



Board of Regents of the University of Wisconsin System
Office of the Secretary
1860 Van Hise Hall
Madison, Wisconsin 53706
(608)262-2324

March 24, 2004

TO: Each Regent

FROM: Judith A. Temby

A handwritten signature in black ink, appearing to read 'J. A. Temby', written over the printed name.

PUBLIC MEETING NOTICE

RE: Agendas and supporting documents for meetings of the Board and Committees to be held at the Pyle Center, 702 Langdon Street, Madison, on April 1, and at Van Hise Hall, 1220 Linden Dr., Madison, on April 2, 2004.

Thursday, April 1, 2004

10:00 a.m. - 12:30 p.m. - Working Group meetings:

- Achieving Operating Efficiencies, Pyle Center, room 205
- Re-Defining Educational Quality, Pyle Center, room 213
- Revenue Authority and Other Opportunities, Pyle Center, room 226
- Our Partnership with the State, Pyle Center, room 220

12:30 p.m. - Box Lunch - Pyle Center, entrance to room 325/326

1:00 p.m. - All Regents

- Report on Diversity: A Wisconsin Commitment, An American Imperative
Pyle Center, room 325/326

2:00 p.m. - Education Committee meeting
Pyle Center, room, 226

2:00 p.m. - Joint Committee meeting:
Business and Finance Committee
Physical Planning and Funding Committee
Pyle Center, room 325/326

Business and Finance Committee reconvene
Pyle Center, room 225

Physical Planning and Funding Committee reconvene
Pyle Center, room 325/326

Friday, April 2, 2004

9:00 a.m. – Board of Regents
1820 Van Hise Hall

Persons wishing to comment on specific agenda items may request permission to speak at Regent Committee meetings. Requests to speak at the full Board meeting are granted only on a selective basis. Requests to speak should be made in advance of the meeting and should be communicated to the Secretary of the Board at the above address.

Information regarding agenda items can be found on the web at <http://www.uwsa.edu/bor/meetings.htm> or may be obtained from the Office of the Secretary, 1860 Van Hise Hall, Madison, Wisconsin 53706 (608)262-2324.

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**REPORT ON DIVERSITY:
A WISCONSIN COMMITMENT, AN AMERICAN IMPERATIVE**

EXECUTIVE SUMMARY

BACKGROUND

In the effort to advance educational excellence and diversity through expanded opportunity across the University of Wisconsin System, *Plan 2008: Educational Quality through Racial and Ethnic Diversity* was developed in 1998 by the UW System Office of Multicultural Affairs (now called the Office of Academic Diversity and Development), with input from a wide variety of constituents both internal and external to the UW System. *Plan 2008* was formally adopted by the Board of Regents in May, 1998. At that time, the Board directed the President of the UW System to make a report once each biennium on the System's progress in achieving the Plan's seven goals.

Following the adoption of *Plan 2008*, each UW System institution developed an individualized institutional diversity plan focusing on race, ethnicity and economic disadvantage. The Plan's ten-year time horizon was broken down into two five-year segments to ensure that institutional plans maintained the flexibility to respond to their unique experiences, student demographics, and campus climates, as well as to an ever-changing social, economic and legal environment. Since that time, the UW System Office of Academic Diversity and Development (OADD) has worked with the institutions to help facilitate the implementation of their individual plans. OADD presented its first major report on *Plan 2008* to the Board of Regents in fall 2001. The report under consideration today is the mid-point evaluation of the progress that has been made and the challenges that remain. It includes a review of Phase I of the Plan (1998-2003), and indicates directions for Phase II (2004-08).

Separate from the *Plan 2008* reporting requirement set by the Board of Regents, is the statutory requirement to present for the Board's approval the *2004 Minority and Disadvantaged Student Annual Report*. The *M/D Report* fulfills the requirement in Section 36.25 (14m)(c) of the Wisconsin State Statutes that the Board of Regents report annually on its pre-college, recruitment, and retention plan for multicultural and economically disadvantaged students. The report also presents information on financial aid programs serving those students. The state statute requires that by April 15 of each year, the Board shall submit the *M/D Report* to the Chief Clerk of each house of the Legislature for distribution to the appropriate standing committees under s. 13.172 (3).

The *2004 M/D Report* will be presented for action to the Education Committee, following the presentation of the *Plan 2008 Report* to the full Board. In past years, the *M/D Report* has included information supplemental to the statutory requirements, in order to share with the Board of Regents the wider range of activities and efforts undertaken throughout the UW System as a part of *Plan 2008*. The *2004 M/D Report* returns to the original format requested as a means of fulfilling the statutory requirement and avoiding duplication with the material in the more complete *Plan 2008 Report* presented at the same time.

REQUESTED ACTION

For information only; no action is required.

DISCUSSION

The UW System's work on diversity is a work in progress, and the progress is mixed. The *Plan 2008 Report* delivers a frank assessment of the progress the UW System has made in its efforts to enhance educational excellence and diversity through expanded opportunity for students and faculty of color, and for economically disadvantaged students. Some of the key findings include: Over the first five years of Phase I of *Plan 2008*, 2,000 additional students of color enrolled in the UW System, which is equivalent to 25 percent of all enrollment growth for that time period. The retention gap between students of color and majority students is closing. Financial aid is critical to continued progress, especially in order to reduce the higher debt burdens of students of color. Yet, UW institutions are having to raise private dollars for minority and disadvantaged students at a higher rate than the money provided by the State of Wisconsin

For all the crucial data contained in the *Plan 2008 Report*, the presentation of the report provides an opportunity to move beyond numbers in order to acknowledge more fully the changed social, economic, demographic and legal environments in which public higher education finds itself today. Efforts to diversify the UW System in 2004 must be understood in broader terms than in 1998. In 1998, the UW System and its institutions acted boldly in their commitment to diversify students, faculty and staff populations in terms of race, ethnicity and economic disadvantage. In 2004, the UW System's commitment to the goals of *Plan 2008* is unwavering. Yet lessons have been learned from Phase I that can guide system and institutional planning in Phase II.

The lessons learned might best be understood as a set of challenges to be addressed in the next five years. For example, how does the System meet the fiscal challenges to continue program funding and meet the financial aid needs of the System's most under-represented students? How can the System best respond to Wisconsin's rapidly changing demographics? How can the System and the institutions conduct better assessment of existing programs to ascertain what is really working, and what is not?

There is another set of challenges that compels the System to address diversity more broadly. How can diversity best be acknowledged as an institution-wide responsibility to be integrated into every endeavor of the System's educational enterprise, both within and beyond the classroom, and for both minority and majority populations? How can System and the institutions continue to support the goals of *Plan 2008* while at the same time embrace a wider understanding of diversity that goes beyond race and ethnicity, in particular in a time of budgetary challenge? In fact, diversity work taking place at the institutions and in System Administration already goes beyond *Plan 2008*, and represents a concerted effort to be inclusive of difference and the perspectives of those who have been historically under-represented or excluded. The work of *Plan 2008* must be effectively integrated into the System's other diversity initiatives in the recognition that all UW students, majority as well as minority need an education that will fully engage them in the complex, diverse, and global society of the twenty-first century.

In the end, diversity must be viewed as a societal, indeed an American imperative that plays a critical role in developing an educated citizenry dedicated to strengthening democracy and advancing equal opportunity for all people. The UW System's mission goes beyond servicing the individual entitlement to an education. The System exists to advance the public good and invest in the human resources that will lead Wisconsin and the nation into the future. If, at the end of Phase I of Plan 2008, the UW System has attained mixed progress in its efforts to diversify its student and staff populations and to create a learning environment that is hospitable to all, Wisconsin's commitment remains strong.

RELATED REGENT POLICIES

Regent Resolution 7692, adopted 5/8/98.



**University of Wisconsin System
Phase I of Plan 2008: The First Five Years, 1999-2003**

Introduction

The goal of achieving racial and ethnic diversity in the UW System emerges from its mission to serve all people of the state through educational opportunity. The core missions of both the Doctoral and University Clusters include a commitment to:

Serve the needs of women, minority, disadvantaged, disabled, and non-traditional students and seek racial and ethnic diversification of the student body and the professional faculty and staff.

As a means to fulfill this mission, two principal documents guide the UW System in its efforts. In 1988, *Design for Diversity* was the first systemwide ten-year strategic plan to move UW institutions toward achieving the vision of a diverse and culturally enriched academic environment. In 1998, *Plan 2008: Educational Quality Through Racial and Ethnic Diversity*; continued the commitment begun by *Design for Diversity*. Both of these ten-year plans address diversity goals by focusing on African Americans, American Indians, Asian Americans--with an emphasis on Southeast Asians--and Hispanic/Latino populations, based on the principle that increasing the participation of these historically under-served populations would enhance the educational experience of all students, better preparing them to live and work in a multicultural society. International students are not among the groups that *Plan 2008* emphasizes.

In addition, since April 1992, the Legislature has required that the Board of Regents provide an annual report to the governor and legislature on the UW System's pre-college, recruitment, and retention plan for minority and disadvantaged students, and financial aid distributed to students.

Following the adoption in 1998 of *Plan 2008*, each UW System institution adopted its individual institutional diversity plan. The ten year time horizon was broken down into two five year segments to assure that institutional plans maintained the flexibility to respond to experiences with the strategies adopted, and to an ever changing social, economic, and legal environment. The first report on *Plan 2008* was presented to the Board of Regents in Fall 2001.¹

In June 2003, the United States Supreme Court handed down decisions in *Grutter v. Bollinger* and *Gratz v. Bollinger*. These cases reaffirmed the principle that institutions of higher education may use race as a "plus" factor in admission decisions to achieve the educational benefits that flow from a diverse student body when such use is narrowly tailored. The court also emphasized that race-conscious efforts should serve institutional missions and the needs of all students. The decisions have important implications for the UW System's diversity efforts over the next five years during which *Plan 2008* must be connected with the System's other diversity initiatives, all of which must address the needs of all students. The System's recruitment and retention of

students, faculty, and staff of color must be connected to the educational outcomes of all students at the institutional level.

Plan 2008 is an integrated plan, the fundamental vision of which is to enhance the educational experience and success of all students. The seven goals of the Plan acknowledge that accomplishing this vision requires increasing the participation and success of students of color and the economically disadvantaged in the UW System. To do that, we must partner with other entities to assure these students are well prepared to participate and succeed in higher education; create an environment that enhances learning and respect for racial and ethnic diversity which includes a faculty and staff that is racially and ethnically diverse; and hold ourselves accountable for achieving our goals and realizing our vision. The Plan acknowledges that the preparation for success in higher education begins early in a child's educational experience, and that resources must be available to assist those who would otherwise be excluded from participation in higher education for financial reasons.

