A REPORT ON STUDENTS' RIGHTS AND RESPONSIBILITIES
AT THE UNIVERSITY OF WISCONSIN-MILWAUKEE

UWM Merger Guidelines Committee:

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INTRODUCTION

A bill relating to the implementation of the merger of the University of Wisconsin and the State Universities became law on July 3, 1974, when it was signed by Governor Patrick Lucey. The portion of this law relating to student rights and responsibilities is Section 36.09(5):

"(5) STUDENTS. The students of each institution or campus subject to the responsibilities and powers of the board, the president, the chancellor and the faculty shall be active participants in the immediate governance of and policy development for such institutions. As such, students shall have primary responsibility for the formulation and review of policies concerning student life, services and interests. Students in consultation with the chancellor and subject to the final confirmation of the board shall have the responsibility for disposition of those student fees which constitute substantial support for campus student activities. The students of each institution or campus shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance."

In order to clarify the statute, the University of Wisconsin Board of Regents instructed each campus to develop its own plan for implementing Section 36.09(5) and to submit that plan by February 15, 1975, to the Board.

The spirit and the letter of the law call for student participation in University governance. Historically, institutions of higher education have been governed by administrators and faculty members with students expected to accept the validity of such governing structures. However, changes in the makeup and attitudes of student bodies, as well as changes in the social context in which our institutions serve, call for a redistribution of authority and responsibility.

In any organization, there are several groups who may legitimately
claim a voice in government--those whose lives are most affected, those who are most competent, those whose cooperation is most essential to the effectiveness of the organization and those whose resources sustain the organization. The student body of a public university can claim to make at least part of each of these populations. Governance in itself is an experience which fosters learning and maturation, ideals to which the University is committed.

The governing structure of a University must be formalized and widely accepted by its constituents in order to function legitimately and effectively. The University of Wisconsin-Milwaukee Merger Guidelines Committee has approached this task with a genuine commitment to include students in the governing process since institutional interests are frequently consistent with student interests. The governance mechanisms presented in this document are designed to elicit rational decision-making so that the sharing of authority becomes a constructive force in the governance of the University.

For consistency and to eliminate the necessity for repeating such procedural requirements in the individual committee descriptions, the General Provisions which follow contain statements relative to committee membership selection, terms of office, vacancies, officers, meetings, reports and changes in committee membership and function.

GENERAL PROVISIONS

Committee Membership and Terms

(1) University Faculty Standing Committees: Unless otherwise provided, student members of University faculty standing committees shall be selected by the Student Association. The appropriate committees follow:
Academic Affairs Committee
Academic Programs and Curriculum Committee
Archives Committee
Awards and Recognition Committee
Human Rights Committee
Lectures Committee
Library Committee
Physical Environment Committee
ROTC Committee
University Relations Committee
Admissions, Records and Student Information Committee*
Athletic Board*
Committee on Housing*
Student Financial Aid Committee*
Committee on Student Conduct*

(2) **Selection of Student Members to Other University-wide Committees**

Unless otherwise provided, student members selected by the Student Association shall be chosen according to the following procedures:

a) Public announcement of open positions on committees shall be made at least two weeks in advance of selection, public announcement to consist of at least notice in a campus newspaper.

b) The Student Association shall make committee preference forms available to interested students for completion and submittal to the Student Association, such preference sheets to be retained for a minimum of one year.

c) Student committee members shall be appointed by the Student Association President and confirmed by the Student Senate, or shall be elected by the Student Senate, such method to be determined by the Student Senate.

*The UWM Merger Guidelines Committee is requesting that the starred committees be eliminated as faculty standing committees. Until they are abolished, student members should be appointed by the Student Association.*
(3) **Elections**: University-wide elections of students to fill elective positions on committees shall be conducted by mail ballot by the Department of Student Activities.

(4) **Alternate Appointments**: When appointments are not made by the Student Association or other authorized student organizations by October 15, or within one month following a vacancy, the appropriate University administrator (Chancellor, Dean, or designee) shall make the appointments.

(5) **Vacancies**: An elective committee position is filled by the available nominee who had the next highest number of votes. If there is no available nominee, the vacancy is filled by appointment by the President of the Student Association with confirmation of the Student Senate. Vacancies in appointed positions shall be filled in the same manner as the original position.

