VI. Establish a Student Conduct Hearing Tribunal for non-academic misconduct cases involving suspension or expulsion

(UWS 17.08(1));

VII. Establish appellate tribunals for adjudication of appeals resulting from discipline involving suspension or expulsion (UWS 17.11);

VIII. Develop procedures for adjudicating alleged academic misconduct (UWS 17.13);

IX. Develop plans to communicate disciplinary procedures to students (UWS 17.14).

The intent behind the development of this plan is to preserve the orderly processes of the University with regard to its teaching, research, and public service missions while at the same time observing the procedural and substantive rights of students.

I. Sanctions and Academic Responses (UWS 17.02(4)(8)). "Disciplinary sanction" or "sanction" shall mean any action affecting the status of an individual as a student which is taken by the University in response to student misconduct.

A. Non-Academic Misconduct Sanctions

1. Sanctions imposed in response to non-academic misconduct may include any number of the following:

   a. Written reprimand by which the student is admonished in writing to observe University rules and regulations.

   b. Personal Probation - The student shall be required to meet with a specific University faculty or staff member at intervals to be specified in the written decision rendered at the conclusion of the conference. Personal Probation shall be imposed for a specific period of time not to exceed one calendar year.
specified period of time not to exceed one calendar year. Such revocations or limitations shall be related to the student's misconduct, and shall be for the purpose of preventing a recurrence of the misconduct. In no instance, however, shall the student be prohibited from attending classes in which he or she is enrolled or from writing examinations for such classes.

d.d. Restitution by which the student is required to pay for repair of replacement of damaged or stolen property. The payment required may not exceed the cost of repair or replacement of the damaged or stolen item, but a lesser amount may be specified. With the mutual consent of the University and the student, the student may, in lieu of payment, arrange for repair or replacement or perform work as compensation. In the event the work option is selected, the student shall receive credit for work performed at no less than the prevailing wage rate of other employees performing comparable work. The cumulative salary of the work performed shall not exceed the amount of the payment which otherwise would have been required. When the University seeks and obtains restitution via a civil suit filed against the student, the University shall not impose restitution as a disciplinary sanction. Whenever such a suit is considered or filed, the restitution as a disciplinary sanction shall be deferred.
e. Disciplinary probation by which the student is permitted to remain enrolled in the University only upon condition that he or she comply with all University rules and regulations, with other standards of conduct, or with conditions which the student is directed to observe for the duration of the period of the probation, which may include loss of student privileges except those of attending classes and writing examinations. Probation may not exceed 2 semesters in duration for any given misconduct, except that violation of probationary conditions shall be cause for extension of the probation for more than 2 additional semesters or for suspension or expulsion.

f. Suspension i.e., loss of student status for a specified period of time not to exceed two years [see UWS 17.02(6)].

g. Expulsion i.e., termination of student status [see UWS 17.02(7)].

2. Suspension and expulsion may be imposed only by the Student Conduct Hearing Tribunal (see Section VI), except that temporary suspension may be imposed by the Chancellor in accordance with UWS 17.12.

B. Academic Misconduct Sanctions

1. Disciplinary sanctions imposed as a result of academic misconduct may include any number of the following:
   a. Written reprimand (see I.A.1.a.);
   b. Removal from the course, with no grade assigned, provided that such removal occurs prior to the
Instructor's signature:

c. Personal Probation

d. Disciplinary probation (see I.A.1.d.);

e. Suspension (see I.A.1.e.);

f. Expulsion (see I.A.1.f.).

2. The instructor may impose only the following:

a. Written reprimand;

b. Removal from the course with no grade assigned.

3. The remaining sanctions (c-e) may be imposed only by the Academic Misconduct Hearing Tribunal (see Section VIII).

C. Academic Response \[\text{UWS 17.02(8)}\]. Instead of or in addition to disciplinary sanctions, academic responses for academic misconduct may be imposed by the instructor. Academic responses may be imposed only if the student's own academic performance was affected by the academic misconduct. They are:

1. Reduction of grade for the assignment in question to a lower passing grade (if it is clear that the academic misconduct affected only a portion of the assignment or examination and the remainder constituted passing work) or to a failure;

2. Required performance of additional work.

II. Petition for Readmission (UWS 17.03)

A. Right to Petition. A student who has been suspended or expelled may petition for readmission after expiration of one-half of the suspension period in the case of suspension, and after one year in the case of expulsion.
B. **Filing of Petition.** Petitions for readmission shall be in writing and directed to the Dean of Students. The Dean of Students shall convene a Readmission Review Committee and submit the petition and the disciplinary record of the petitioning student to the Committee for review and consideration.