In this report, we take the opportunity to both reflect on the first five years of *Plan 2008* and prepare to move forward on the next five years. This report provides information under each of the seven goals of the plan (Appendix A), including pre-college participation, enrollment, graduation rates, faculty and staff data, and an array of other information for campus representatives, policy makers, and constituents. Data contained in this report represent primarily the four race/ethnic groups. Data specifically on the economically disadvantaged are not available. However, all *Plan 2008* goals and initiatives serve both racial/ethnic groups and the economically disadvantaged.

The First Five Years: 1999-2003

Key Findings:

While there is significant overlap across the goals in terms of strategies and results, the key findings for the first five years of *Plan 2008* are:

Goal 1: Increase the number of Wisconsin high school graduates of color who apply, are accepted, and enroll at UW System institutions:

- Enrollment of students of color increased by 16% (an increase of 1,948 students).
- The proportion of UW System enrollment made up of students of color increased from 8% to 9%.
- Service rates for students of color declined from 23% to 20%.

Goal 2: Encourage partnerships that build the educational pipeline by reaching children and their parents at an earlier age:

- The number of pre-college participants increased by 156% (an increase of 9,119 participants).
- A number of pre-college programs have had a positive impact on the enrollment and retention of students of color.
- Graduation data that reflect the effectiveness of pre-college programming will not be available until 2005.
- UW System pre-college programs reach fewer than 8% of K-12 students of color.

Goal 3: Close the gap in educational achievement, by bringing retention and graduation rates for students of color in line with those of the student population as a whole:

- The second year retention rate for students of color increased from 72% to 75%, compared to 81% for white students.
- The six year graduation rate for the most recent cohort of students (1997) is 43% compared to 64% for white students.
- The number of degrees conferred to students of color increased by 9%.
- A number of retention programs have had a positive impact on the retention and graduation of students of color.

Goal 4: Increase the amount of financial aid available to needy students and reduce their reliance on loans:

- The Lawton Undergraduate Grant and Advanced Opportunities Programs received increases of 34% and 60% respectively in the 2003-05 biennial budget, however, these increases were entirely funded by one-time reserves.
- UW institutions have established many privately funded scholarship programs under *Plan 2008*.
- Debt levels for African American and Hispanic/Latino students are higher than those of White, Asian, and Native American students.
- Over the past fifteen years, higher education costs have increased at a greater rate than median income for low-income families, but this has not been the case for middle and high income families.

Goal 5: Increase the number of faculty, academic staff, classified staff, and administrators of color, so that they are represented in the UW System workforce in proportion to their current availability in relevant job pools. In addition, work to increase their future availability as potential employees:

- The numbers and proportion of employees of color in the UW System in every employment category i.e. faculty, academic staff, classified staff, and administrators, has increased. (Total employees of color increased by 38%.)
- A number of UW institutions have been cited for their exemplary efforts in attracting and providing services for people of color.

Goal 6: Foster institutional environments and course development that enhance learning and a respect for racial and ethnic diversity:

- UW institutions have integrated diversity into strategic planning and academic program review.
- UW System Office of Academic Affairs has integrated contributions toward diversity into the program approval process.

Goal 7: Improve accountability of the UW System and its institutions:

- UW institutions have included diversity efforts in program and performance reviews.

Goal #1: Increase the number of Wisconsin high school graduates of color who apply, are accepted, and enroll at UW System institutions.

While white and Asian American ninth grade students graduate from public high schools at a rate of 85% and 83% respectively, students from other race/ethnic groups struggle. Only 62% of Hispanics, 59% of American Indians, and 40% of African Americans finish high school in Wisconsin compared to a state average of 79%.²

Factors that contribute to the low high school graduation rates appear well before the 12th grade. Proficiency scores of PK-12 students of color are early warning signs. In 2002, only 23% of African Americans, 48% of American Indians, 54% of Asians, and 38% of Hispanic 10th graders were proficient or advanced in Mathematics, compared to 76% of white students. In Milwaukee Public Schools, where 80% of the students are students of color, only 28% of 10th graders were proficient or advanced in Mathematics.³

Enrollment of Students of Color in the UW System

The number of high school students of color enrolling in the UW System increased from 1,252 in 1998 to 1,493 in 2002. Another measure of how well the system is meeting the higher education needs of high school graduates is the service rate, or the percentage of Wisconsin high school graduates from public high schools who immediately enroll as new freshmen in the UW System (Figure 1). Between 1998 and 2002, the service rate for students of color fell, even though the number of students of color enrolling in the UW System increased. This is because the total number of high school graduates of color increased at a faster rate than the number of students of color enrolling in the UW System (Table 1).⁴

Figure 1
UW System Service Rates for Students of Color and White Students
Fall 1998 and Fall 2002

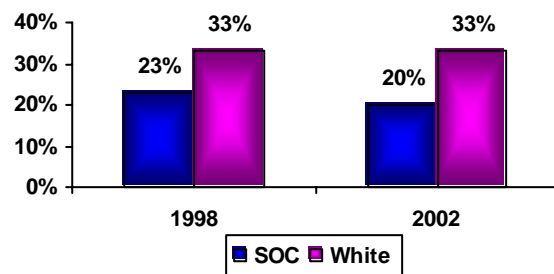


Table 1

UW System Service Rates by Race/Ethnicity for Public School Wisconsin Immediate New Freshmen*
Fall 1998 and Fall 2002

Race/Ethnicity	UWS Enrollment	H. S. Graduates	Service Rate
African Amer	444	2,531	17.5%
	432	3,148	13.7%
Hisp./Latin	273	1,284	21.3%
	314	1,792	17.5%
Amer. Indian	101	529	19.1%
	109	623	17.5%
Asian	434	1,190	36.5%
	638	1,757	36.3%
SOC	1,252	6,506	23%
	1,493	7,320	20.4%
White	17,113	52,835	33%
	17,503	53,255	32.9%
Total	18,365	59,341	32%
	18,996	60,575	31.7%

*Excludes international students

Between 1998 and 2002, total enrollment of students of color increased from 11,891 to 13,839, a 16% increase that represents 25% of the 7,777 increase in total US System enrollment between these years. Not only are students of color increasing in number, but they also represent a larger share of the total student

Table 2
UW System Students of Color Enrollment
Fall 1998 and Fall 2003

	SOC as a % of Total Enrollment	Total Enrollment	SOC Enrollment
Fall 1998	8% of total	152,926	11,891
Fall 2003	9% of total	160,703	13,839

enrollment increasing from 8% in 1998 to 9% of total enrollment in 2003 (Table 2).⁵

Enrollment by Level

Between Fall 1998 and Fall 2003, undergraduates of color increased by 20%, and graduate and professional students of color increased by one percent (Figures 2 and 3). After a considerable drop in graduate enrollment in Fall 2000, graduate and professional students of color are gradually climbing back to 1998 levels.⁶

Figure 2
UW System Undergraduate of Color
Enrollment Fall 1998 to Fall 2003

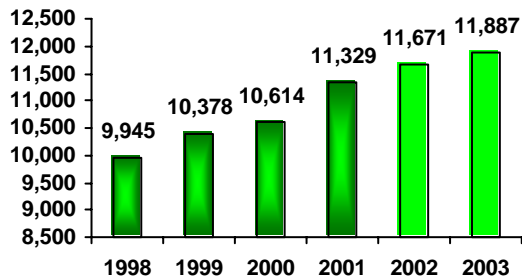
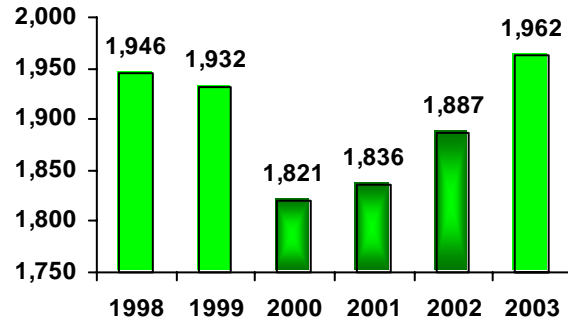


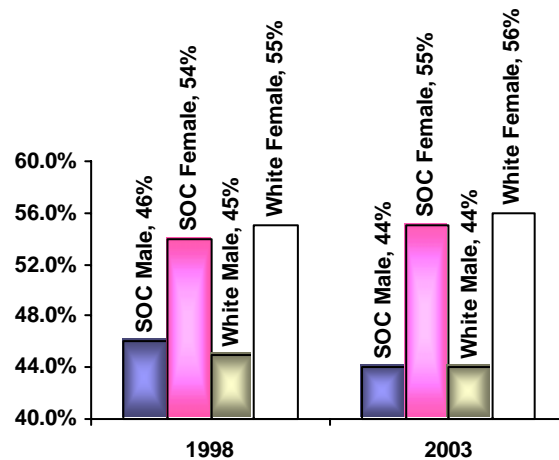
Figure 3
UW System Graduate and Professional
Student of Color Enrollment,
Fall 1998 to Fall 2003



Enrollment by Gender

Women of color continue to out-number men of color in the UW System (Figure 4). These percentages have changed little since the inception of *Plan 2008*. (For institutional detail, see Appendix C Table 3.)

Figure 4
UW System Percentage of SOC by
Gender
Fall 1998 and Fall 2003



Goal #2: Encourage partnerships that build the educational pipeline by reaching children and their parents at an earlier age.

The UW System cannot achieve the goals contained in *Plan 2008* by working alone. Partnerships in the last five years have included grant-funded, on-line pre-college programs for migrant families, corporate-sponsored retention conferences, and federal low-income pre-college programs. Below are some of the examples of successful partnerships between the UW System, corporate and government sponsors, and government and other educational agencies.

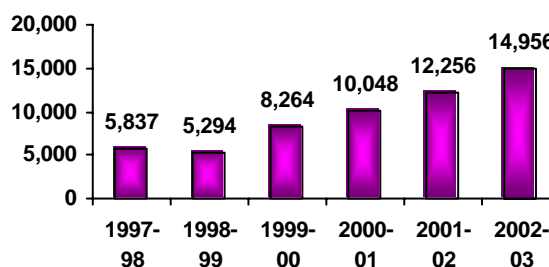
Pre-college Programs

As the demographics of Wisconsin continue to change, and as more underprivileged youth seek a better life through higher education, working with the Department of Public Instruction, UW System pre-college programs work to improve high school graduation and college enrollment rates for Wisconsin's neediest youth. In 1998, *Plan 2008* established a goal to increase pre-college participation to 7,200 targeted K-12 students within ten years. That goal was reached within the first two years of the Plan and the numbers continues to climb at an impressive rate.

Preliminary data show that the UW System served 14,956 youth of color and economically disadvantaged students across approximately 90 targeted pre-college programs in 2003 (Figure 5).⁷

(For UW institutional detail, see Appendix C, Table 1.)