(6) **Term of Office**: Unless otherwise provided, the term of office for all students and alumni shall be one year beginning September 15. Students and alumni may serve consecutive terms. Unless otherwise provided, faculty and staff shall serve three year terms on a staggered basis.

(7) **Disputes**: Disputes over nominations and appointments shall be resolved by a committee consisting of the President of the Student Association, the Chief Justice of the Student Court, and the Dean of Students.

(8) **Ex-officio members**: Such members of committees may participate by voice, but not by vote and may hold committee office other than chairperson.
(9) **Consultant Members** Committees may designate non-voting consultant members from the student body, faculty or administration.

**Organization of Committees**

(1) Unless otherwise provided, each committee selects its own chairperson and such other officers as it deems appropriate.

(2) Officers serve for one-year terms.

(3) The responsibility for convening the initial organizational meeting is assigned to the first members as listed in alphabetical order.

(4) A quorum of one-half of the voting members is required for the transaction of business at committee meetings.

(5) Committees may establish and delegate functional authority to subcommittees; such delegation does not abridge the authority or the responsibility of the parent committee.

(6) Committee meetings shall be held at least twice each semester.

Additional meetings may be held at the discretion of the Committee and must be called by the chairperson when petitioned by one-third of the membership.

(7) **Roberts' Rules of Order, Newly Revised** shall serve as the parliamentary authority for committees.

**Reports and Minutes**

(1) Each committee shall keep minutes of its meetings and shall file copies in the offices of the Department of Student Activities, the Secretary of the University, the Student Association, and the University Committee.
(2) At least annually, each committee shall prepare a report of its activities and file same in the offices of the Student Association, the University Committee, the Secretary of the University and the Department of Student Activities.

Amendments

Unless otherwise provided, proposed changes in the structure or function of committees or in these General Provisions shall be initiated by the Student Senate and approved by the Faculty Senate and the Chancellor.

Committee Structures

In determining the structure for the committees specified herein, the committee's function (policy versus advisory), its funding source (GPR versus segregated fee), its affected population (students only versus students, faculty, staff and alumni) and the existence of adequate governance mechanisms were considered. Thus, student members of committees with policy-making authority of students is more extensive where the department or service is segregated fee funded and where students exclusively are the group being served. In addition, the Student Association, the Student Court and the Union Policy Board, which are existing student governing groups have been maintained and assigned specific responsibilities.

Advisory Committee to the Department of Admissions and Records

(i) Membership. Six elected faculty members; two administrators appointed by the Chancellor; six students selected by the Student Association; the Director of Admissions and Records, ex-officio.
(2) **Function.** To review programs and services of the Department, to make recommendations to the Director of Admissions and Records, and when appropriate, to make recommendations to the Faculty and Student Senates.

(3) **Amendments.** Proposed changes in the structure or function of this committee may be initiated by the Student Senate or the Faculty Senate and approved by the other body and the Chancellor.

**Athletic Board**

(1) **Membership.** Eight students elected at large by the student body; three elected faculty members; two alumni, appointed by the Chancellor from a slate of four candidates submitted by the UWM Alumni Association; the Director of Athletics and the Assistant Chancellor for Student Services, **ex-officio** members.

(2) **Function.** To review and recommend the budget of the Department of Athletics and the appointments of the Athletic Director and major coaches. To review and recommend athletic scholarships, rules of eligibility and schedules. To review policies governing athletic programs and recommend changes to the Director of Athletics.

**Advisory Committee to the Bookstore**

(1) **Membership.** Four students selected by the Student Association; four elected faculty members; one member of the administration appointed by the Chancellor; the Director of the Bookstore, **ex-officio**.

(2) **Function.** To review programs and services provided by the Bookstore and make recommendations to the Director.

(3) **Amendments.** Proposed changes in the structure or functions of this Committee may be initiated by the Student Senate or the Faculty Senate and approved by the other body and the Chancellor.

**Advisory Committee to the Office of the Dean of Students**

(1) **Membership.** Seven students to be selected by the Student Association, three of whom are involved in student organizations; the Dean of Students as **ex-officio**.

