expectations" rating is assigned by the Chancellor, ~~the faculty member, in consultation with the appropriate dean, if desired by the faculty member, shall have the right to prepare a written response to the summary within 20 business days after receipt. This written response will be retained in the departmental post-tenure review file and archived personnel records. Within 15 business days after receiving the written response from the faculty member, the Chancellor shall review and carefully consider the response and inform the faculty member that they have received a final rating of "meets expectations" or "does not meet expectations."~~ If a "does not meet expectations" rating is assigned by the Chancellor after the review and careful consideration of the faculty response, a remediation plan will be developed. The Chancellor's response shall be provided to the faculty member, the department chair, the appropriate dean, and the provost.
11. In the event the Chancellor assigns a rating of "meets expectations", **within 20 days business days after the Chancellor informs the faculty member,** a copy of the summary and any written response to it shall be given to the department chair, ~~the dean, as applicable,~~ and the provost, and shall be placed in the **departmental** personnel file of the faculty member. ~~The department shall also preserve in the faculty member's personnel file all documents that played a substantive role in the review (other than documents such as publications that are readily accessible elsewhere), and a record of any action taken as a result of the review. The summary and outcome of the review shall remain confidential, that is, confined to the appropriate departmental, college, or university persons or bodies and the faculty member being evaluated, released otherwise only at the discretion, or with the explicit consent of, the faculty member, or as otherwise required by law.~~

12. For faculty members who receive a **final post-tenure** review in the category of “meets expectations” ~~should be considered for additional base compensation~~, **every effort should be made by the university to offer tangible recognition, including but not limited to increases in base pay, nomination for awards, and other benefits** subject to the availability of resources **and in accordance with university processes**.

## **VI. Formulating Remediation Plans**

1. For faculty members needing to develop a remediation plan, support from institutional resources for professional development shall be proffered. The department chair and the faculty member, ~~in consultation with the dean~~, shall develop a written plan for mentoring and professional development to address all the deficiencies identified in the review. This plan shall be the product of mutual ~~discussion~~ **negotiation** between the faculty member **and** the department chair(s) ~~and dean(s)~~, shall respect academic freedom and professional self-direction, and shall be flexible enough to allow for multiple paths for success. Such a plan **requires dean approval and** could include review and adjustment of the faculty member’s responsibilities, development of a new program for scholarly activity/research engagement, or teaching strategy, referral to campus resources, assignment of a mentoring committee, institution of mandatory annual reviews for a specified period, written performance expectations, and/or other elements. The faculty member shall have the right to provide a written response regarding the manner in which any written development plan is formulated, the plan’s content, and any resulting evaluation, including metrics to be used. The written response will accompany the plan as a permanent appendix. **Review and final approval of the plan will be provided by the Chancellor or Chancellor designee, within 10 business days of receipt of the plan.**
2. The remediation plan should clearly indicate a deadline (not to exceed three academic semesters starting the Fall subsequent to the development of remediation plan) by which time all elements of the plan must be satisfied. The plan shall include a description of what constitutes satisfactory completion of each element.
3. In those few remediation plans related to a performance shortfall in research where more than three academic semesters may be necessary to correct identified deficiencies, **the reviewee may request** an extension of one academic semester. **This extension** shall be permitted only with the approval of the Chancellor, which shall trigger a notification of that extension to the UW System Administration Vice President for Academic and Student Affairs.
4. The remediation plan should indicate that 1) a progress meeting will be scheduled with the dean, the chair and the faculty member approximately one semester into the plan to help determine progress and identify additional improvement resources that may aid the faculty member and 2) that a final remediation follow-up meeting will occur between the dean, the chair, and the faculty member after the deadline, but before the start of the next academic semester, and not to exceed ~~30 calendar~~ **20 business** days past the deadline (e.g., if three semesters, limited to 18 months in total are provided, within ~~30 calendar~~ **20 business** days of the close of the 3rd semester). At the meeting, the dean will consult with the chair and the faculty member about the evidence indicating that the faculty member has met or not met the obligations of the remediation plan. The dean may request evidence from the department, the faculty member, and/or other sources prior to the meeting.



5. The remediation plan should indicate the actions to be taken for failing to satisfy the remediation plan by the deadline. Consequences can range from informal actions such as workload assignments, to disciplinary measures. In extremely egregious situations, dismissal for cause under the category of “non-performance of duties” shall be a possible sanction, provided that the policies in FASLAH are followed, including the procedures of the termination of employment committee.
6. Meeting the expectations of the remediation plan is defined as satisfying all the elements of the remediation plan. The dean, in consultation with the Chancellor and the faculty member, makes the determination whether the elements of the plan have been successfully completed. The remediation follow-up meeting will result in a letter from the dean to the faculty member and the Chancellor (with a copy to the department chair, the provost, and HR) indicating that the faculty member has **either**:
  - A. Met the conditions of the remediation plan, with a statement stating that the next formal post-tenure review by the department will occur 5 years from the date of the review that triggered the remediation plan.