Figure 5
UW System Precollege Participation
1997-98 to 2002-03



Preliminary results are showing a measurable impact. Assessment data on pre-college programs established in the late 1990s are just now becoming available. Preliminary data from the UW System Pre-college Assessment Project indicate that 28% of UW-Milwaukee multicultural/ disadvantaged *pre-college* students (primarily African American and Hispanic) immediately enroll in post secondary education, compared to a UW System service rate of 20%. Overall, service rates hover around 18% and 14% respectively for Hispanic and African American students, compared to a service rate for white students of 33% (Table 1).⁸ Programs such as the UW-Madison PEOPLE program, UW-Milwaukee Health Career Options Program, UW-Milwaukee and UW-Eau Claire GEAR UP, the UW-River Falls, UW-Green Bay, and UW-Manitowoc TRIO Upward Bound programs, and the Quest programs are demonstrating successful outcomes.

Below are examples of pre-college programs that have proven to be particularly effective in advancing the educational opportunity of students of color and the economically disadvantaged.

UW-Madison PEOPLE

Established in 1999 with only 66 students, UW-Madison's Pre-college Enrichment Opportunity Program for Learning Excellence (PEOPLE) has grown to serve 657 middle and high school students. The same cohort of students participates in the program each summer until high school graduation. Cohort-based programs have proven to be effective. To date, 100% of PEOPLE participants have graduated from high school, 96% have enrolled at UW-Madison and 88% are retained to the second year as undergraduates.

UW-Milwaukee and UW-Eau Claire GEAR UP Programs

Since 1999, UW-Milwaukee and UW-Eau Claire Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) have been awarded \$6.9 million in federal funds. The grant targets low income middle school youth to help prepare them for college. Since the inception of GEAR UP, UW-Milwaukee pre-college students have improved reading proficiency scores by 1.3%, participating school suspension rates fell by 7%, and parent contacts increased by 43%. Parent involvement is central to any effective pre-college program.

The UW-Eau Claire GEAR UP program focuses on reading skills in grades 3-11 and serves 414 students. Reading scores have increased by 40% in the last four years, and the overall number of students graduating from high school has increased from 50% to 70%.

UW-River Falls, UW-Green Bay and UW-Manitowoc TRIO Upward Bound

In 2002, eleven UW institutions received federal TRIO grants for Upward Bound and Upward Bound Mathematics and Science programs.⁹ While no systemwide data are yet available on the effectiveness of TRIO pre-college programs, individual UW campus results provide insights into

their success. At some UW institutions, the college participation rate exceeds the national average of 73%, for example:

- At UW-River Falls, 100% of Upward Bound participants have been accepted to a post-secondary institution.
- At UW-Green Bay, 100% of participants in the Upward Bound/Regional Center for Math and Science program have graduated from high school, 92% enrolled in college, and of those who declared a major, 86% declared an intention to major in math, science, engineering, or a related field.
- At UW-Manitowoc, 100% of participants in the Upward Bound/Pathways program have graduated from high school and 100% enrolled in a postsecondary institution.

Quest

Quest programs began in Summer 1998 in an effort to provide Milwaukee-area middle and high school students with pre-college programming opportunities. Participants attend summer programs at one of 10 participating UW System institutions (UW-Eau Claire, UW-La Crosse, UW-Madison, UW-Milwaukee, UW-Oshkosh, UW-Platteville, UW-Richland, UW-River Falls, UW-Superior, and UW-Whitewater). Summer programs vary by institution, but include mathematics, science, reading, computer, business, and teacher preparation programs.

UW-Milwaukee provides follow-up programming during the academic year for middle and high school students and parents. UW-Milwaukee also provides tutoring five days a week for Quest participants throughout the academic year, and gives Quest students access to its Resource Center.

A total of 1,705 students were served through Quest programs in 2002-03, with 449 participants in Summer 2003 alone.

While these increases in participation and preliminary results are encouraging, pre-college programs currently reach fewer than 8% of the 181,059 students of color enrolled in Wisconsin public schools.¹⁰

Other Partnerships

American Multicultural Student Leadership Conference (AMSLC)

Until 1999, AMSLC was a small campus event dedicated to providing leadership programming for students of color and the economically disadvantaged. With the support of corporate partners, including JohnsonDiversey, Walgreens, American Family Insurance, M&I (Marshall & Ilsley) Bank, and Enterprise Rent-A-Car, the conference has grown into a forum attracting 350 students each year. Competitive academic scholarships, national keynote speakers, career workshops, internship preparation, and research presentations have made AMSLC one of Wisconsin's most prominent student-centered conferences. Significantly, 59% of the AMSLC 2003 conference participants stated they planned to continue their education beyond a bachelor's degree.¹¹

Reach Out/Alcanza

Funded with a \$1 million Fund for the Improvement of Postsecondary Education (FIPSE) grant, Reach Out or Alcanza (Spanish version) was launched in 1999. Reach Out provides on-line bilingual instruction in high school basic units, English as a Second Language, citizenship requirements, and career exploration for migrant youth and their families in Wisconsin and

Texas camps and food processing sites. The program currently serves over 400 participants and is the result of partnerships among five UW institutions, the UW System, the Wisconsin Department of Public Instruction, the Texas Department of Education, Wisconsin Food Processors Association, United Migrant Office Services, the Literacy Council, and State Job Centers. Future Reach Out sites are planned in Minnesota and Arkansas.

Goal #3: Close the gap in educational achievement, by bringing retention and graduation rates for students of color in line with those of the student body as a whole.

Retention

The first year of college often serves as a turning point for students, in particular students of color. Whether for academic, financial, social, or personal reasons, students often make a difficult decision not to return for the second year.

**Table 3
UW System FT, FT New Freshman
(Excluding UW Colleges) Retention to the
Second Fall Where Started**

	1998	2002
African Amer.	592 64.7%	613 67.9%
Hispanic/Lat.	416 75.5%	447 73.8%
American Ind.	136 58.1%	121 66.9%
SE Asian	208 75.5%	415 82.9%
Other Asian	419 81.9%	423 83.4%
SOC Subtotal	1,771 72.0%	2,019 75.5%
White/Other	20,972 79.32%	20,484 80.8%
Total*	22,999 78.6%	22,716 80.3%

*Total includes international students

The persistent retention gap between students of color and majority students is closing. The second-year retention rate for students of color increased from 72% in 1998 to 76% in 2002. As Table 3 illustrates, a larger percentage of students of color are returning as sophomores than was the case in 1998, except for Hispanic/Latino students. However, student of color retention rates remain below those of white students at 81% (Table 3).¹²

UW System institutions have implemented many retention programs to increase retention and graduation of students in general, and students of color in particular, a few of which are described here.

UW-Milwaukee Health Career Opportunity Program

The purpose of the UW-Milwaukee College of Health Sciences' Health Careers Opportunity Program (HCOP) is to recruit a qualified applicant pool of motivated economically and educationally disadvantaged students in order to build diversity in the health professions. HCOP provides students with an opportunity to develop the skills needed to successfully enter and graduate from health and allied health programs. The HCOP "Health Educational

Pathway" begins in the fourth grade and continues through acceptance to and graduation from, a university health or allied health program. HCOP provides summer and academic year programming in health care education, counseling, mentoring, and cultural competency development.

By the end of the three year grant cycle HCOP achieved the following:

- Participants in the Saturday Academy and Pre-college Health Sciences Institute maintained an average cumulative GPA of 2.95.
- Eleven (100%) of the eligible HCOP pre-college completers graduated.

- Of these 11 students 9 (78%) are enrolled in college.
- Ninety-five percent of undergraduate Summer Enrichment Program participants improved on the UW-Milwaukee admissions Mathematics and English placement test by at least one grade level.
- Ninety-four percent of the undergraduate Summer Enrichment Program participants are still enrolled in college.
- Ninety-eight percent of the undergraduate Medical College Admissions Test (MCAT) Review Course completers improved post-test scores.
- Thirty five undergraduates completed an internship.

UW-Whitewater

Established in 2002, the Academic Advising and Exploration Center identifies undergraduates who are struggling academically. Preliminary data suggest that almost half of those students who received services from the Center improved their final grade.

UW-Stevens Point

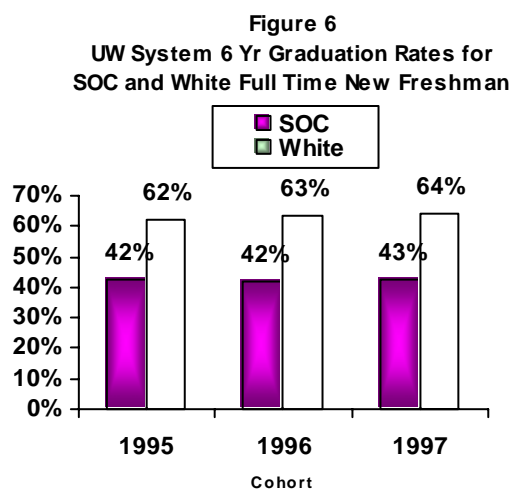
Between 2000 and 2001, UW-Stevens Point increased the student of color retention rate from 78.1% to 83.9% through a series of initiatives that included orientation sessions, peer mentoring, and groups focused on campus climate.

UW-Superior

In the past seven years, UW-Superior has added a Multicultural Student Services Specialist, a Southeast Asian Student Services Specialist, and a Student of Color Recruitment Coordinator. The additional staff have greatly enhanced efforts to recruit and retain students. The Administrative Library of Old Main has been turned into a Multicultural Center. This has been accomplished through refurbishing money given to the Center by the University and by two grant proposals funded by Minnesota Power and The Knight Foundation, along with regular monthly donations from friends of the Multicultural Center.

UW-Madison

A First-year Interest Group (FIG) program was initiated. Each group consists of 20 first-year students who live in the same residence hall or residential "neighborhood" and enroll in a cluster of three classes together. All courses meet degree requirements and allow students to explore areas of common interest through a multidisciplinary approach including multicultural course content.

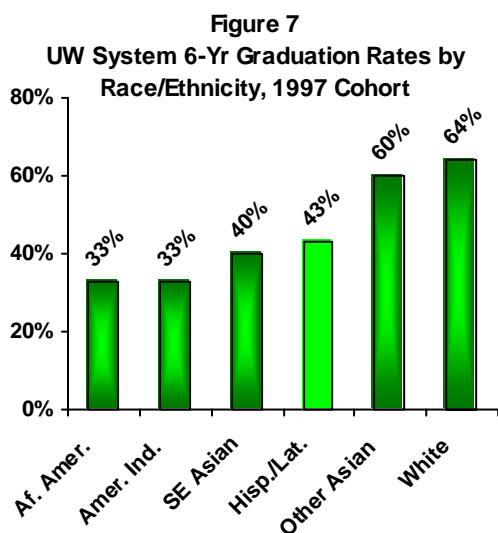


Graduation Rates and Degrees Conferred

The impact of *Plan 2008* on graduation rates is not yet clear. *Plan 2008* was not implemented on the campuses until 1999. The six-year graduation rate for this class will not be available until 2005. The latest figures available for the 1997 cohort show that 43% of students of color graduated in six years. Sixty-four percent of white students graduated within the same time period (Figures 6 and 7).¹³ (See Appendix C, Table 4 for institutional detail.)