C. **Readmission Review Committee**

1. **Membership.** The Readmission Review Committee shall consist of two faculty members, two students, and one academic staff person. The Dean of Students shall act as convener (non-voting) upon referral of cases from the Chancellor. Committee members shall serve one year terms beginning September 1. The Chancellor shall make the faculty and academic staff appointments to the Readmission Review Committee from a slate of four faculty members selected by the University Committee, and a slate of two academic staff members selected by the Academic Staff Committee. The Student Association President shall appoint two students to the Readmission Review Committee subject to the confirmation of the Student Senate. If the names are not submitted by the fourth week of the Fall semester, the Chancellor shall make the appointments. The chairperson shall be appointed by the Chancellor and shall vote only in case of a tie.*

2. **Jurisdiction.** The Readmission Review Committee shall provide the petitioning student with an opportunity for a hearing. In its review, the Committee shall be limited to considering new facts arising be limited to considering new facts.

* No member of this committee shall have any other functions in the UWM disciplinary system.
After the determination of suspension or expulsion was made, the Committee shall forward its recommendation to the Chancellor, who shall grant or deny the petition.

III. Investigating Officer [UWS 17.07(1)]

A. Non-Academic Misconduct. The Dean of Students shall serve as investigating officer for cases of student conduct alleged to be in violation of UWS 17.06(1).

B. Academic Misconduct. The Scholastic Appeals Committee of each school or college shall designate one of its members as investigating officer for cases of student conduct alleged to be in violation of UWS 17.06(2) in which the instructor has recommended sanctions more severe than those that he or she may impose. If the student is not enrolled in the course in which misconduct allegedly occurred, the instructor shall refer the matter to the Dean of Students who serves in such college in which the student is enrolled, in accordance with UWS 17.13(2)(c). No person who is a party to a specific case may sit as a member of any body involved in hearing or investigating that case.

IV. Adjudication of Cases of Non-Academic Misconduct Not Involving Suspension or Expulsion [UWS 17.07(3)]

*In the absence of a Dean of Students, the Chancellor shall have responsibility for designating another person to serve in this capacity.
A. Investigation. Upon receiving a complaint alleging non-academic misconduct by a student, the investigating officer shall investigate the complaint.* If the investigating officer concludes that a sanction less than suspension or expulsion should be sought, he or she shall pursue the informal system of adjudication (see below).

B. Informal Adjudication. If the sanction sought is less than suspension or expulsion, the student charged shall be selected either the Dean of Students or entitled to a hearing before the Informal Hearing Committee consisting of: (a) two faculty members, appointed by the Chancellor from a slate of four faculty members selected by the University Committee; (b) two Student Court Justices, appointed by the President of the Student Association and confirmed by the Student Senate; and (c) the Chief Justice of the Student Court, serving as chairperson, voting only in case of a tie.

C. Procedures

1. The Dean of Students shall inform the student charged, in writing, of the following:

   a. The acts alleged to have been committed;

   b. The regulation alleged to have been violated;

   c. Possible penalties;

   d. Notice of the student's right to representation, including legal counsel at his or her expense;

   e. The student's right to a hearing before the Informal Hearing Committee, and a deadline date by which the student must request a
and select the Dean of Students or the Informal Hearing Committee
hearing, such deadline to be at least five days
from the date of service of the written notice.

(Should the student fail to act by the deadline
stated in the written notice, the Dean of
Students shall schedule a hearing);

f. The student's right to choose an open or closed
hearing;

g. The student's right at the hearing to present
evidence and argument, including a written
statement, to refute the charges; and

h. The fact that subsequent to the hearing, the
student will be provided with a written
decision including findings of fact and
conclusions, and sanctions and appeal
procedures in the event of a conclusion of
guilt.

The Dean of Students or

2. /The Informal Hearing Committee shall hear the case, shall
determine the conclusions and sanctions, and shall be
responsible for implementing all procedures specified in
UWS 17.07(3).

3. Upon request from the student charged or
Students, the Informal Hearing Committee shall schedule
a hearing. Notice of the date, time, and location of the
hearing shall be sent to the student charged at least
seven days before the hearing date.

4. The hearing shall be open unless the student charged requests
that it be closed.
5. At the hearing, both the student and the Dean of Students shall have the right to invite others for the purpose of presenting relevant written or oral testimony.