OR

- B. Not met the conditions of the remediation plan. If the remediation plan has not been met, the letter will include information regarding the potential sanctions or disciplinary procedures. ~~The dean cannot unilaterally impose sanctions or disciplinary procedures.~~

## **VII. Potential Dismissal**

The standard for dismissal remains that of just cause as outlined in FASLAH. The fact of successive negative reviews does not diminish the obligation of the institution to show such cause in a separate forum, following the procedures outlined in FASLAH. Records from post-tenure review ~~may be relied upon and~~ are admissible but are rebuttable as to accuracy. The administration bears the ultimate burden of proof on the issue of just cause for dismissal.

The faculty member retains all protections guaranteed in FASLAH, including, but not limited to, the rights to appeal specified above and the right to appeal disciplinary and dismissal action to the Positive Action Committee as described in FASLAH.

## **VIII. Accountability**

1. Copies of the departmental criteria and procedures for reviews of tenured faculty shall be ~~filed with~~ **distributed to** the appropriate dean, the provost, and the secretary of the Faculty Senate.
2. At the beginning of each academic year, the **department chair and department personnel committee** chair shall identify faculty to be reviewed by the end of that year. In consultation with the Faculty Senate, the Provost’s Office will develop a yearly timeline for the review and plan development (if needed).
3. Departments shall maintain a record of reviews completed, including the names of all reviewers.

4. If a department fails to conduct requisite reviews by the specified deadline, the dean shall appoint reviewers to conduct reviews based on the department's specified criteria.
5. The periodic review of each department, in which the department's mission, personnel, and development are ~~now~~ evaluated, shall include review of the process for review of tenured faculty in the department.
6. A full, written record is to be created containing the results of a faculty member's periodic, post-tenure review and any ensuing actions, as described above. The written record is to be provided to the dean and Chancellor. Information and documentation relating to the review shall be maintained by the appropriate department, college or school, or university personnel or bodies, and disclosed otherwise only at the discretion, or with the explicit consent, of the faculty member, unless required by business necessity or by law.
7. Department chairs are required to report annually to the dean and Chancellor that all periodic, post-tenure reviews for tenured faculty in that annual cycle have been completed **and a record of the reviews will be maintained by Human Resources**. The Chancellor has responsibility for ensuring the reviews are completed on schedule.

## **IX. Appeals**

The reviews conducted and remediation plans developed in accordance with this policy are not subject to the grievance process set forth in Chapter UWS 6.02, Wis. Admin. Code.





**University of  
Wisconsin-Stout**  
Wisconsin's Polytechnic University

June 11, 2024

Jay Rothman  
President

*via email*

Re: UW-Stout Faculty Rule Changes

Dear President Rothman,

In accordance with Wis. Admin. Code s. UWS 2.02, I am forwarding the attached changes to UW-Stout Post Tenure Review policies as interpreted in Stout's Faculty, Academic Staff, and Limited Appointees Handbook (FASLAH), which were adopted pursuant to Regent Policy Document 20-9. A description of the reasons for the changes and a red-lined document detailing the changes is attached. I request that you forward these policies to the President of the Board of Regents for approval by the Board.

These policy changes were developed in consultation with UW-Stout's Faculty Senate. The Faculty Senate unanimously approved the proposed revision to the Post-Tenure Review Policy on April 30, 2024, via Faculty Senate Resolution #23-24-033 and was approved by me on May 6, 2024.

Pursuant to Wis. Admin. Code s. UWS 2.02, these changes, unless disapproved or altered by the Board, will be in full force and effect upon approval by the Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine P. Frank".

Katherine P. Frank  
Chancellor

c: Megan Wasley, Executive Director, Board of Regents  
Johannes Britz, Vice President - Academic and Student Affairs  
Quinn Williams, General Counsel  
Dan Chanen, Associate Vice President - Human Resources

Attachments

**OVERVIEW OF NEW TITLE IX 2024 REGULATIONS AND  
APPROVAL OF ADMINISTRATIVE CODE SCOPE  
STATEMENTS FOR CHAPTERS UWS 1, 4, 7, 11, AND 17  
EMERGENCY AND PERMANENT RULES**

**REQUESTED ACTION**

Adoption of Resolution 5.

**Resolution 5.** That, upon the recommendation of the President of the University of Wisconsin System, the UW System Board of Regents approves the attached emergency and permanent rule Administrative Code Scope Statements for the revision of Chapters UWS 1 (“Definitions of Terms Used in Chs. UWS 1 to 6”), UWS 4 (“Procedures for Faculty Dismissal and for Dismissal and Discipline in Title IX Cases”), UWS 7 (“Procedures for Faculty Dismissal in Special Cases”), UWS 11 (“Procedures for Academic Staff Dismissal and For Discipline and Dismissal in Title IX Cases”), and UWS 17 (“Student Nonacademic Disciplinary Procedures”) of the Wisconsin Administrative Code.

**SUMMARY**

Title IX of the Education Amendments of 1972 requires that all educational institutions that receive federal funds of financial assistance prohibit sex discrimination in their education programs and activities (34 C.F.R. Part 106). The U.S. Department of Education has engaged in rulemaking to further examine and clarify schools’ responsibilities in responding appropriately to reports of sex discrimination, sexual harassment, sexual violence, intimate partner violence, and stalking involving faculty, staff, and students as well as pregnant and parenting students. On April 19, 2024, the Department released a final rule which all recipient educational institutions are required to comply with by August 1, 2024.