Total degrees conferred to students of color increased, with the principal share of the increase in bachelor's degree graduates.

Between 1997-98 and 2002-03, bachelor's degree graduates of color increased by 9%, from 1,256 to 1,363.¹⁴



Master's degrees conferred to students of color rose 7%, from 343 to 366. Doctoral degrees awarded to students of color increased from 55 to 61, an increase of 11%. However, the number of professional degrees earned by students of color fell from 114 to 84 (See Appendix C, Table 5 for institutional detail.)

Closing the gap in retention and graduation rates for students of color and the student body as a whole is the most specific among the *Plan 2008* goals. The gap in retention has closed somewhat, but has by no means been eliminated. Because of the time necessary for retention as well as pre-college programs to impact student success, we expect to be better able to assess the effect of

these efforts during the next five years of the plan. We are beginning to be able to utilize the early retention results of our initiatives, as well as research that is now emerging, to identify programs that have demonstrated positive results that should be replicated.

Goal #4: Increase the amount of financial aid available to needy students and reduce their reliance on loans.

The Ben R. Lawton Undergraduate Grant Program for undergraduates and the Advanced Opportunity Program (AOP) for graduate students provide grants to students of color and the economically disadvantaged.

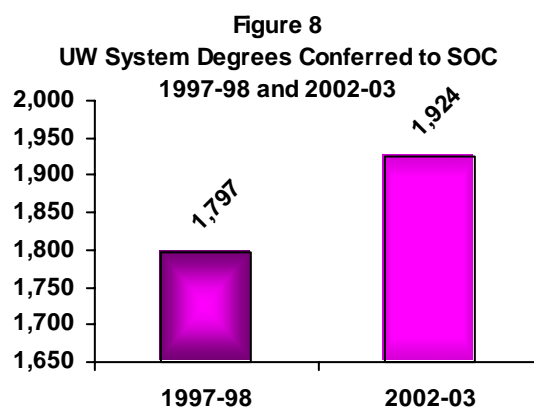


Table 4
Changes in Lawton and AOP Grants in the State Biennial Budget 1997-99 and 2003-05

	Lawton	AOP
1997-99		
Biennial Budget		
Increase	\$400,000	\$266,700
Appropriation Total	\$2,406,900	\$4,065,500
2003-05		
Biennial Budget		
Increase	\$1,842,100	\$1,650,000
Appropriation Total	\$4,922,900	\$6,555,900

Lawton Undergraduate Grants provide supplementary financial aid to financially needy sophomore, junior, and senior students of color. The grants are a "last grant award", made after all other state, federal, and scholarship aid has been granted hence, only the neediest students receive a Lawton grant.

The Lawton Undergraduate Grant and the Advanced Opportunity Programs received increases of 34% (\$1.65 million) and 60% (\$1.8 million) respectively in the 2003-05 biennial budget (Table 4).¹⁵ However, these increases were entirely funded by one-time reserves.

In addition to state funded grant programs, UW institutions have established many privately funded scholarship programs under *Plan 2008*.

UW-Eau Claire

UW-Eau Claire increased the amount of privately funded scholarships from \$1,000 in 1988 to \$163,000 in 2002.

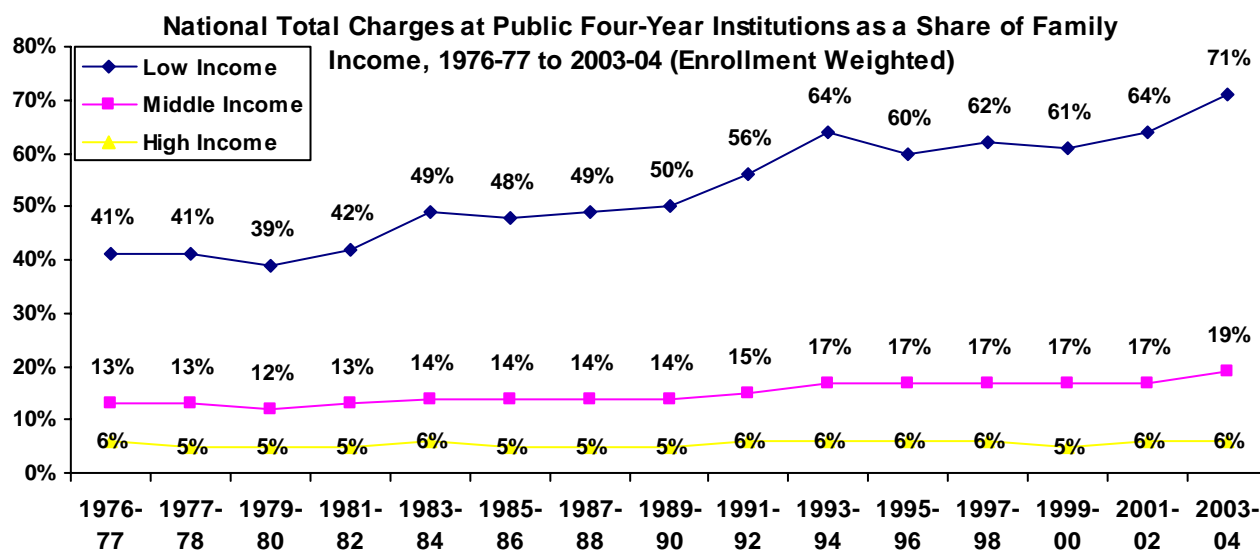
UW-Stout

UW-Stout administers the Summer Technology and Engineering Program (STEPS). The program starts with 7th grade girls interested in careers in the science and technology fields. Instruction is provided in manufacturing systems, Computer Aided Design and Drafting (CADD), robotics, automation, physics, chemistry, and other technology and engineering experiences. The program raises \$95,000 toward operating costs annually and provides a \$700 pre-college scholarship to needy students.

Student Debt

Over the past fifteen years, the portion of household income of middle-income families needed to pay the costs of higher education--tuition, fees, and room and board--has remained relatively constant at 17% (Figure 9).¹⁶ The same is true for high-income families for whom the percentage has increased from 5% to 6%. However, higher education costs have increased at a greater rate than has median income for low-income families. Total charges for four year institutions now represent 71% of median income for low-income families compared to 41% in the 1976-77 academic year. Grants and financial aid, therefore, play a pivotal role in providing access to college for the economically disadvantaged.

Figure 9



Source: Annual Survey of Colleges, The College Board, New York, NY; pre-1987-88 tuition data are from Integrated Postsecondary Education Data System (IPEDS), U.S. Department of Education, National Center for Education Statistics; income data from the U.S. Department of Commerce, Bureau of Labor Statistics. Lowest income quintile (up to \$25,207 for 2003), middle income quintile (range = \$43,196 to \$65,644 in 2003), and high income quintile (range = \$98,886 or more in 2003).

Students of color, except for American Indians and Asians, graduate with higher levels of debt than white students (Table 5). The highest level of debt is incurred by African Americans, who

come from the poorest families. According to the 2000 US Census, African Americans in Wisconsin earn 51% below the median family income (Table 6).

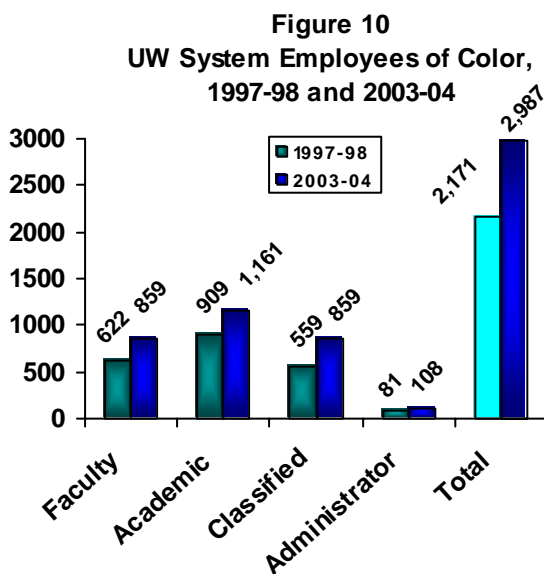
Table 5
Debt Levels Among UW System Bachelor Degree Recipients by Race/Ethnicity, 2002-03

	Heads	Average Debt
Amer. Indian	91	\$14,014
Asian	308	\$16,218
White	11,558	\$16,779
Hispanic/Latino	241	\$18,127
Afr. American	329	\$20,792
Unknown race	83	\$15,887
Total	12,160	\$16,870

Table 6
Median Family Income by Race and Ethnicity in Wisconsin, 1999

	Median	Percent of Median
All Families	\$52,911	100%
Afr. American	\$26,968	51%
Amer. Indian	\$34,165	65%
Asian	\$45,543	86%
White	\$54,768	104%
Hisp./Latino (any race)	\$35,733	68%

Goal #5: Increase the number of faculty, academic staff, classified staff, and administrators of color, so that they are represented in the UW System workforce in proportion to their current availability in relevant job pools. In addition, work to increase their future availability as potential employees.



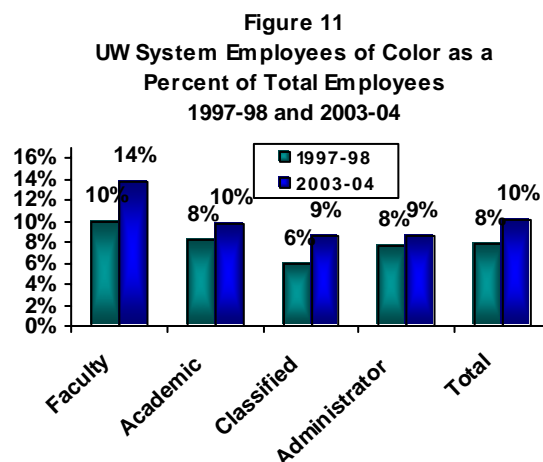
As indicated in tables 10 and 11, the numbers and proportions of employees of color in the UW System have increased during the first five years of *Plan 2008*. Furthermore, this success has been replicated in every employment category.¹⁷ (For institutional detail, see Appendix C, Table 6a-e.)

A number of institutions have been recognized for their efforts in recruitment and retention initiatives on behalf of students, staff and community of color. These are described below.