6. The Informal Hearing Committee shall determine whether the student charged is guilty and, if guilty, what sanctions will be imposed.

7. Within five days of the hearing, the Dean of Students shall send the student charged a written decision.* If a conclusion of guilt has been reached, the written decision shall contain (a) the sanctions imposed, (b) the reasons for each sanction, (c) notice that failure to comply with sanctions imposed may constitute cause for further disciplinary action, and (d) procedures for appeal.

8. A copy of the written decision is to be kept on file by the Dean of Students.

D. Nothing in this document precludes the student from pleading no contest to the charges at any step of the adjudication process.

E. Appeals

1. The Appellate Tribunal (see Section VII) shall hear appeals of decisions resulting from the informal system of adjudication.

2. If a student wishes to appeal the decision of the Informal Hearing Committee, such appeal must be filed with the presiding officer of the Appellate Tribunal within ten calendar days of service of the written decision [see UWS 17.11(2)].

3. Basis for appeal shall be limited to the following:
Accordingly, a student under charges shall be entitled to receive grades and transcripts pending final determination of the charges. Transcripts shall not contain any notation of anticipated disciplinary actions.

a. Faulty procedures,
b. Severity of sanctions,
c. New evidence,
d. Lack of sufficient evidence.

4. The student submitting the appeal shall be entitled to file briefs, to present oral argument, and to appeal to the Regents at any time in accordance with UWS 17.10.

5. The Appellate Tribunal may: Dean of Students or the
   a. Uphold the decision of the Informal Hearing Committee; Dean of Students or the
   b. Reverse the decision of the Informal Hearing Committee; Dean of Students or the
   c. Remand the case to the Informal Hearing Committee for rehearing;
d. Modify the sanctions but impose none more severe than those originally imposed. Dean of Students or

6. In all appeal hearings, the Informal Hearing Committee shall have the opportunity to present arguments in favor of upholding the decision.

V. Records of Students with Disciplinary Charges Pending [UWS 17.07(5)] Whenever charges or appeals under Chapter 17 are pending, a student charged, unless temporarily suspended, shall have the same rights and privileges accorded other students. However, grades or diplomas shall be withheld pending final determination of the charges. A current transcript shall be issued at the request of the student, but it shall contain the notation Consult Dean of Students on the face thereof. All transcripts of students
currently suspended or expelled shall contain notice to this effect.

VI. **Student Conduct Hearing Tribunal for Cases of Non-Academic Misconduct Involving Suspension or Expulsion [UWS 17.08(1)]**

A. A student subject to a penalty of suspension or expulsion for non-academic misconduct shall be entitled to a hearing by either of the following tribunals:

1. A Hearing Examiner appointed by the Chancellor. The Chancellor shall appoint the examiner from among qualified personnel of the various state agencies and other qualified residents of the state with experience in conducting hearings;

2. The Student Conduct Hearing Committee. The Student Conduct Hearing Committee shall consist of two faculty members, three students, and two academic staff members. Committee members shall serve one year terms beginning September 1. The Chancellor shall appoint members from the faculty and academic staff from a slate of four faculty members selected by the University Committee and from a slate of four academic staff members selected by the Academic Staff Committee. The President of the Student Association shall appoint three students subject to the approval of the Student Senate. If the names are not submitted by the constituent groups by the end of the fourth week of the fall semester, the Chancellor shall make the appointments. The chairperson of the Tribunal shall be appointed by the Chancellor from among the members of the Committee. At any hearing held pursuant to due notice the presiding
officer shall constitute a quorum. No member of this committee shall have any other functions in the UWM disciplinary system. In the event that faculty vacancies occur, the University Committee shall submit two names for each vacancy to the Chancellor, one of whom shall be appointed by the Chancellor. In the event that academic staff vacancies occur, the Academic Staff Committee shall submit two names for each vacancy to the Chancellor, one of whom shall be appointed by the Chancellor. In the event of student vacancies, the President of the Student Association shall appoint students to fill such vacancies, subject to the approval of the Student Senate. If the names are not submitted by the constituent groups within four weeks of having received notice of the vacancies, the Chancellor may make the appointments.

B. The student shall be informed in writing at the time charges are filed of his or her right to choose the type of tribunal. At the time the student requests a hearing, he or she shall notify the Chancellor of his or her choice; in the event notice is not received from the student within ten (10) calendar days of service [see UWS 17.09(1)], the Chancellor shall decide which tribunal shall be used [see UWS 17.08(2)].