UW Administration is seeking emergency and permanent rule changes to Chapters UWS 1, 4, 7, 11, and 17 of the Wisconsin Administrative Code to comply with the substantive and procedural requirements provided under the new regulations. As part of the rulemaking process, Board approval of the emergency and permanent rule scope statements (**Attachment A**) is required by s. 227.136, Wis. Stats.

UW Administration held a preliminary public hearing regarding the emergency and permanent rule scope statements on June 14, 2024. UW Administration is required to report on the public comment period and public hearing as required by Wis. Stat. 227.136. UW Administration did not receive any written or verbal public comments during the public comment period or public hearing.

The Governor approved the scope statements on May 23, 2024, as required by s. 227.135, Wis. Stats. (**Attachment B**). Assuming Board approval of the scope statements, the rulemaking process will follow a general timeline over the next year as noted in **Attachment C**.

This presentation will also provide the Board of Regents with an overview of the major changes in the Title IX 2024 regulations and an update on the steps that the Universities of Wisconsin have taken and will need to take to gain compliance.

#### **New Title IX 2024 Regulations**

- Major changes
- Title IX Coordinator responsibilities
- Recordkeeping
- Training

#### **UW System Efforts to Gain Compliance**

- Current Working Group on Implementation of Title IX Regulations
- Timeline for Implementation and Compliance

#### **Presenters**

- Dany Thompson, Title IX Specialist, Universities of Wisconsin
- Paige Smith, Chief Compliance and Risk Officer, Universities of Wisconsin
- Quinn Williams, General Counsel, Universities of Wisconsin

## **BACKGROUND**

Title IX of the Education Amendments was enacted in 1972. Up until 2011, enforcement of the law primarily focused on gender equity in athletics programs. In 2011, the U.S. Department of Education under the Obama Administration issued a “Dear Colleague” letter that affirmed the law’s reach to sexual violence and require schools to take affirmative steps to respond to complaints of and work to proactively prevent sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. In 2015, the UW System

Board of Regents approved changes to the UWS Administrative Code that were necessary to comply with this new guidance, and in 2016 the Board approved updates to policy.

In 2017, the U.S. Department of Education under the Trump Administration rescinded the previously issued guidance and released new guidance, followed by the publication of new federal regulations in May 2020. These changes focused on live hearings, cross examinations, and creating a formal grievance process for sexual harassment, along with major definition changes. The UW System Board of Regents approved interim modifications to Regent Policy Document 14-2, "Sexual Violence and Sexual Harassment," and to relevant provisions of the UWS Administrative Code to gain compliance with the updated regulations by the required implementation date of August 14, 2020. Final revisions to UWS Administrative Code and Regent policy were subsequently approved and went into effect the following year.

In 2022, the U.S. Department of Education under the Biden Administration rescinded the guidance issued by the previous administration and released new guidance, followed by the publication of new federal regulations in April 2024. The new regulations focused on a few areas, with the main ones expanding the definition of Sex Discrimination to include gender, gender identity and sexual orientation. It also gave new guidance on supportive measures, grievance processes, trainings required by all employees, updated definitions, and a myriad of smaller changes. It also provided new rules and protections for pregnant and expectant parents. Once again, Board approval of interim modifications to RPD 14-2 and relevant provisions of the UWS Administrative Code will be required to gain compliance with these new regulations before they go into effect on August 1, 2024. Failure to gain compliance with the new regulations could result in loss of federal funding to the UW System.

### **Administrative Rules**

The administrative rules of the Board of Regents of the University of Wisconsin System were adopted pursuant to Chapter 36 of the Wisconsin Statutes, which states: "The primary responsibility for governance of the system shall be vested in the board which shall enact policies and promulgate rules for governing the system" (s. 36.09(1)(a), Wis. Stats.).

All UW institutions would be affected by the proposed rule revisions articulated in the attached scope statements for Chapters UWS 1, 4, 7, 11, and 17 of the Wisconsin Administrative Code.

## Previous Actions

### *Chapters UWS 4, 7, 11, and 17 of the Wisconsin Administrative Code*

The Board last discussed this topic at its June 8th, 2024 meeting when it approved a notice of a preliminary public hearing on the scope statements for the emergency and permanent rule revision of Chapters 1, 4, 7, 11, and 17 of the Wisconsin Administrative Code.

In April 2015, the Board of Regents amended Chapters UWS 4, "Procedures for Dismissal of Faculty," UWS 7, "Dismissal of Faculty in Special Cases," UWS 11, "Dismissal of Academic Staff for Cause," and UWS 17, "Nonacademic Student Misconduct" of the Wisconsin Administrative Code through [Resolution 10476](#), [Resolution 10477](#), and [Resolution 10478](#), all of which addressed the Dear Colleague Letter updates from the U.S. Department of Education.

In August 2020, the Board of Regents approved the implementation of emergency rules to modify Chapters UWS 4, 7, 11, and 17 through [Resolution 11474](#), to comply with updated federal regulations. In December 2020, the Board of Regents adopted [Resolution 11568](#) approving the permanent rule language for Chapters UWS 4, "Procedures for Faculty Dismissal and for Dismissal and Discipline in Title IX Cases," UWS 7, "Procedures for Faculty Dismissal in Special Cases," UWS 11, "Procedures for Academic Staff Dismissal and for Discipline and Dismissal in Title IX Cases," and UWS 17, "Student Nonacademic Disciplinary Procedures," all of which took effect in May 2021.

