

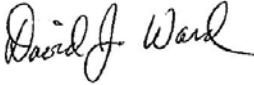


Senior Vice President for Academic and Student Affairs

1730 Van Hise Hall
1220 Linden Drive
Madison, Wisconsin 53706-1559
(608) 262-3826 Phone
(608) 263-2046 Fax
e-mail: dward@uwsa.edu
website: www.uwsa.edu/offices/asa

December 17, 2014

TO: Chancellors
Provosts
Faculty Representatives
Academic Staff Representatives

FROM: David J. Ward 

RE: Proposed Revisions to Chapters UWS 4, 7, and 11

Feedback Requested by March 6, 2015

Please review and provide feedback to the enclosed proposed revisions to Wisconsin Administrative Codes regarding disciplinary procedures applying to faculty and academic staff:

Chapter UWS 4 (Procedures for Dismissal of Faculty)
Chapter UWS 7 (Dismissal of Faculty in Special Cases)
Chapter UWS 11 (Dismissal of Academic Staff for Cause)

A review of the existing codes was necessary in order to comply with federal guidance under Title IX of the Education Amendments of 1972 as a result of guidance issued by the U.S. Department of Education’s Dear Colleague Letter, from April, 2011. In addition, institutions of Higher Education are also required to comply with the Wisconsin Violence Against Women Reauthorization Act of 2013 (“VAWA”) amendments that include the Campus Sexual Violence Elimination Act (“Campus SaVE Act”).

The proposed changes to the UWS chapters named above are consistent with the narrow scope statements, approved by the Board of Regents in August, 2014. These scope statements direct the UW System to make those changes necessary to comply with Title IX and VAWA in regard to offenses of sexual harassment, sexual assault, dating violence, domestic violence and stalking.

Associate Vice President Stephen Kolison and Senior Associate Vice President for Human Relations Al Crist convened a committee that recommended revisions to the existing codes. The committee’s members were:

Jenny Resch Director of the Office of Outreach and Student Affairs at the School of Business and Economics at UW-Stevens Point

David Rainville Chair of the UW System Faculty Representatives and a faculty member at UW-River Falls

Sarah McKinnon Assistant Professor, Department of Communication Arts at UW-Madison

Laura Anderson Senior Academic Planner in the Office of Academic, Faculty and Global Programs

Carmen Faymonville Interim Special Assistant to the UW System Senior Vice President for Academic and Student Affairs

Paige Reed and Erin Kastberg from the UW System Office of General Counsel served as legal advisors to the committee. The committee concluded its work and presented its final recommendations to me on December 17, 2014.

There is a separate committee that is concluding its review of UWS 17 on student disciplinary procedures. The recommendations and proposed changes will also be forwarded to you when I receive them.

Attached are the original versions of UWS 4, 7, and 11, as well as the “tracked changes” versions, received from the committee. Please also review the attached Memo from legal counsel regarding the rulemaking process, the scope statements for UWS 4, 7, and 11 approved by the Board of Regents, a document containing definitions of the five offenses that are relevant to the proposed changes, a document providing Q &A regarding the *Dear Colleague Letter* from the Department of Justice, and a summary of the VAWA provisions affecting institutional disciplinary proceedings.

I ask that shared governance bodies review the enclosed documents and that suggestions and edits be collected by the Provost and forwarded to me as one campus submission by March 6, 2015. Further, it is preferable that any proposed changes be recorded in the “tracked changes” documents. Please copy the Secretary of the Education Committee of the Board of Regents, Carmen Faymonville (cfaymonville@uwsa.edu).

Enclosures

cc: Cabinet
 Members of the UWS 4, 7, and 11 Review Committee
 Jane Radue, Executive Director and Corporate Secretary for the UW System Board of Regents
 Tom Stafford, General Counsel
 Paige Reed, Senior System Legal Counsel
 Erin Kastberg, System Legal Counsel