*For each hearing, the presiding officer shall make a sincere attempt to establish a time mutually agreeable to the Tribunal members and the student charged.*

Written notice of the date, time, and location of the hearing shall be sent to each member of the Student Conduct Hearing Committee or to the Hearing Examiner and to the student charged at least five days prior to the hearing date. The
hearing shall be held on the date scheduled, except for good cause shown. Failure of a party to proceed without good cause shall constitute default. Members unable to be present shall notify the presiding officer. The presiding officer shall establish a time for each hearing.

D. The procedures of the Student Conduct Hearing Committee shall be in accordance with UWS 17.09(4). The student and the Chancellor shall be informed in writing of the Tribunal's decision within ten (10) calendar days after the close of the hearing or within 10 calendar days after a written transcript is available pursuant to UWS 17.09(4). The Committee's decision shall become final ten (10) calendar days after the student has been notified unless the student appeals to the Appellate Tribunal.

E. Nothing in the procedures for adjudicating cases of non-academic misconduct involving suspension or expulsion shall preclude the student from pleading no contest to charges at any step of the adjudication process.

VII. Appellate Tribunal for Adjudication of Appeals Resulting from Discipline Involving Suspension or Expulsion (UWS 17.11)

A. Membership. The Appellate Tribunal shall consist of three faculty members, two students, the Dean of Students (ex officio) and the Chief Justice of the Student Court (ex officio). Members of the Appellate Tribunal shall serve one year terms beginning September 1. The Chancellor shall make the faculty appointments to the Appellate Tribunal from a slate of six faculty members selected by
the University Committee. The two student appointments shall be made by the President of the Student Association, with the approval of the Student Senate. If the names are not submitted by the constituent groups by the end of the fourth week of the fall semester, the Chancellor shall make the appointments.

B. Jurisdiction. The Appellate Tribunal shall hear appeals on the record of decisions made by the Hearing Examiner or the Student Conduct Hearing Committee and appeals of decisions made by School and College Scholastic Appeals Committees. The Appellate Tribunal shall also hear appeals on the record of decisions made by the /Informal Hearing Committee as part of the informal system of adjudication. Upon receiving an appeal, the Appellate Tribunal shall be empowered to review the conclusion(s); sanction(s), and procedures used to adjudicate the case. The bases for appeals shall be limited to faculty procedure, severity of sanction, lack of sufficient evidence, and new evidence.

C. Procedures. An appeal of a decision to the Appellate Tribunal must be filed within ten (10) calendar days of service of the decision [see UWS 17.07(6)(a)]. An appeal shall be heard no later than seven (7) calendar days after the filing of the appeal, and a decision shall be rendered within five (5) calendar days of the hearing [see UWS 17.11(2)].

D. Decision. The decisions of the Appellate Tribunal shall in no event be more severe than the original sanction.

E. Review by the Chancellor. The Appellate Tribunal shall submit its decision for review by the Chancellor. Prior to the
implementation of the Appellate Tribunal's decision, the Chancellor may review the procedures used to adjudicate the case, the conclusion, and sanction(s).

F. Appeal to the Board of Regents. The student or administration may appeal on the record to the Committee on student discipline of the Board of Regents (see UWS 17.10).

VIII. Procedures for Adjudicating Alleged Academic Misconduct (UWS 17.13)

A. Initial Conference

1. When an instructor believes that a student enrolled in his or her course has committed an act of academic misconduct, the instructor shall promptly schedule a conference with the student. The instructor and the student each may be accompanied at the initial conference by one person.

2. The instructor shall inform the student in writing of the allegations of academic misconduct in detail seven (7) calendar days prior to the initial conference. The notice shall be served in accordance with UWS 17.07(6)(a) and shall be accompanied with a copy of UWS 17 and the UWM Disciplinary Guidelines. Should the student fail to appear at this conference, or fail to make satisfactory arrangements for an alternative time and date for another meeting, the instructor will proceed on the basis of available information.

3. The purpose of the initial conference shall be to review the evidence of alleged academic misconduct and to allow the student the opportunity to present evidence in his
or her defense. If the instructor still believes that
a violation of UWS 17.06(2) has occurred, the
instructor shall inform the student that a disciplinary
sanction or academic response will be imposed.