### *Regent Policy Document 14-2, "Sexual Violence and Sexual Harassment"*

In December 1980, the Board of Regents adopted Resolution 2297, which created Regent Policy Document (RPD) 80-8, outlining a process for institutions to report incidents of sexual harassment, as well as establishing the Regent Task Force on the Status of Women. In April and May 1981, the Board of Regents adopted Resolution 2361 and Resolution 2384, which respectively adopted many of the task force recommendations and replaced RPD 80-8 with RPD 81-2. Resolution 3758, adopted in April 1987, updated RPD 81-2, which was subsequently renumbered as RPD 14-2.

In July 2014, the President of the UW System ordered the Task Force on Sexual Violence and Harassment to lead and coordinate systemwide efforts to strengthen UW System's capacity to prevent sexual violence and harassment. In December 2016, the Board of Regents adopted [Resolution 10786](#) approving the task force's recommended revisions to RPD 14-2, which included a new template and common definitions to be used in UW institutional policies.

On August 5, 2020, the Board adopted [Resolution 11475](#) approving interim changes to RPD 14-2 to gain compliance with new federal regulations released by the Trump

Administration. Additional changes to RPD 14-2 were approved in August 2020 ([Resolution 11494](#)) and June 2021 ([Resolution 11637](#)) to bring the policy in line with final revisions to UWS Administrative Code.

### *UW System Administrative Policies*

In June 2018, the Board of Regents adopted [Resolution 11038](#), which called for the UW System to create policies to provide personnel records for former or current UW System employees, document allegations and investigations of employee sexual harassment, and form appropriate reference check procedures for prospective UW System employees. This resulted in the revision of UW System Administrative Policy 1261, "Personnel Files" and UW System Administrative Policy 1275, "Recruitment Policies" in January 2019.

### **Related Laws and Policies**

- [Chapter UWS 1, Wis. Admin. Code: "Definitions Of Terms Used In Chs. UWS 1 To 6"](#)
- [Chapter UWS 4, Wis. Admin. Code: "Procedures for Faculty Dismissal and for Dismissal and Discipline in Title IX Cases"](#)
- [Chapter UWS 7, Wis. Admin. Code: "Procedures for Faculty Dismissal in Special Cases"](#)
- [Chapter UWS 11, Wis. Admin. Code: "Procedures for Academic Staff Dismissal and for Discipline and Dismissal in Title IX Cases"](#)
- [Chapter UWS 17, Wis. Admin. Code: "Student Nonacademic Disciplinary Procedures"](#)
- [Regent Policy Document 14-2, "Sexual Violence and Sexual Harassment"](#)
- [UW System Administrative Policy 1261, "Personnel Files"](#)
- [UW System Administrative Policy 1275, "Recruitment Policies"](#)

### **ATTACHMENTS**

- A) Scope Statements for Chapters UWS 1, 4, 7, 11, and 17, Wis. Admin. Code
- B) Overview of 2024 Title IX Rules
- C) Title IX Rulemaking Timeline

# STATEMENT OF SCOPE

## The Board of Regents of the University of Wisconsin System

**Rule No.:** Chapter UWS 1

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**Relating to:** Definitions of Terms Used In Chs. UWS 1 To 6

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**Rule Type:** Emergency and Permanent

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### 1. Finding/nature of emergency (Emergency Rule only):

On April 19, 2024, the Federal Government released new, comprehensive Title IX regulations addressing sexual harassment and sexual violence with respect to university employees, including academic staff. The regulations go into effect on August 1, 2024. An emergency rule is required for the University of Wisconsin System to be compliant with these new federal regulations by August 1, 2024.

### 2. Detailed description of the objective of the proposed rule:

Through a separate scope statements the Board seeks to amend Chs. UWS 4, 7, 11, and 17, to comply with new Title IX regulations that the U.S. Department of Education has published relating to the manner in which higher education institutions define and respond to sex discrimination and sex-based harassment allegations involving students, employees, and visitors.

This will involve issuing related emergency rules followed by the promulgation of permanent rules.

The Board seeks to consolidate the regulatory definitions related to Title IX from Chs. UWS 4, 7, 11, and 17 in Chapter 1 to apply to all of those chapters for ease of reading and use.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The modifications contemplated by this rulemaking would incorporate into law necessary changes to conform the definitions in Chs. UWS 4, 7, 11, and 17 to the new federal Title IX regulations.

An alternative would be to continue to operate with both the current definitions in Chs. UWS 4, 7, 11, and 17 and the new federal Title IX regulations. This, however, would conflict with the federal rules preemption of conflicting state laws and regulations. It will lead to confusion and exposure to federal enforcement action and third-party litigation.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Wis. Stat. § 36.09(1)(a): “The primary responsibility for governance of the system shall be vested in the board which shall enact policies and promulgate rules for governing the system, plan for the future needs of the state for university education, ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers and promote the widest degree of institutional autonomy within the controlling limits of system-wide policies and priorities established by the board.”

Wis. Stat. § 36.11(1)(a): “The board may promulgate rules under ch. 227 to protect the lives, health and safety of persons on property under its jurisdiction and to protect such property and to prevent obstruction of the functions of the system. Any person who violates any rule promulgated under this paragraph may be fined not more than \$500 or imprisoned not more than 90 days or both.”