(2) **Function.** To recommend and review policies related to the Office of the Dean of Students such as those pertaining to the operation of the Day Care Service, student due process, student disciplinary procedures (other than those handled by the Student Court), and student relations.
Advisory Committee to the Day Care Service

(1) Membership. Seven student members--three parents elected by day care service users, one of whom uses the 12-month to 2-year-old service, one of whom uses the 2- to 3½-year-old service and one of whom uses the 3½ and older service; three staff members elected by the current staff of the Day Care Service, one of whom must be from each age group service; one student selected by the Student Association; the Day Care Coordinator and the Dean of Students, ex-officio members.

(2) Function. To review policies of the Day Care Service and make recommendations to the Dean of Students.

Advisory Committee to the Department of Financial Aid

(1) Membership. Six students selected by the Student Association; one elected faculty members; the Director of Financial Aid, ex-officio.

(2) Function. To advise the Director of Financial Aid on campus policies governing student aid funds which are administered by the Department; to hear and make recommendations on student appeals regarding decisions of the Department; to encourage the securing of additional student aid funds.

Advisory Committee to the Department of High School and College Relations

(1) Membership. Five students selected by the Student Association.

(2) Function. To advise the Director of High School and College Relations on implementation of policy and procedures.

Advisory Committee to the Department of Housing

(1) Membership. Seven students who comprise the Executive Committee of the Sandburg Hall Administrative Council; one student resident of the married student housing facilities selected by the Student Association; the Director of Housing, ex-officio.

(2) Function. To advise the Director of Housing on all matters of policy which affect the living conditions of residents of UWM housing facilities.

Advisory Committee to the Department of International Scholars

(1) Membership. Three students selected by the Student Association in consultation with the Director, one of whom is a foreign student on a student visa (F-I), one of whom is on an immigrant visa (permanent resident in U.S.), and one full-time student who is a U.S. citizen; the Director of International Scholars, ex-officio.
(2) Function. To advise the Director of International Scholars on the policies and plans of the Department.

Advisory Committee to the Department of Placement

(1) Membership. Seven students selected by the Student Association, three UWM alumni appointed by the President of the UWM Alumni Association.

(2) Function. To advise the Director of Placement on improving and expanding placement services to students and alumni.

Advisory Committee to the UWM Police Department

(1) Membership. Two students selected by the Student Association; two elected faculty members; two members of the classified staff appointed by the Director of Personnel; two members of the academic staff appointed by the Employee Relations Committee; the Director of the UWM Police Department, ex-officio.

(2) Function. To advise the Director of the UWM Police Department on all policy regarding security measures and law enforcement which is not specifically determined by law.

(3) Amendments. Proposed changes in the structure or function of this Committee may be initiated by the Student Senate or the Faculty Senate and approved by the other body and the Chancellor.

Advisory Committee to the Department of Psychological Services

(1) Membership. Five students selected by the Student Association with strong consideration given to students interested in the counseling and psychology fields; the Director of Psychological Services, ex-officio.

(2) Function. To review programs and services of the Department and to make recommendations to the Director of Psychological Services.

Segregated Fee Allocations Committee (SFAC)

(1) Membership. Eleven students elected at large by the student body for one year terms beginning June 1; the Dean of Students and the Director of Auxiliary Enterprises, ex-officio.

(2) Function. To review requests for program support and to recommend allocations of the allocatable portion of the segregated University fee. To determine specific amounts to be allocated to those student organizations defined as "directly funded". To hear appeals by student organi-
zations which have requested funds from a directly funded allocating committee and consider their allocation insufficient.

(3) Appeals. Decisions of the Segregated Fee Allocations Committee may be appealed to a committee consisting of the President of the Student Association, the Chief Justice of the Student Court, and the Chairperson of the Segregated Fee Advisory Committee (convener). Decisions of the appeals committee are final.

Student Court Constitution

Revised

1.0 Establishment: Name
There is hereby established a Student Court, to be known as the Student Court of the University of Wisconsin-Milwaukee Campus.

2.0 Function
2.1 The function of the Student Court shall be to provide a fair hearing and decision for students and by students in cases arising under section 5.0 herein.

2.2 Every student, in an action under section 5.0, shall have a right to a fair hearing and representation by the UWM student attorney of his or her choosing.