4. If the decision of the instructor is not acceptable to
the student, the instructor shall inform the student
that he or she may request a second step in the initial
conference. The second step shall be a meeting involving
the following persons: the instructor, the student, and,
as a mediator, the chairperson of the department in which
the alleged act of academic misconduct occurred. The
instructor and the student each may be accompanied by
one person. The request for such a meeting shall be made
in writing by the student to the departmental chairperson
within ten days of the first conference. The purpose
of the second conference shall be to discuss further the
alleged misconduct. When the student does not request a
second meeting or when agreement between the instructor
and the student cannot be reached at the second step of
the initial conference, the instructor may proceed in
accordance with UWS 17.13(2)(c).

B. Instructor's Actions

1. If the instructor concludes, after the initial conference,
that the student committed an act of academic misconduct
[see UWS 17.06(2)], he or she shall inform the student
in writing of his or her decision.

2. If the instructor concludes that a violation of UWS 17.06(2)
did occur, he or she may impose an academic response or a
disciplinary sanction or both. Any academic response
or disciplinary sanction shall be imposed in accordance
with Sections I.B. and I.C. of these regulations and
UWS 17.13(2)(c).

3. If the instructor believes that the student should be
considered for disciplinary sanction beyond that of
a written reprimand or removal from the course with
no grade assigned, the instructor shall so recommend
to the investigating officer of the school or college
in which the student is enrolled (see Section III).

4. The instructor shall inform the student of his or her
decision in writing and shall send a copy to the
school or college investigating officer (see Section
III). The decision shall be transmitted to the
student in accordance with UWS 17.07(6)(a). The
written decision shall include a full explanation of
the facts on which the instructor's conclusions was
based; specification of the disciplinary sanction or
academic response imposed; further action, if any,
which the instructor has recommended to the
investigating officer; and notice that the decision
may be appealed to the Scholastic Appeals Committee
of the school or college in which the student is
enrolled.

C. Nothing in this section precludes the student from pleading no
contest to the alleged charges at any step of the adjudication
process.
D. Appeals

1. The student alleged to have committed an act of academic misconduct may appeal the decision of the instructor to the school or college scholastic appeals committee.

2. The student's appeal shall be in writing and must be filed with the presiding officer of the School or College Scholastic Appeals Committee within ten (10) days of service of the instructor's decision. While an appeal is pending, the academic response and/or disciplinary sanction shall be stayed and no grade assigned for the course. If the student does not file an appeal within ten (10) days of service of the instructor's decision, the instructor's decision shall become final.

E. Academic Misconduct Hearing Tribunal

1. The Scholastic Appeals Committee in each school or college shall serve as the academic misconduct hearing tribunal for the academic unit.

2. Membership. The membership of the Scholastic Appeals Committee shall be determined by the faculty of the school or college. For every two non-student voting members, there shall be one student voting member.

3. Jurisdiction

   a. The School or College Scholastic Appeals Committee shall be the adjudicating body for cases of alleged academic misconduct involving disciplinary sanction other than a written reprimand or removal from a course (with no grade assigned).
b. The Scholastic Appeals Committee shall serve as the initial appellate body for students wishing to appeal an instructor's decision to impose an academic response, a written reprimand, or removal from the course without assignment of a grade.

(i.) Appeals shall be limited to the question of whether an accused student did engage in the conduct as alleged, or to appropriateness of the academic disciplinary sanction imposed by the instructor.

(ii.) The decision of the Scholastic Appeals Committee shall not result in a sanction more severe than the sanction imposed by the instructor.

4. Procedures. Scholastic Appeals Committee proceedings shall be regulated by the procedures established by UWS 17.09. For cases where the sanction sought does not include suspension or expulsion, the procedures adopted may be less rigorous but shall include the provisions specified in UWS 17.13(5)(c-1).

5. Appeals. A student may appeal the decision made by a School or College Scholastic Appeals Committee to the Appellate Tribunal (see Section VII). Appeals must be presented by the student in writing within ten (10) days of service of the decision of the School or
College Scholastic Appeals Committee.

F. The Office of the Dean of Students shall be notified in writing of all disciplinary actions imposed for academic misconduct, whether imposed by an instructor, a School or College Scholastic Appeals Committee, or the Appellate Tribunal.

IX. Communication of Disciplinary Procedures to Students (UWS 17.14)

1. Students shall be informed of the contents of documents that describe Disciplinary Procedures by the following means:
   a. Publication of documents in the major student newspaper;
   b. Publication of a booklet containing the documents in their entirety in quantities sufficient for distribution;
   c. Seminars conducted by the Office of the Dean of Students, in cooperation with the Student Court, to explain procedures described in the documents to students.

2. All of the above shall include mention of where to obtain copies of the documents.