Wis. Stat. § 36.15(3): “A person having an academic staff appointment for a term may be dismissed prior to the end of the appointment term only for just cause and only after due notice and hearing. A person having an academic staff appointment for an indefinite term who has attained permanent status may be dismissed only for just cause and only after due notice and hearing. In such matters the action and decision of the board, or the appropriate official authorized by the board, shall be final, subject to judicial review under ch. 227. The board shall develop procedures for notice and hearing which shall be promulgated as rules under ch. 227.”

Wis. Stat. § 36.35(1): “The board may delegate the power to suspend or expel students for misconduct or other cause prescribed by the board. Subject to sub. (4), the board shall promulgate rules under ch. 227 governing student conduct and the procedures for the administration of violations.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

400 hours.

**6. List with description of all entities that may be affected by the proposed rule:**

All University of Wisconsin System institutions and the faculty, academic staff, and students thereof.



**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

Title IX of the Education Amendments of 1972 provides that “[N]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” The U.S. Department of Education has issued new federal regulations effective August 1, 2024, with respect to how institutions of higher education that receive federal funding must define and address sex discrimination and sex-based harassment. The U.S. Department of Education through its Office for Civil Rights enforces these regulations.

The new regulations are intended to continue to effectuate Title IX’s prohibition against sex discrimination and sex-based harassment, including continuing to ensure fairness and due process for all parties in the university’s investigation and adjudication of such complaints. The new regulations have expanded the universe of covered parties and activities, while also providing some flexibilities to institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

There may be an economic impact on UW institutions, given the University is required by the regulations to provide additional resources to support employees, students, advisors, hearing officers, and additional trainings.

The University will continue to evaluate any potential economic impacts as it begins drafting rule language and will include more detailed analysis in its EIA. There is no anticipated significant economic impact on small businesses.

**Contact Person:** Dany Thompson, Title IX Compliance Specialist, [dtthompson@uwsa.edu](mailto:dtthompson@uwsa.edu)



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Department Head or Authorized Signature

5/13/2024

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Date Submitted

# STATEMENT OF SCOPE

## The Board of Regents of the University of Wisconsin System

**Rule No.:** Chapter UWS 4

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**Relating to:** Procedures for Dismissal of Faculty

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**Rule Type:** Emergency and Permanent

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### **1. Finding/nature of emergency (Emergency Rule only):**

On April 19, 2024, the Federal Government released new Title IX regulations addressing sex discrimination and sex-based harassment with respect to university students, visitors, and employees, including faculty. The regulations go into effect on August 1, 2024. An emergency rule is required for the University of Wisconsin System to be compliant with these new federal regulations by August 1, 2024.

### **2. Detailed description of the objective of the proposed rule:**

The Board of Regents of the University of Wisconsin System (“Board”) seeks to modify Chapter UWS 4, regarding Procedures for Dismissal of Faculty for Dismissal and Discipline in Title IX Cases, to comply with new Title IX regulations that the U.S. Department of Education has published relating to allegations of sex discrimination and sex-based harassment involving employees. These new regulations have expanded the universe of covered parties and activities, while also providing some flexibilities to institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment. Specifically, the Board seeks to amend Chapter UWS 4 to modify and add certain sections to ensure it is compliant with the new federal Title IX regulations. This will involve issuing an emergency rule followed by the promulgation of a related permanent rule.

### **3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

The current version of Chapter UWS 4 provides a disciplinary process for pursuing dismissal of faculty or dismissal or discipline of faculty in Title IX cases. This process has been fair and

effective since it was first published in 1975. The Chapter previously has been amended through the administrative rule-making process to update the Chapter on several occasions.

The modifications contemplated by this rulemaking would incorporate into law necessary changes to conform Chapter UWS 4 to the new federal Title IX regulations.

An alternative would be to continue to operate with both the current Chapter UWS 4 and the new federal Title IX regulations. This, however, is in conflict with the federal rules which preempt conflicting state laws and regulations. It could lead to confusion and exposure to federal enforcement action and third-party litigation.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Wis. Stat. § 36.09(1)(a): “The primary responsibility for governance of the system shall be vested in the board which shall enact policies and promulgate rules for governing the system, plan for the future needs of the state for university education, ensure the diversity of quality undergraduate programs while preserving the strength of the state’s graduate training and research centers and promote the widest degree of institutional autonomy within the controlling limits of system-wide policies and priorities established by the board.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

400 hours.

**6. List with description of all entities that may be affected by the proposed rule:**

All University of Wisconsin System institutions and the faculty thereof.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

Title IX of the Education Amendments of 1972 provides that “[N]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” The U.S. Department of Education has issued federal regulations effective August 1, 2024, with respect to how institutions of higher education that receive federal funding must address allegations of sex discrimination and sex-based harassment. The U.S. Department of Education through its Office for Civil Rights enforces these regulations.

The new regulations are intended to effectuate Title IX’s prohibition against sex discrimination and sex-based harassment including continuing to ensure fairness and due process for all parties in the university’s investigation and adjudication of such complaints. The new regulations have

expanded the universe of covered parties and activities, while also providing some flexibilities to institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

There may be an economic impact on UW institutions, given the University is required by the regulations to provide additional resources to support employees, students, advisors, hearing officers, and additional trainings.