Recognition for Recruitment and Retention

UW-Milwaukee received the 2002 Wisconsin Department of Employee Relations (DER) Diversity Award for its commitment of financial and administrative resources to improve campus services for people of color, women, and persons with disabilities.

UW-Stout received the 2002 DER Secretary's Award of Achievement for its success in attracting people of color and women for



faculty positions and also its broad variety of campus diversity initiatives.

UW-Eau Claire received the 2002 DER Program Merit Award for its extraordinary efforts in recruiting and outreach in the Hmong community.

UW-Parkside received multiple DER awards in 2000, 2001, and 2003 for hiring practices that promote diversity and for the impact of its Diversity Circles program on local communities.

UW-River Falls increased the future pool of employees of color. UW-River Falls received \$209,000 for four years from the federal TRIO McNair program. McNair provides graduate student support and serves as a pipeline for preparing students for future faculty positions. The grant provides research and academic support for undergraduate students. Ninety percent of McNair participants enroll in a graduate program following graduation.

Goal #6: Foster institutional environments and course development that enhance learning and a respect for racial and ethnic diversity.

Critical to the retention and graduation of students of color, as well as the preparation of all students for the world into which they graduate, is a living and learning environment in which diversity is respected and infused. Race/ethnic studies programs have increased in the UW System during the first five years of *Plan 2008* from 17 to 28 across the UW System.¹⁸

However, academic programs are only one way of infusing diversity, and race/ethnic studies programs are only one form of curriculum infusion. UW institutions have also integrated diversity into strategic planning efforts. This has included the academic program review process in which programs are evaluated in terms of their contribution to the university's strategic initiatives to promote and improve diversity through curriculum infusion (some specific examples are cited under goal 7 on accountability). In addition, institutions are assessing campus climate to assure that it is welcoming and supportive of all students and staff.

Examples of other institutional initiatives include:

UW-Madison developed Chemistry 201 that teaches chemistry by focusing on the effects of uranium mining on the Navajo population.

UW-River Falls received a \$6,000 grant to expand its Ethnic Studies collection of library materials to 9,700 holdings.

UW System Office of Academic Affairs. The UW systemwide process for the approval of new academic programs now requires that authorization proposals include information on how the program will address diversity in the curriculum and attract and retain diverse students, faculty, and staff. The office hosted a "Critical Connections" conference which provided a forum for about 200 faculty and staff from across the UW System to discuss the theories and practices of diverse pedagogy, course content, and best models in curricular reform.

Goal #7: Improve accountability of the UW System and its institutions.

Accountability, at all levels, is a hallmark of a well-managed institution. Accountability is a necessary, but not sufficient, condition to assure that the goals of the institution are being

advanced. Below are some examples of accountability measures relating to diversity in program and performance review.¹⁹

Program Review

UW-Eau Claire: As part of UW-Eau Claire's departmental review process, departments must address the infusion of cultural and gender diversity issues in their curriculum and instruction.

UW-Madison: The College of Letters and Science (L&S) and the Graduate School program review guidelines include explicit questions about diversity of students, faculty, staff, and about climate. The L&S guidelines are noteworthy in that they align program review with the university's strategic priorities, and the substance of *Plan 2008* is integrated into those priorities.

UW-Parkside: As part of the program review process each program is considered in terms of its contribution to the university's strategic initiatives and reviewed with respect to its involvement in activities that promote and celebrate diversity.

UW-Stevens Point: An action item in UW-Stevens Point's *Plan 2008* provides that course contributions to diversity will be included in every program review self-study. The Provost/Vice Chancellor follows up with questions about course contributions to diversity when appropriate in the final stages of the program review.

Performance Review

One mechanism institutions are using to assure accountability on diversity issues is the performance review process. At UW-La Crosse and UW-Madison performance reviews for Deans and division heads consider their efforts and success at implementing *Plan 2008*. At UW-River Falls the Chancellor evaluates senior administrators for their success at meeting institutional goals, one of which is fostering a diverse campus community.

UW-Extension: Faculty and staff who report directly to the Chancellor and Vice Chancellor (includes Deans and Directors) are evaluated based on their efforts to encourage the recruitment of people of color and women for positions in which they are under-represented, and to support an appreciation for the value of diversity in UW-Extension activities.

UW-La Crosse: The Assistant to the Chancellor for Affirmative Action and Diversity provides input in the annual performance review of Deans and division heads on their efforts in implementing *Plan 2008*.

UW-Madison: UW-Madison asks for information in the annual review of Deans about improvements in diversity. The UW-Madison budget instructions provide that all supervisory personnel be evaluated in part on their efforts and results in advancing affirmative action and equal employment opportunity goals.

UW-River Falls: Meeting institutional goals is one of the criteria in the Chancellor's evaluation of senior administrators. One of those goals is continuing to foster a diverse, inclusive, and supportive campus community.

UW System Office of Academic Diversity and Development provides input for the President in the annual review of UW institution Chancellors. UW System Office of Academic Affairs annually monitors promotion and tenure rates for faculty of color and by gender.

Budget and Expenditures

Multicultural/Disadvantaged (M/D) Program Funding

Since 1998, total funding for multicultural/disadvantaged programs and scholarships has increased 56% from \$22.6 million to \$35.3 million. Some of the funding increase is attributable to the successful, state-funded 1999-2001 UW System budget initiative of \$1.7 million for *Plan 2008* and pre-college funding (Table 7). (For institutional detail, see Appendix B, Table A and B.)

Extramural funds comprised 40% of total M/D funding in 2002-03 and increased at a much higher rate than other funding sources. These increases in extramural (71%) and institutional (privately financed) scholarships (99%) indicate that the largest investment in diversity is not coming from the state but from non-state sources, a trend that is also reflective of funding for the UW System as a whole.

The near doubling of institutional (non-government) scholarships from \$3.1 million to \$6.2 million indicates the need for financial aid and scholarship assistance. Fund 402, the legislatively earmarked state funds for Wisconsin multicultural/disadvantage programs increased 40% from \$5.9 million to \$8.3 million. Institutional reallocation increased 29%.

Table 7
UW System Multicultural/Disadvantaged Program Funding (a)
All Fund Expenditures, 1998-99 and 2002-03²⁰

	Total Program Funds & Scholarships	Fund 402 M/D Appropriation Expenditures (a)	Other State Funds Reallocated to M/D Programs	Extramural Funds	Total M/D Program Funds (b)	Institutional Scholarships (Non-Government Sources) (c)
1998-99	\$22,583,564	\$5,939,563	\$5,635,578	\$7,907,964	\$19,483,105	\$3,100,459
2002-03	\$35,265,263	\$8,335,670	\$7,251,837	\$13,510,111	\$29,097,618	\$6,167,645
\$ Change	\$12,681,699	\$2,396,107	\$1,616,259	\$5,602,147	\$9,614,513	\$3,067,186
% Change	56%	40%	29%	71%	49%	99%

Source: UW System Office of Budget and Planning.

Pre-college, Recruitment, and Retention as a Percentage of All M/D Funds

Reflecting a shift in UW institutional priorities, more dollars were spent on pre-college programs in 2002-03 than in 1998-99. As a share of all M/D funds, pre-college expenditures increased from 26% (\$4.6 million) to 30% (\$7.7 million). Recruitment expenditures remained fairly constant at 13.9% (\$2.5 million to \$3.6 million). Retention expenditures fell from 60% (\$10.6 million) to 56.1% (\$14.5 million) of all M/D funds (Table 8).

Table 8
Pre-college, Recruitment and Retention as a Percentage of All M/D Funds

	Pre-college	% of Total	Recruitment	% of Total	Retention	% of Total	Total
1998-99	\$4,614,987	26.1%	\$2,462,292	13.9%	\$10,587,621	60.0%	\$17,664,900
2002-03	\$7,754,502	30.0%	\$3,586,743	13.9%	\$14,518,561	56.1%	\$25,859,806
Dollar Change	\$3,139,515		\$1,124,451		\$3,930,940		\$8,194,906
% Change	68.0%		45.7%		37.1%		46.4%

Source: UW System Office of Budget and Planning.

Challenges as we prepare for Phase II

As we reflect on the achievements of Phase I of *Plan 2008*, it is apparent that external and internal factors have influenced, and will continue to influence the implementation and outcomes as we move forward to Phase II. Recognizing these factors not only deepens our understanding of the constraints faced in the past, but will be instrumental in helping to address the challenges ahead.

These challenges fall into three major areas: 1) Fiscal, 2) Demographic, and 3) Assessment.

1. Fiscal

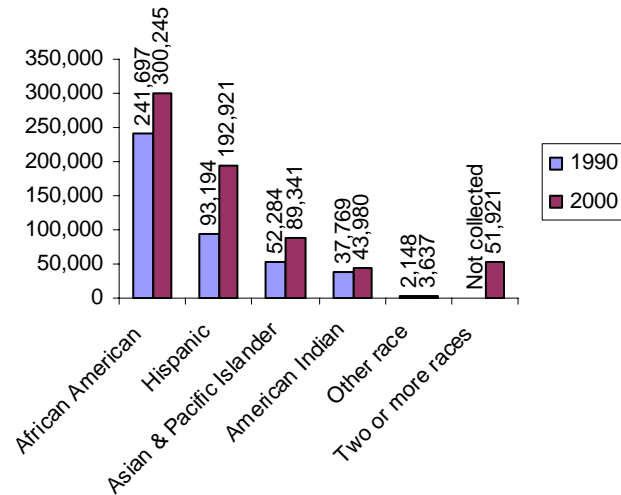
- A. Program Funding: Renewing gifts and grants to support programming has become increasingly difficult in the current economic climate. This requires greater fundraising efforts at a time when we are faced with declining human and financial resources available to support those efforts.
- B. Financial Aid: The Lawton and AOP grant programs have grown over the last five years, but neither has kept pace with tuition increases. The cost of participating in higher education represents a significantly increasing portion of the median income of low-income individuals (see table 10), making financial aid even more important if higher education is to be accessible to lower income students.
- C. TRIO Funding: TRIO funding is insufficient to serve all eligible students.
- D. Advanced Placement: Limited access to advanced placement (AP) courses, particularly in rural areas, the inner city, and reservations presents another obstacle to equal access to higher education.
- E. State Aid: State budget cuts have reduced resources available to recruit and retain students in general, and students of color in particular. The city of Milwaukee and the surrounding area has the highest concentration of African Americans, Hispanic/Latinos, and urban American Indians in the state. However, pre-college programs can reach only a small proportion of under-served Milwaukee students.

2. Demographic

Increasing resource challenges are exacerbated by the need to serve rapidly expanding populations.

As is the case in the rest of the country, the face of Wisconsin is rapidly changing. Between the 1990 and 2000 census, the percentage of the state's population made up of people of color increased from 9% to 13%, or from 427,092 to 682,045 of the state population (Figure 12).²¹ Some regions experienced even more dramatic growth. For example, the percentage of the population of the city of Milwaukee who are people of color increased from 37% to 50%.