2.3 The Student Court shall serve as the judicial branch of the Student Association and shall be the highest judicial authority thereof.

3.0 Organization of the Court

3.1 The Court Advisor shall be the Dean of Students

3.2 The Court shall consist of a panel of nine (9) justices, all of whom shall be students, and shall serve for a period not to exceed five (5) years.

3.3 The justices shall be appointed to fill vacancies on the Court by the President of the Student Association of the University of Wisconsin-Milwaukee with the consent of the Student Senate, from a list prepared by the Student Court Interview Committee. The list shall include a written evaluation of each applicant.

3.4 The list shall be drawn within thirty (30) days after the occurrence of a vacancy. If the Committee does not submit a list within this time, the President of the Student Association may appoint without receiving said list. If the President of the Student Association does not act within sixty (60) days of receiving the list, the Student Senate may fill the vacancy from the list submitted by the Committee.
3.5 Names shall be placed on the list by the Student Court Interview Committee, said Committee being composed as follows: two (2) students appointed by the Student Senate; two (2) members of the Student Court selected by the justices of the Court; and one (1) student appointed by the Dean of Students. Terms shall be concurrent with that of the Student Association officers.

3.6 The Student Court Interview Committee shall cause notice of the drawing of the list to be given publication on three (3) separate days and by other appropriate means.

3.7 Each student, before his name shall be placed on the list by the Student Court Interview Committee, must submit a written application.

4.0 Student Justice Requirements:

4.1 Each student, before his name shall be placed on the list by the Student Court Interview Committee, shall:

4.1a Have at least a second semester freshman standing;

4.1b Be knowledgeable of the Court Constitution.

4.2 The written evaluation of the applicant appointed by the President shall be submitted to the Senate when considering confirmation.

5.0 Jurisdiction:

5.1 The Student Court shall have jurisdiction over all cases of student violation of University parking, vehicle registration and vehicle-on-campus regulations set forth in the Wisconsin Administrative Code.

5.2 The Student Court shall have jurisdiction to hear and enter judgment in suits brought against student organizations by other student organizations or by students as set forth under the Charter Requirements of the Student Association Constitution.

5.3 The Student Court of UWM shall establish a sub-court. The Student Court shall act as a Court of Appeal for this sub-court. A written record of all sub-court proceedings shall be submitted to the Student Court.

5.3a The sub-court may hear and enter judgment on all cases arising under 5.2 herein.

5.3b The sub-court shall consist of a panel of five (5) justices, selected in the same manner as members of the Student Court described in Section 3.0 herein.

5.3c The sub-court shall adopt a set of procedures and rules
subject to the approval of the Student Court. The Student Court shall also establish rules for hearing appeals from the sub-court. Such rules shall be properly publicized.

5.3d The existing need of the said sub-court shall be subject to review by the Student Court at the end of each school year.

5.3e Any party in a suit may petition the Student Court to assume original jurisdiction. In any such case, the Student Court may accept original jurisdiction or remand the case to the sub-court.

5.4 The Student Court shall have jurisdiction to hear and enter a determination in student organizational and all other non-academic disciplinary matters, unless compelling reasons prove otherwise. In each case, the Dean of Students will define "compelling reasons".

5.5 The Student Court shall not have jurisdiction over cases which might result in expulsion or suspension of students.

6.0 Powers

6.1 The sitting justices shall have the power to hear and enter judgment in all cases arising under Section 5.0 herein.

6.2 The sitting justices shall have power to enter judgment to the full amount assessable plus Court costs, if any, on each citation or such amount as the Court in equity deems appropriate. Consistent with the practices of the University, the Court shall have power to withhold records of any student within its jurisdiction.

6.2a Justices of the Court sitting as a sub-court of not less than three (3), as assigned by the Chief Justice, shall have power to hear and determine traffic cases.

6.3 In cases arising under Section 5.0, the sitting justices shall have power to fashion appropriate, just and equitable remedies to implement their decisions with the aid of the other powers granted in this section.