The University will continue to evaluate any potential economic impacts as it begins drafting rule language and will include more detailed analysis in its EIA. There is no anticipated significant economic impact on small businesses.

**Contact Person:** Dany Thompson, Title IX Compliance Specialist, [dtthompson@uwsa.edu](mailto:dtthompson@uwsa.edu)



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Department Head or Authorized Signature

5/13/2024

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Date Submitted

# STATEMENT OF SCOPE

## The Board of Regents of the University of Wisconsin System

**Rule No.:** Chapter UWS 7

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**Relating to:** Procedures for Dismissal of Faculty in Special Cases

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**Rule Type:** Emergency and Permanent

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### 1. Finding/nature of emergency (Emergency Rule only):

On April 19, 2024, the Federal Government released new Title IX regulations addressing sex discrimination and sex-based harassment with respect to university, students, visitors, and employees, including faculty. The regulations go into effect on August 1, 2024. An emergency rule is required for the University of Wisconsin System to be compliant with these new federal regulations by August 1, 2024.

### 2. Detailed description of the objective of the proposed rule:

The Board of Regents of the University of Wisconsin System (“Board”) seeks to modify Chapter UWS 7, regarding Procedures for Dismissal of Faculty in Special Cases, to comply with new Title IX regulations that the U.S. Department of Education has published relating to allegations of sex discrimination and sex-based harassment involving employees. These new regulations have expanded the universe of covered parties and activities, while also providing some flexibilities to institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment. Specifically, the Board seeks to amend Chapter UWS 7 to modify and add certain sections to ensure it is compliant with the new federal Title IX regulations. This will involve issuing an emergency rule followed by the promulgation of a related permanent rule.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The current version of Chapter UWS 7 provides a disciplinary process for pursuing dismissal of faculty in special cases. This process has been fair and effective since it was first published in

2007. The Chapter previously has been amended through the administrative rulemaking process to update the Chapter.

The modifications contemplated by this rulemaking would incorporate into law necessary changes to conform Chapter UWS 7 to the new federal Title IX regulations.

An alternative would be to continue to operate with both the current Chapter UWS 7 and the new federal Title IX regulations. This, however, is in conflict with the federal rules which preempt conflicting state laws and regulations. It could lead to confusion and exposure to federal enforcement action and third-party litigation.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Wis. Stat. § 36.09(1)(a): “The primary responsibility for governance of the system shall be vested in the board which shall enact policies and promulgate rules for governing the system, plan for the future needs of the state for university education, ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers and promote the widest degree of institutional autonomy within the controlling limits of system-wide policies and priorities established by the board.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

400 hours.

**6. List with description of all entities that may be affected by the proposed rule:**

All University of Wisconsin System institutions and the faculty thereof.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

Title IX of the Education Amendments of 1972 provides that “[N]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” The U.S. Department of Education has issued federal regulations effective August 1, 2024, with respect to how institutions of higher education that receive federal funding must address allegations of sex discrimination and sex-based harassment. The U.S. Department of Education through its Office for Civil Rights enforces these regulations.

The new regulations are intended to effectuate Title IX’s prohibition against sex discrimination and sex-based harassment including continuing to ensure fairness and due process for all parties in the university’s investigation and adjudication of such complaints. The new regulations have expanded the universe of covered parties and activities, while also providing some flexibilities to

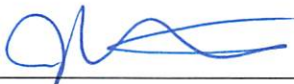
institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

There may be an economic impact on UW institutions, given the University is required by the regulations to provide additional resources to support employees, students, advisors, hearing officers, and additional trainings.

The University will continue to evaluate any potential economic impacts as it begins drafting rule language and will include more detailed analysis in its EIA. There is no anticipated significant economic impact on small businesses.

**Contact Person:** Dany Thompson, Title IX Compliance Specialist, [dtthompson@uwsa.edu](mailto:dtthompson@uwsa.edu)



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Department Head or Authorized Signature

5/13/2024

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Date Submitted

# STATEMENT OF SCOPE

## The Board of Regents of the University of Wisconsin System

**Rule No.:** Chapter UWS 11

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**Relating to:** Procedures for Dismissal of Academic Staff for Cause

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**Rule Type:** Emergency and Permanent

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### **1. Finding/nature of emergency (Emergency Rule only):**

On April 19, 2024, the Federal Government released new, comprehensive Title IX regulations addressing sexual harassment and sexual violence with respect to university employees, including academic staff. The regulations go into effect on August 1, 2024. An emergency rule is required for the University of Wisconsin System to be compliant with these new federal regulations by August 1, 2024.

### **2. Detailed description of the objective of the proposed rule:**

The Board of Regents of the University of Wisconsin System (“Board”) seeks to modify Chapter UWS 11, regarding Procedures for Dismissal of Academic Staff for Cause, to comply with new Title IX regulations that the U.S. Department of Education has published relating to allegations of sex discrimination and sex-based harassment involving employees. These new regulations have expanded the universe of covered parties and activities, while also providing some flexibilities to institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment. Specifically, the Board seeks to amend Chapter UWS 11 to modify and add certain sections to ensure it is compliant with the new Title IX regulations. This will involve issuing an emergency rule followed by the promulgation of a related permanent rule.