Figure 12
Persons of Color in Wisconsin, 1990 and 2000



As figure 1 indicates, Hispanic/Latinos are the fastest growing segment of Wisconsin's population, increasing from 2% to 4% of the state population. African Americans increased from 5% to 6% of the state population. American Indians continue to represent 1% of the state population. Asians (including Native Hawaiians) grew from 1% to 2% of the state total.

Between 1990 and 2000, counties have experienced significant growth in communities of color. For example, the number of Hispanic/Latino residents has almost doubled (45,000 to 82,000) in Milwaukee County and more than quadrupled (2,000 to 9,000) in Brown County. In Marathon County, the Hmong population doubled from 2,000 to 4,000 residents. African American and American Indian communities are also growing.

As the state continues to grow, stepped-up early intervention programs must be expanded to prevent these populations from falling farther behind. Cohort-based models like PEOPLE are highly effective, but costly, at about \$5,000 per student per year. Other programs have waiting lists because of insufficient funding to accommodate all students. In general, programs are financially stressed and cannot keep pace with rapidly expanding populations who have growing educational needs.

3. Assessment

Assessment of programs that address the goals of *Plan 2008* is complex under the best of circumstances. There are many variables that impact the success of students, the hiring of faculty and staff, and the achievement of educational outcomes. In addition, success can only be measured after we have been able to accumulate data over a time horizon that extends beyond the five years of Phase I of the plan. We have just begun to amass the kind of data that are necessary to assess the effectiveness of the various programs that have been implemented by UW institutions. As we enter Phase II, we will begin to have enough years of data to allow for such assessment of results, and ensure that we focus our limited resources on those efforts that are successful, and modify or discontinue those that are not.

There are also data gaps that must be filled. For example, at present we are only able to track participants in our pre-college programs who enroll at UW System institutions, and therefore miss those who pursue technical college education, or enroll at private institutions or public institutions outside of the state.

Summary

The Board of Regents took a bold step in 1998 when it adopted *Plan 2008*. We have made significant strides during the first five years of the plan. We have had disappointments, faced challenges, and learned a great deal. We can take pride in the accomplishments, at the same time that we refocus our energies in the areas that present the most vexing challenges.

As the UW System looks forward to the next five years of *Plan 2008*, the State, the Board of Regents, UW System Administration, and UW institutional leaders all play a role in ensuring our continued progress in Phase II. *Plan 2008* must be a critical component of our overall diversity efforts, all aimed at assuring student success and meeting state needs. This can only occur in an environment in which higher education is accessible to, and welcoming and supportive of all students; one that recognizes and effectively addresses the varied challenges and needs of students and staff. A UW education prepares students for success in work and life while the state is provided citizens prepared to address the most urgent of our economic and social challenges. Enhancing diversity is a shared responsibility, and encompasses race and ethnicity in addition to other personal characteristics of our students and staff. Addressing the goals of *Plan 2008* plays a central role in meeting this responsibility. In Phase II of *Plan 2008*, we must continue to address the barriers to access for underrepresented student populations, enhance student success for those underrepresented populations in particular, and all students in general, and thereby prepare the next generation of citizens and leaders to serve the emerging needs of our state.

Appendix A

Seven Goals of *Plan 2008*

- GOAL #1 Increase the number of Wisconsin high school graduates of color who apply, are accepted, and enroll at UW System institutions.
- GOAL #2 Encourage partnerships that build the educational pipeline by reaching children and their parents at an earlier age.
- GOAL #3 Close the gap in educational achievement, by bringing retention and graduation rates for students of color in line with those of the student body as a whole.
- GOAL #4 Increase the amount of financial aid available to needy students and reduce their reliance on loans.
- GOAL #5 Increase the number of faculty, academic staff, classified staff and administrators of color, so that they are represented in the UW System workforce in proportion to their current availability in relevant job pools. In addition, work to increase their future availability as potential employees.
- GOAL #6 Foster institutional environments and course development that enhance learning and a respect for racial and ethnic diversity.
- GOAL #7 Improve accountability of the UW System and its institutions.

Appendix B

Table A
UW System Minority/Disadvantaged Program Funding ^(a)
1998-99 All Fund Expenditures

Institution	1997-98	1998-99					
	Total Program Funds & Scholarships	Total Program Funds & Scholarships	Fund 402 M/D Appropriation 20.285(4)(a) Expenditures	Other State Funds Reallocated to M/D Programs	Extramural Funds	Total M/D Program Funds ^(b)	Institutional Scholarships ^(c)
Madison	\$5,961,794	\$6,530,945	\$1,287,698	\$2,361,766	\$915,158	\$4,564,622	\$1,966,323
Milwaukee	\$4,920,678	\$5,354,016	\$1,877,300	\$1,279,622	\$1,361,506	\$4,518,428	\$835,588
Eau Claire	\$1,170,005	\$1,306,450	\$114,869	\$344,260	\$717,144	\$1,176,273	\$130,177
Green Bay	\$785,039	\$886,317	\$79,875	\$54,657	\$669,599	\$804,131	\$82,186
La Crosse	\$1,233,743	\$1,427,708	\$106,262	\$528,785	\$770,161	\$1,405,208	\$22,500
Oshkosh	\$760,927	\$769,870	\$380,828	\$24,959	\$349,982	\$755,769	\$14,110
Parkside	\$506,946	\$536,327	\$232,147	\$11,944	\$250,861	\$494,952	\$41,375
Platteville	\$354,222	\$376,626	\$89,453	\$55,119	\$231,854	\$376,426	\$200
River Falls	\$398,203	\$387,864	\$140,634	\$8,383	\$238,847	\$387,864	\$0
Stevens Point	\$899,476	\$865,650	\$202,258	\$150,995	\$512,397	\$865,650	\$0
Stout	\$740,304	\$633,727	\$218,843	\$108,040	\$298,844	\$625,727	\$8,000
Superior	\$396,354	\$509,496	\$87,029	\$197,647	\$224,820	\$509,496	\$0
Whitewater	\$1,556,414	\$1,621,016	\$671,740	\$84,204	\$865,072	\$1,621,016	\$0
Colleges	\$662,282	\$704,211	\$160,502	\$41,990	\$501,719	\$704,211	\$0
Extension	\$112,045	\$124,604	\$75,782	\$48,822	\$0	\$124,604	\$0
WCWC ^(d)	\$39,670	\$43,968	\$43,968	\$0	\$0	\$43,968	\$0
Systemwide	\$452,900	\$504,760	\$170,375	\$334,385	\$0	\$504,760	\$0
Total	\$20,951,002	\$22,583,564	\$5,939,563	\$5,635,578	\$7,907,964	\$19,483,105	\$3,100,459

Source: UW System Office of Budget and Planning.

- (a) Does not include fringe benefits. Also excludes Advanced Opportunity Program, Lawton Undergraduate Minority Retention Grants, and other financial aid allocated by UW System to the institutions. Includes pre-college and institutional scholarships.
- (b) Includes program revenue funds from auxiliaries and special courses.
- (c) Reflects institution awarded scholarships that go through institutional accounts. Does not reflect scholarships administered by foundations.
- (d) WCWC expenditures are as follows: UW-Eau Claire, \$13,824; UW-River Falls, \$5,000; UW-Stout, \$5,055; and UW-Superior, \$20,089.

Table B

**UW System Minority/Disadvantaged Program Funding ^(a)
2002-03 All Fund Expenditures**

Institution	2001-02	2002-03					
	Total Program Funds & Scholarships	Total Program Funds & Scholarships	Fund 402 M/D Appropriation 20.285 (4) (a) Expenditures	Other State Funds Reallocated to M/D Programs	Extramural Funds	Total M/D Program Funds (b)	Institutional Scholarships (c)
Madison	\$8,793,611	\$11,080,470	\$1,751,560	\$3,881,071	\$938,669	\$6,571,300	\$4,509,170
Milwaukee	\$8,136,589	\$8,034,643	\$2,203,353	\$1,403,886	\$3,178,169	\$6,785,408	\$1,249,235
Eau Claire	\$2,201,753	\$2,179,972	\$232,816	\$348,377	\$1,435,819	\$2,017,012	\$162,960
Green Bay	\$1,153,204	\$1,100,887	\$149,738	\$99,593	\$743,928	\$993,259	\$107,628
La Crosse	\$2,427,415	\$2,093,860	\$219,415	\$486,268	\$1,388,177	\$2,093,860	\$0
Oshkosh	\$953,315	\$1,014,879	\$510,492	\$9,152	\$444,119	\$963,763	\$51,116
Parkside	\$844,950	\$931,971	\$354,201	\$145,185	\$396,227	\$895,613	\$36,358
Platteville	\$493,624	\$475,102	\$163,332	\$70,529	\$241,241	\$475,102	\$0
River Falls	\$818,725	\$832,342	\$174,183	\$26,800	\$631,359	\$832,342	\$0
Stevens Point	\$1,081,682	\$1,056,195	\$285,960	\$177,504	\$585,731	\$1,049,195	\$7,000
Stout	\$1,088,052	\$1,280,981	\$318,013	\$98,772	\$848,696	\$1,265,481	\$15,500
Superior	\$981,122	\$1,047,868	\$161,248	\$204,295	\$662,097	\$1,027,640	\$20,228
Whitewater	\$1,767,873	\$1,770,126	\$864,346	\$45,780	\$860,000	\$1,770,126	\$0
Colleges	\$1,158,412	\$1,128,368	\$281,940	\$58,930	\$779,048	\$1,119,918	\$8,450
Extension	\$129,723	\$125,782	\$100,418	\$25,364	\$0	\$125,782	\$0
Systemwide	\$1,081,277	\$1,111,817	\$564,655	\$170,331	\$376,831	\$1,111,817	\$0
Total	\$33,111,327	\$35,265,263	\$8,335,670	\$7,251,837	\$13,510,111	\$29,097,618	\$6,167,645

Source: UW System Office of Budget and Planning.

(a) Does not include fringe benefits. Also excludes Advanced Opportunity Program, Lawton Undergraduate Minority Retention Grants, and other financial aid allocated by institutions. Includes pre-college and institutional scholarships.

(b) Includes program revenue funds from auxiliaries and special courses.

(c) Reflects institution awarded scholarships that go through institutional accounts. Does not reflect scholarships administered by foundations.