6.4 The Student Court shall be the final source in all matters concerning the interpretation of the Student Association's constitution and legislation.
6.5 The Chief Justice shall have power to issue an Order of the Court temporarily restraining parties in disputes arising under Section 5.2 and/or 5.3 herein, upon petition of any of the parties and setting a hearing before a two-thirds (2/3) majority of the full Court. Orders of the Court so issued may be framed as temporary restraining orders, orders to show cause, temporary injunctions, or any other form and in accordance with practices common to courts in the State of Wisconsin. The sitting justices shall have power to make the orders described herein permanent.

7.0 Student Court Procedure

7.1 For the trial of cases other than parking, vehicle registration and vehicle-on-campus, the Court shall consist of at least three (3) justices plus the Chief Justice. The Chief Justice shall notify all justices of hearing schedules.

7.2 The Court shall adopt rules of court procedure which assure efficient judicial administration and process and which preserve rights of due process and equal protection, to be published as "Student Court Procedure."

7.2a The Court shall not adopt any rules contrary to these articles and the rule shall prescribe the following for complaints filed with the Court. The complaint shall be served on the person, persons, or officers of any organization named therein at least ten (10) days before the date of appearance. The complaint shall contain a brief statement of fact and shall specify the date, time and place of trial. Copies of the complaint shall be filed with the Chief Justice or the Court Clerk.

7.2b Answers, motions, orders and judgments shall be drafted, signed, and served according to the rules of "Student Court Procedure."

7.2c "Student Court Procedure" and all other revisions shall be available in the Student Court Office and copies shall be filed with the Court Advisor.

7.3 Trials of cases shall be public.

7.4 Rules of formal Court procedure shall apply at the discretion of the Court and all standing rules shall be published in "Student Court Procedure."
8.0 Duties of the Justices and Officers of the Court:

8.1 The justices shall:

8.1a Be present and vote at the sessions to which they have been assigned.

8.1b Be present, except upon excuse, at all justices' conferences.

8.1c Comply with provisions in the rules of the "Student Court Procedure".

8.2 Three (3) unexcused absences from an official Court hearing within a semester, as determined by the Student Court, shall be grounds for dismissal from the Court with the consent of the Senate. Two (2) unexcused absences shall be grounds for impeachment.

8.3 The Chief Justice shall (in addition to the above):

8.3a Perform duties assigned in other sections of these articles.

8.3b Appoint the Student Court Clerk.

8.3c Preside at all sessions and meetings of the Student Court, except that whenever the Chief Justice withdraws from a particular case for reasons of personal interests, prejudice, or for any other reason, or whenever he is prevented from performing this duty because of illness or other like extin- gency, the Assistant Chief Justice shall preside. If neither the Chief Justice nor the Assistant Chief Justice is able to preside, the Chief Justice shall designate an Associate Justice to preside.

8.3d Perform all the duties and functions assigned to him in these articles or in the rules of "Student Court Procedure", and in his absence, the Assistant Chief Justice shall perform such duties and functions.

8.3e Call sessions of sitting justices at least twice each month to decide cases under Section 5.1 and call such other sessions of sitting justices as are necessary.

8.3f Schedule conferences of the justices and officers of the Court whenever necessary for the efficient administration of the Court. Following the appointment of justices and other officers of the Court, the Chief Justice shall call a meeting of all the justices and officers of the Court and, discuss the history and purposes of the Student Court, the conduct of trials, the general administrative procedures of the Court, the duties
and responsibilities of the justices and officers of the Court. A senior justice shall be assigned to sit with each new justice at his first session.

8.3g Oversee the general administration of the Court and perform or cause to be performed, acts necessary and appropriate to carry out the mandate of these articles and to facilitate and expedite the performance of duties assigned by these sections.

8.4 The Assistant Chief Justice shall, in addition to other duties assigned to him in these sections, perform the duties assigned to him in the rules of "Student Court Procedure" and by the Chief Justice.

8.5 The Clerk shall:

8.5a Keep all Court records, send out all necessary notices, and perform such other duties as are assigned to him by the rules of the "Student Court Procedure" or by the Chief Justice, or the Court Advisor, subject to the direction of the Chief Justice.

8.5b Maintain on file the docket and decisions of each session at which the Court hears cases under Section 5.1.

8.5c Maintain on file the original copies of all complaints, answers, motions, orders, briefs, and judgments in cases arising under Sections 5.2, 5.3, and 5.4 herein.