### **3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:**

The current version of Chapter UWS 11 provides a disciplinary process for pursuing dismissal of academic staff. This process has been fair and effective since it was first published in 1975. The



Chapter previously has been amended through the administrative rule-making process to update the Chapter.

The modifications contemplated by this rulemaking would incorporate into law necessary changes to conform Chapter UWS 11 to the new federal Title IX regulations.

An alternative would be to continue to operate with both the current Chapter UWS 11 and the new federal Title IX regulations. This, however, is in conflict with the federal rules which preempt conflicting state laws and regulations. It could lead to confusion and exposure to federal enforcement action and third-party litigation.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Wis. Stat. § 36.09(1)(a): “The primary responsibility for governance of the system shall be vested in the board which shall enact policies and promulgate rules for governing the system, plan for the future needs of the state for university education, ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers and promote the widest degree of institutional autonomy within the controlling limits of system-wide policies and priorities established by the board.”

Wis. Stat. § 36.15(3): “A person having an academic staff appointment for a term may be dismissed prior to the end of the appointment term only for just cause and only after due notice and hearing. A person having an academic staff appointment for an indefinite term who has attained permanent status may be dismissed only for just cause and only after due notice and hearing. In such matters the action and decision of the board, or the appropriate official authorized by the board, shall be final, subject to judicial review under ch. 227. The board shall develop procedures for notice and hearing which shall be promulgated as rules under ch. 227.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

400 hours.

**6. List with description of all entities that may be affected by the proposed rule:**

All University of Wisconsin System institutions and the academic staff thereof.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

Title IX of the Education Amendments of 1972 provides that “[N]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial

assistance.” The U.S. Department of Education has issued federal regulations effective August 1, 2024, with respect to how institutions of higher education that receive federal funding must address allegations of sex discrimination and sex-based harassment. The U.S. Department of Education through its Office for Civil Rights enforces these regulations.


The new regulations are intended to effectuate Title IX’s prohibition against sex discrimination and sex-based harassment including continuing to ensure fairness and due process for all parties in the university’s investigation and adjudication of such complaints. The new regulations have expanded the universe of covered parties and activities, while also providing some flexibilities to institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

There may be an economic impact on UW institutions, given the University is required by the regulations to provide additional resources to support employees, students, advisors, hearing officers, and additional trainings.

The University will continue to evaluate any potential economic impacts as it begins drafting rule language and will include more detailed analysis in its EIA. There is no anticipated significant economic impact on small businesses.

**Contact Person:** Dany Thompson, Title IX Compliance Specialist, [dtthompson@uwsa.edu](mailto:dtthompson@uwsa.edu)



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Department Head or Authorized Signature

5/13/2024

Date Submitted

# STATEMENT OF SCOPE

## The Board of Regents of the University of Wisconsin System

**Rule No.:** Chapter UWS 17

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**Relating to:** Nonacademic Student Misconduct

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**Rule Type:** Emergency and Permanent

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### 1. Finding/nature of emergency (Emergency Rule only):

On April 19, 2024, the Federal Government released new, comprehensive Title IX regulations addressing sexual harassment and sexual violence with respect to students. The regulations go into effect on August 1, 2024. An emergency rule is required for the University of Wisconsin System to be compliant with these new federal regulations by August 1, 2024.

### 2. Detailed description of the objective of the proposed rule:

The Board of Regents of the University of Wisconsin System seeks to modify Chapter UWS 17, regarding Student Nonacademic Misconduct, to comply with new Title IX regulations the U.S. Department of Education has published relating allegations of sex discrimination and sex-based harassment involving students. The new regulations have expanded the universe of covered parties and activities, while also providing some flexibilities to institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment. Specifically, the Board seeks to amend Chapter UWS 17 to modify and add certain sections to ensure it is compliant with the new federal Title IX regulations. This will involve issuing an emergency rule followed by the promulgation of a related permanent rule.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The current version of Chapter UWS 17 provides a student disciplinary process for handling student misconduct allegations, including allegations of sex discrimination and sex-based harassment. This process has been fair and effective since it was first published in 1996. In 2009 and 2015 and 2021, the Chapter was updated and amended through the administrative rule-making process.

The modifications contemplated by this rulemaking would incorporate into law changes necessary to conform Chapter UWS 17 to the new federal Title IX regulations.

An alternative to modifying Chapter 17 would be to continue to operate with both the current Chapter UWS 17 and the new federal Title IX regulations. However, this is in conflict with the federal rules which preempt conflicting state laws and regulations. It could lead to confusion and exposure to federal enforcement action and third-party litigation, as well as complicated and confusing procedures for students.

**4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):**

Wis. Stat. § 36.09(1)(a): “The primary responsibility for governance of the system shall be vested in the board which shall enact policies and promulgate rules for governing the system, plan for the future needs of the state for university education, ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers and promote the widest degree of institutional autonomy within the controlling limits of system-wide policies and priorities established by the board.”

Wis. Stat. § 36.35(1): “The board may delegate the power to suspend or expel students for misconduct or other cause prescribed by the board. Subject to sub. (4), the board shall promulgate rules under ch. 227 governing student conduct and the procedures for the administration of violations.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

400 hours.