Appendix C

Table 1
UW System Pre-college Participation, 2002-03

<u>Institution</u>	
UW-Eau Claire	789
UW-Green Bay	379
UW-La Crosse	642
UW-Madison	1,405
UW-Milwaukee	7,842
UW-Oshkosh	214
UW-Parkside	601
UW-Platteville	152
UW-River Falls	97
UW-Stevens Pt	431
UW-Stout	182
UW-Superior	141
UW-Whitewater	1,436
UW-Colleges	645
TOTAL	14,956

<u>UW-Colleges</u>	
Baraboo	57
Barron	89
Fond du Lac	0
Fox Valley	47
Manitowoc	88
Marathon	61
Marinette	31
Marshfield	0
Richland	43
Rock County	74
Sheboygan	36
Washington	0
Waukesha	119
Subtotal	
TOTAL	645

Source: UW System Office of Academic Diversity and Development.

Table 2
UW System Total Students of Color Enrollment by Institution
Fall 1998 to Fall 2003

	Fall 1998	Fall 1999	Fall 2000	Fall 2001	Fall 2002	Fall 2003	Percent Change 1998- 2003	Number Change 1998-2003
UW-Eau Claire	452	470	470	520	502	507	12.17%	55
UW-Green Bay	296	273	292	298	292	303	2.36%	7
UW-La Crosse	385	426	451	459	452	486	26.23%	101
UW-Milwaukee	3,746	3,805	3,864	4,045	4,007	3924	4.75%	178
UW-Madison	3,704	3,807	3,665	3,734	3,905	4037	8.99%	333
UW-Oshkosh	426	429	414	475	503	576	35.21%	150
UW-Parkside	721	810	856	911	905	902	25.10%	181
UW-Platteville	169	156	177	175	216	214	26.63%	45
UW-River Falls	198	228	249	282	299	343	73.23%	145
UW-Stout	286	293	290	292	333	331	15.73%	45
UW-Stevens Point	257	269	264	285	334	398	54.86%	141
UW-Superior	98	106	97	129	131	114	16.33%	16
UW-Whitewater	690	713	762	789	848	896	29.86%	206
UW Colleges	463	525	584	771	831	808	74.51%	345
TOTAL	11,891	12,310	12,435	13,165	13,558	13,839	16.38%	1,948

Source: UW System Office of Policy Analysis and Research.

Table 3

**UW System Total Student Enrollment by Race/Ethnicity, Gender and Institution
Fall 1998**

Fall 1998	Gender	MSN	MIL	EAU	GBY	LAC	OSH	PKS	PLT	RVF	STP	STO	SUP	WTW	UWC	TOTAL
African-American	Male	388	695	40	18	51	62	113	32	22	23	45	14	193	102	1,798
African-American	Female	463	1,228	33	24	35	45	236	13	13	15	30	3	179	38	2,355
Hispanic/Latino	Male	469	362	33	15	40	48	122	29	18	26	22	7	81	64	1,336
Hispanic/Latino	Female	516	429	62	30	38	58	140	17	29	31	22	10	87	70	1,539
American Indian	Male	106	74	31	41	24	27	11	8	10	34	17	20	20	28	451
American Indian	Female	126	115	51	81	27	35	12	8	7	34	18	27	14	32	587
SE Asian American	Male	123	163	58	31	41	29	6	14	22	30	57	2	15	33	624
SE Asian American	Female	101	166	52	25	35	37	10	3	12	21	18	0	16	24	520
Other Asian American	Male	672	253	31	13	45	39	34	27	20	21	21	5	50	32	1,263
Other Asian American	Female	740	261	61	18	49	46	37	18	45	22	36	10	35	40	1,418
SOC Subtotal	Male	1,758	1,547	193	118	201	205	286	110	92	134	162	48	359	259	5,472
	Female	1,946	2,199	259	178	184	221	435	59	106	123	124	50	331	204	6,419
International	Male	2,110	411	79	44	84	59	20	21	15	116	65	42	68	37	3,171
International	Female	1,231	281	111	46	56	48	11	9	15	84	64	32	79	54	2,121
White/Other	Male	15,155	8,198	3,977	1,879	3,654	4,251	1,648	3,032	2,034	3,498	3,689	998	4,495	3,981	60,489
White/Other	Female	17,317	9,964	6,063	3,338	5,111	5,985	2,255	1,785	3,308	4,562	3,500	1,462	5,296	5,308	75,254
Total		39,517	22,600	10,682	5,603	9,290	10,769	4,655	5,016	5,570	8,517	7,604	2,632	10,628	9,843	152,926

Source: UW System Office of Policy Analysis and Research.

Table 3

**UW System Total Student Enrollment by Race/Ethnicity, Gender and Institution
Fall 2003**

Fall 2003	Gender	MSN	MIL	EAU	GBY	LAC	OSH	PKS	PLAT	RVF	STP	STO	SUP	WHT	UWC	TOTAL
African-American	Male	444	582	36	23	40	55	146	47	49	39	62	17	181	103	1,824
African-American	Female	522	1,195	17	20	33	62	280	28	25	26	28	8	200	73	2,517
Hispanic/Latino	Male	494	383	41	21	63	51	133	26	34	41	32	5	106	101	1,531
Hispanic/Latino	Female	536	535	65	23	72	89	186	19	47	44	32	5	136	126	1,915
American Indian	Male	100	73	25	21	22	29	13	10	12	41	13	21	21	31	432
American Indian	Female	124	115	39	62	39	57	13	8	15	30	17	38	20	47	624
SE Asian American	Male	186	254	71	44	53	43	23	9	46	56	48	2	53	38	926
SE Asian American	Female	210	272	89	59	53	70	18	2	56	64	25	3	69	29	1,019
Other Asian American	Male	683	255	42	18	50	51	42	47	19	22	24	5	50	131	1,439
Other Asian American	Female	738	260	82	22	61	69	48	18	40	35	50	10	60	129	1,622
	Male	1,907	1,547	215	127	228	229	357	139	160	199	179	50	411	404	6,152
SOC Subtotal	Female	2,130	2,377	292	176	258	347	545	75	183	199	152	64	485	404	7,687
International	Male	2,133	383	58	40	69	58	50	51	18	77	51	95	66	27	3,176
International	Female	1,430	295	71	29	56	41	36	59	33	71	31	70	69	23	2,314
White/Other	Male	15,458	9,058	3,932	1,692	3,197	4,072	1,788	3,507	2,064	3,565	3,620	987	4,310	5,090	62,340
White/Other	Female	17,711	11,215	6,031	3,384	4,938	6,266	2,296	2,303	3,341	4,639	3,675	1,566	5,207	6,462	79,034
Total		40,769	24,875	10,599	5,448	8,746	11,013	5,072	6,134	5,799	8,750	7,708	2,832	10,548	12,410	160,703

Source: UW System Office of Policy Analysis and Research.

Table 4
University of Wisconsin System Six Year Graduation Rates at Any UW Institution
First-time, Full-time, New Freshmen
Fall 1997 Cohort

	Institution	African American	American Indian	Southeast Asian	Asian American	Total Asian	Latino/ Hispanic	Students of Color	White	Total**
	UW-Madison									
	Cohort	119	17	34	223	257	127	520	5,148	5,828
	Graduates	71	7	17	156	173	80	331	4,193	4,556
	Graduation Rate	59.7	41.2	50.0	70.0	67.3	63.0	63.7	81.4	78.2
	UW-Milwaukee									
	Cohort	194	17	41	54	95	87	393	1,866	2,272
	Graduates	29	6	9	24	33	22	90	888	980
	Graduation Rate	14.9	35.3	22.0	44.4	34.7	25.3	22.9	47.6	43.1
	UW-Eau Claire									
	Cohort	17	12	40	16	56	28	113	2,031	2,160
	Graduates	10	6	17	6	23	16	55	1,336	1,396
	Graduation Rate	58.8	50.0	42.5	37.5	41.1	57.1	48.7	65.8	64.6
	UW-Green Bay									
	Cohort	4	8	8	6	14	4	30	859	895
	Graduates	*	*	*	*	6	*	8	503	512
	Graduation Rate	*	*	*	*	42.9	*	26.7	58.6	57.2
	UW-La Crosse									
	Cohort	13	12	5	27	32	21	78	1,620	1,700
	Graduates	*	*	*	11	14	10	33	1,127	1,160
	Graduation Rate	*	*	*	40.7	43.8	47.6	42.3	69.6	68.2
	UW-Oshkosh									
	Cohort	16	9	11	6	17	13	55	1,656	1,719
	Graduates	*	*	*	*	7	7	18	905	927
	Graduation Rate	*	*	*	*	41.2	53.8	32.7	54.6	53.9
	UW-Parkside									
	Cohort	78	5	2	9	11	47	141	583	726
	Graduates	23	*	*	6	7	13	45	235	282
	Graduation Rate	29.5	*	*	66.7	63.6	27.7	31.9	40.3	38.8
	UW-Platteville									
	Cohort	8	6	2	9	11	11	36	940	978
	Graduates	*	*	*	*	*	*	15	537	552
	Graduation Rate	*	*	*	*	*	*	41.7	57.1	56.4

Table 4
University of Wisconsin System Six Year Graduation Rates at Any UW Institution
First-time, Full-time, New Freshmen
Fall 1997 Cohort

	Institution	African American	American Indian	Southeast Asian	Asian American	Total Asian	Latino/ Hispanic	Students of Color	White	Total**
	UW-River Falls									
	Cohort	3	7	8	11	19	13	42	1,100	1,144
	Graduates	*	*	*	7	11	*	17	674	691
	Graduation Rate	*	*	*	63.6	57.9	*	40.5	61.3	60.4
	UW-Stevens Point									
	Cohort	8	15	5	9	14	7	44	1,445	1,527
	Graduates	*	6	*	*	8	*	21	947	975
	Graduation Rate	*	40.0	*	*	57.1	*	47.7	65.5	63.9
	UW-Stout									
	Cohort	12	9	8	8	16	9	46	1,185	1,241
	Graduates	*	*	*	*	6	*	15	609	630
	Graduation Rate	*	*	*	*	37.5	*	32.6	51.4	50.8
	UW-Superior									
	Cohort	4	13	0	3	3	2	22	300	326
	Graduates	*	*	*	*	*	*	*	116	121
	Graduation Rate	*	*	*	*	*	*	*	38.7	37.1
	UW-Whitewater									
	Cohort	77	4	2	12	14	28	123	1,745	1,881
	Graduates	28	*	*	*	7	8	46	1,054	1,105
	Graduation Rate	36.4	*	*	*	50.0	28.6	37.4	60.4	58.7
	UW Comprehensives									
	Cohort	240	100	91	116	207	183	730	13,464	14,297
	Graduates	82	31	40	55	95	69	277	8,043	8,351
	Graduation Rate	34.2	31.0	44.0	47.4	45.9	37.7	37.9	59.7	58.4
	UW Systemwide									
	Cohort	553	134	166	393	559	397	1,643	20,478	22,397
	Graduates	182	44	66	235	301	171	698	13,124	13,887
	Graduation Rate	32.9	32.8	39.8	59.8	53.8	43.1	42.5	64.1	62.0
	Source: UW System Administration, Office of Policy Analysis and Research.									
	* To protect student privacy, numbers and rates are not shown when there are 5 or fewer graduates.									
	** Total includes international students. Data are insufficient to report separate rates for international students.									