8.6 The Court Advisor shall advise the Court on matters of law and University policy.

9.0 Finances

9.1 All receipts from penalties imposed by the Court shall be paid to the Office of the Cashier to be credited to the Student Court Fund. A monthly statement of all citations upheld under Section 5.1 shall be forwarded to the UWM Parking Office. Expenses of the Student Court shall be paid from the Student Court Fund, such payments being kept within these receipts.

9.2 The books of the Student Court shall be audited in full at the end of each academic year by the proper University Authority.
9.3 Unless another disposition has been approved by the Regents, all balances over $500.00 existing at the end of the fiscal year in the Court Fund shall be credited to the University Student Association Scholarship Fund. Disposition of monies credited to said Scholarship Fund shall be subject to the rules set in the "Student Court Procedure".

10.0 Amendments

Amendments to this Constitution may be proposed by the Student Senate or by written petition to the Senate and ratified by a majority of at least ten percent (10%) of the membership of the student body voting in a referendum. All Constitutional amendments shall be subject to review by the Chancellor and approval by the Board of Regents.

Advisory Committee to the Department of Student Health

(1) Membership. Five students selected by the Student Association, the Director of Student Health, ex-officio.

(2) Function. To review the programs and services of the Department of Student Health.

Advisory Committee to the Department of Transportation

(1) Membership. Five students selected by the Student Association; two elected faculty members; one member of the classified staff appointed by the Director of Personnel; one member of the academic staff appointed by the Employee Relations Committee; and the Director of Transportation, ex-officio.

(2) Function. To advise the Director of Transportation on policies pertaining to faculty, staff and student transportation and parking and, when appropriate, to make recommendations to the Faculty Senate and the Student Senate.

(3) Amendments. Proposed changes in the structure or function of this Committee may be initiated by the Student Senate or the Faculty Senate and approved by the other body and the Chancellor.

Union Policy Board

(1) Membership. The membership of the Union Policy Board shall be as specified by the Constitution and Bylaws of the UWM Union and shall be changed in accordance with the Bylaws subject to approval by the Chancellor.
(2) Function. The functions of the Union Policy Board shall be those specified by the Constitution and Bylaws of the UWM Union and shall be changed in accordance with the Bylaws subject to approval by the Chancellor or his designee.

Actions Required

(i) By Schools and Colleges:

The students of the various schools and colleges, at their discretion, may establish student organizations. Such student organizations may elect and/or appoint students to committees within the respective schools and colleges. The students of each school and college may elect to delegate appointive authority for school and college committees to the Student Association, which will then follow the selection procedures for University-wide committees.

(ii) By the Faculty Senate:

In view of the fact that the UWM Merger Guidelines Committee is recommending the creation or restructuring of organizations pertaining to Admissions and Records and Student Information, Athletics, Housing, Student Court and Student Financial Aid, the following resolutions are presented to the Faculty Senate.

(A) The UWM Merger Guidelines Committee recommends to the Faculty Senate that the present Committee on Admissions, Records and Student Information (34.14), be terminated at the end of the 1974-75 academic year.

(B) The UWM Merger Guidelines Committee recommends to the Faculty Senate that the present Committee on Housing (34.26) be terminated at the end of the 1974-75 academic year.

(C) The UWM Merger Guidelines Committee recommends to the Faculty Senate that the present Committee on Student Conduct (34.33) be terminated at the end of the 1974-75 academic year.

(D) The UWM Merger Guidelines Committee recommends to the Faculty Senate that the present Committee on Student Financial Aid (34.34) be terminated at the end of the 1974-75 academic year.

(E) The UWM Merger Guidelines Committee recommends to the Faculty Senate that the present Athletic Board (34.16) be terminated at the end of the 1974-75 academic year.

(F) The UWM Merger Guidelines Committee recommends to the Faculty Senate that the functions of the Physical Environment Committee be revised
in order to eliminate as a Committee responsibility the setting of parking and transportation policies.

(C) The UWM Merger Guidelines Committee recommends to the Faculty Senate that the functional reference to the Student Court (34.331) be eliminated from Chapter 34 of the Rules and Regulations of the University of Wisconsin-Milwaukee.