**6. List with description of all entities that may be affected by the proposed rule:**

All University of Wisconsin System institutions and the students thereof.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

Title IX of the Education Amendments of 1972 provides that “[N]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” The U.S. Department of Education has issued federal regulations effective August 1, 2024, with respect to how institutions of higher education that receive federal funding must address allegations of sex discrimination and sex-based harassment. The U.S. Department of Education through its Office for Civil Rights enforces these regulations.

The new regulations are intended to effectuate Title IX’s prohibition against sex discrimination and sex-based harassment including continuing to ensure fairness and due process for all parties in the university’s investigation and adjudication of such complaints. The new regulations have

expanded the universe of covered parties and activities, while also providing some flexibilities to institutions in responding to and adjudicating complaints of sex discrimination and sex-based harassment.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

There may be an economic impact on UW institutions, given the University is required by the regulations to provide additional resources to support students, advisors, hearing officers, and additional trainings.

The University will continue to evaluate any potential economic impacts as it begins drafting rule language and will include more detailed analysis in its EIA. There is no anticipated significant economic impact on small businesses.

**Contact Person:** Dany Thompson, Title IX Compliance Specialist, [dtthompson@uwsa.edu](mailto:dtthompson@uwsa.edu)



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Department Head or Authorized Signature

5/13/2024

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Date Submitted



# Tony Evers

Office of the Governor | State of Wisconsin

May 23, 2024

By Electronic Mail Only

Dear Secretaries and Agency Heads:

On this day, I approved the following statements of scope pursuant to Wis. Stat. § 227.135(2):

- A statement of emergency and permanent scope by the University of Wisconsin System, submitted May 13, 2024, relating to definitions of terms used in Chs. UWS 1 to 6 (Wis. Admin. Code ch. UWS 1); and
- A statement of emergency and permanent scope by the University of Wisconsin System, submitted May 13, 2024, relating to procedures for dismissal of academic staff for cause (Wis. Admin. Code ch. UWS 11); and
- A statement of emergency and permanent scope by the University of Wisconsin System, submitted May 13, 2024, relating to nonacademic student misconduct (Wis. Admin. Code ch. UWS 17); and
- A statement of emergency and permanent scope by the University of Wisconsin System, submitted May 13, 2024, relating to procedures for dismissal of faculty (Wis. Admin. Code ch. UWS 4); and
- A statement of emergency and permanent scope by the University of Wisconsin System, submitted May 13, 2024, relating to procedures for dismissal of faculty in special cases (Wis. Admin. Code ch. UWS 7); and
- A statement of emergency and permanent scope by the Department of Natural Resources, submitted May 16, 2024, relating to "revisions to chs. NR 500 and 520 to provide an alternative method for a municipality to establish proof of financial responsibility required for a solid waste disposal facility" (Wis. Admin. Code chs. NR 500 and 520).

On this day, I approved the following proposed administrative rules pursuant to Wis. Stat. § 227.185:

- A proposed rule by the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, submitted April 20, 2024, relating to telehealth comprehensive review (Wis. Admin. Code chs. MPSW 1, 2, 10, 15, and 20); and
- A proposed emergency rule by the Elections Commission, submitted May 17, 2024, relating to nomination paper challenges (Wis. Admin. Code ch. EL 2); and

- A proposed emergency rule by the Elections Commission, submitted May 17, 2024, relating to nomination paper challenges (Wis. Admin. Code ch. EL 2).

Please direct any questions about this letter to my policy director, Katie Domina.

Sincerely,

A handwritten signature in black ink that reads "Tony Evers". The signature is written in a cursive, flowing style.

Tony Evers  
Governor

cc: Mel Barnes, chief legal counsel ([mel.barnes@wisconsin.gov](mailto:mel.barnes@wisconsin.gov))  
Katie Domina, policy director ([katherine.dominal@wisconsin.gov](mailto:katherine.dominal@wisconsin.gov))  
DOA State Budget Office ([SBOAdminRules@spmail.wi.gov](mailto:SBOAdminRules@spmail.wi.gov))  
DSPA ([DSPAAdminRules@wisconsin.gov](mailto:DSPAAdminRules@wisconsin.gov))  
Dany Thompson, University of Wisconsin System ([dtthompson@uwsa.edu](mailto:dtthompson@uwsa.edu))  
Emma Esch, DNR ([emma.esch@wisconsin.gov](mailto:emma.esch@wisconsin.gov))  
Angela O'Brien, Elections Commission ([angela.obrien@wisconsin.gov](mailto:angela.obrien@wisconsin.gov))

## Title IX Rulemaking Timeline

Actions	Dates
Board meets to approve preliminary public hearing notice for scope statements (Permanent and Emergency Rule)	6/6/24
Preliminary public hearing for permanent and emergency Rule scope statements	6/14/24
Board meets to review comments from hearing/comment period and approve scope statements	6/26/24
Board meets to approve emergency rule draft, proposed permanent rule draft, and interim RPD 14-2	7/8/24
Emergency Rule goes into effect	8/1/2024
Board meets to approve public hearing notice for permanent and emergency rules	9/26/24
Public hearing on permanent rule	10/8/24
Board meets to approve final draft of permanent rule	11/7/24
Permanent rule goes into effect	4/1/25

Color Key
Board Meeting
Public Hearing
Rule goes into effect