Table 5

**The University of Wisconsin System
Associate, Bachelors, Graduate and Professional Degrees Conferred
July 1 through June 30
By Degree Level and Race/Ethnicity**

Degree Race/Ethnicity	1997-98 (benchmark year)	1998-99	1999-00	2000-01	2001-02	2002-03	Num.Change 1998-99 to 2002-03	% Change 1998-99 to 2002-03
Associate								
African American	4	8	6	13	15	9	1	13%
American Indian	7	7	5	15	3	6	-1	-14%
Asian American	10	13	11	9	13	25	12	92%
Hispanic/Latino	8	5	13	9	17	9	4	80%
Subtotal	29	33	35	46	48	49	16	48%
International	9	12	13	9	8	12	0	0%
White/Other	753	780	981	914	1,108	1,174	394	51%
Total	791	825	1,029	969	1,164	1,235	410	50%
Bachelors								
African American	360	362	361	382	386	404	42	12%
American Indian	98	105	115	108	104	120	15	14%
Asian American	481	449	464	535	490	507	58	13%
Hispanic/Latino	317	277	302	349	310	332	55	20%
Subtotal	1256	1193	1242	1374	1290	1363	170	14%
International	527	514	487	519	474	445	-69	-13%
White/Other	17,851	18,033	18,272	19,034	19,540	19,618	1585	9%
Total	19,634	19,740	20,001	20,927	21,304	21,426	1686	9%
Masters								
African American	113	124	153	124	159	142	18	15%
American Indian	22	27	24	25	38	22	-5	-19%
Asian American	112	108	107	121	112	112	4	4%
Hispanic/Latino	96	89	94	99	109	90	1	1%
Subtotal	343	348	378	369	418	366	18	5%
International	654	585	609	693	539	692	107	18%
White/Other	3,703	3,931	3,692	3,890	4,126	4,092	161	4%
Total	4,700	4,864	4,679	4,952	5,083	5,150	286	6%

Degree Race/Ethnicity	1997-98 (benchmark year)	1998-99	1999-00	2000-01	2001-02	2002-03	Num.Change 1998-99 to 2002-03	% Change 1998-99 to 2002-03
PhD								
African American	12	7	11	14	16	24	17	243%
American Indian	3	5	6	2	1	5	0	0%
Asian American	22	20	19	28	21	21	1	5%
Hispanic/Latino	18	17	21	22	25	11	-6	-35%
Subtotal	55	49	57	66	63	61	12	24%
International	247	225	225	213	237	236	11	5%
White/Other	557	524	525	480	436	429	-95	-18%
Total	859	798	807	759	736	726	-72	-9%
Professional								
African American	41	36	32	30	28	19	-17	-47%
American Indian	9	15	14	12	10	6	-9	-60%
Asian American	29	24	31	43	33	43	19	79%
Hispanic/Latino	35	33	24	27	27	16	-17	-52%
Subtotal	114	108	101	112	98	84	-24	-22%
International	14	18	17	14	14	15	-3	-17%
White/Other	426	429	392	484	495	519	90	21%
Total	554	555	510	610	607	618	63	11%
Grand Total								
African American	530	537	563	563	604	588	51	9%
American Indian	139	159	164	162	156	159	0	0%
Asian American	654	614	632	736	669	708	94	15%
Hispanic/Latino	474	421	454	506	488	458	37	9%
Subtotal	1,797	1,731	1,813	1,967	1,917	1,923	192	11%
International	1,451	1,354	1,351	1,448	1,272	1,398	44	3%
White/Other	23,290	23,697	23,862	24,802	25,705	25,832	2,135	9%
Total	26,538	26,782	27,026	28,217	28,894	29,153	2,371	9%

Source: UW System Office of Policy Analysis and Research.

Table 6a

**UW System Faculty of Color by UW Institution
2003-04**

Institution	Asian American		African American (Non-Hispanic)		Hispanic/Latino		Native American		White (Non-Hispanic)		Total	
	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total
Madison	176	8.2%	53	2.5%	71	3.3%	10	0.5%	1,836	85.6%	2,146	100%
Milwaukee	102	13.1%	46	5.9%	22	2.8%	11	1.4%	596	76.7%	777	100%
Eau Claire	22	5.8%	8	2.1%	4	1.1%	6	1.6%	340	89.5%	380	100%
Green Bay	12	7.7%	1	0.6%	8	5.1%	3	1.9%	132	84.6%	156	100%
La Crosse	21	7.0%	7	2.3%	9	3.0%	3	1.0%	259	86.6%	299	100%
Oshkosh	26	7.4%	6	1.7%	6	1.7%	1	0.3%	314	89.0%	353	100%
Parkside	15	11.8%	8	6.3%	4	3.1%	-	0.0%	100	78.7%	127	100%
Platteville	20	9.7%	10	4.9%	4	1.9%	2	1.0%	170	82.5%	206	100%
River Falls	9	4.2%	2	0.9%	4	1.9%	-	0.0%	199	93.0%	214	100%
Stevens Point	18	5.2%	2	0.6%	3	0.9%	1	0.3%	321	93.0%	345	100%
Stout	18	7.0%	6	2.3%	3	1.2%	1	0.4%	229	89.1%	257	100%
Superior	3	3.1%	1	1.0%	1	1.0%	4	4.1%	89	90.8%	98	100%
Whitewater	29	9.1%	9	2.8%	10	3.1%	1	0.3%	270	84.6%	319	100%
Colleges	18	6.2%	5	1.7%	8	2.8%	1	0.3%	257	88.9%	289	100%
Extension	1	0.4%	2	0.7%	1	0.4%	1	0.4%	279	98.2%	284	100%
Total	490	7.8%	166	2.7%	158	2.5%	45	0.7%	5,391	86.3%	6,250	100%

Source: UW System Office of Human Resources.

Table 6b

**UW System Academic Staff of Color by UW Institution
2003-04**

Institution	Asian American		African American (Non-Hispanic)		Hispanic/Latino		Native American		White (Non-Hispanic)		Total	
	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total
Madison	393	6.2%	80	1.3%	139	2.2%	22	0.3%	5,730	90.0%	6,364	100%
Milwaukee	35	2.9%	99	8.1%	40	3.3%	8	0.7%	1,043	85.1%	1,225	100%
Eau Claire	6	1.7%	4	1.2%	5	1.4%	3	0.9%	327	94.8%	345	100%
Green Bay	2	1.1%	7	3.7%	3	1.6%	1	0.5%	174	93.0%	187	100%
La Crosse	12	3.4%	4	1.1%	2	0.6%	4	1.1%	329	93.7%	351	100%
Oshkosh	23	3.9%	10	1.7%	15	2.5%	8	1.3%	541	90.6%	597	100%
Parkside	9	3.5%	11	4.3%	15	5.9%	1	0.4%	220	85.9%	256	100%
Platteville	4	1.7%	6	2.6%	2	0.9%	1	0.4%	222	94.5%	235	100%
River Falls	2	0.9%	4	1.9%	2	0.9%	1	0.5%	206	95.8%	215	100%
Stevens Point	8	2.5%	5	1.6%	2	0.6%	3	0.9%	300	94.3%	318	100%
Stout	10	3.0%	5	1.5%	6	1.8%	3	0.9%	307	92.7%	331	100%
Superior	1	0.7%	2	1.3%	4	2.7%	2	1.3%	141	94.0%	150	100%
Whitewater	13	3.9%	17	5.1%	8	2.4%	1	0.3%	295	88.3%	334	100%
Colleges	16	3.0%	5	1.0%	5	1.0%	1	0.2%	498	94.9%	525	100%
Extension	6	1.1%	23	4.2%	19	3.5%	7	1.3%	495	90.0%	550	100%
System	1	2.2%	1	2.2%	3	6.5%	1	2.2%	40	87.0%	46	100%
Total	541	4.5%	283	2.4%	270	2.2%	67	0.6%	10,868	90.3%	12,029	100%

Source: UW System Office of Human Resources.

Table 6c

**UW System Classified Staff of Color by UW Institution
2003-04**

Institution	Asian American		African American (Non-Hispanic)		Hispanic/Latino		Native American		White (Non-Hispanic)		Total	
	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total
Madison	160	3.1%	119	2.3%	160	3.1%	18	0.4%	4,662	91.1%	5,119	100%
Milwaukee	15	1.6%	202	21.3%	25	2.6%	10	1.1%	697	73.4%	949	100%
Eau Claire	6	1.4%	1	0.2%	2	0.5%	1	0.2%	408	97.6%	418	100%
Green Bay	2	1.0%	1	0.5%	1	0.5%	2	1.0%	198	97.1%	204	100%
La Crosse	5	1.6%	2	0.6%	1	0.3%	7	2.3%	295	95.2%	310	100%
Oshkosh	6	1.4%	3	0.7%	5	1.2%	-	0.0%	416	96.7%	430	100%
Parkside	3	1.6%	12	6.3%	8	4.2%	1	0.5%	165	87.3%	189	100%
Platteville	1	0.4%	1	0.4%	1	0.4%	1	0.4%	230	98.3%	234	100%
River Falls	2	0.9%	-	0.0%	1	0.5%	1	0.5%	216	98.2%	220	100%
Stevens Point	1	0.3%	4	1.1%	10	2.7%	-	0.0%	355	95.9%	370	100%
Stout	5	1.2%	2	0.5%	3	0.7%	3	0.7%	399	96.8%	412	100%
Superior		0.0%	-	0.0%	-	0.0%	5	3.3%	145	96.7%	150	100%
Whitewater	1	0.3%	2	0.5%	5	1.3%	2	0.5%	362	97.3%	372	100%
Colleges	2	0.8%	3	1.2%	2	0.8%	-	0.0%	241	97.2%	248	100%
Extension	6	2.5%	11	4.6%	1	0.4%	1	0.4%	221	92.1%	240	100%
System	2	1.6%	1	0.8%	1	0.8%	-	0.0%	121	96.8%	125	100%
Total	217	2.2%	364	3.6%	226	2.3%	52	0.5%	9,131	91.4%	9,990	100%

Source: UW System Office of Human Resources.

Table 6d

**UW System Limited Term Staff of Color by UW Institution
2003-04**

Institution	Asian American		African American (Non-Hispanic)		Hispanic/Latino		Native American		White (Non-Hispanic)		Total	
	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total
Madison	8	1.6%	26	5.4%	10	2.1%	1	0.2%	440	90.7%	485	100%
Milwaukee	4	2.1%	12	6.3%	3	1.6%	2	1.0%	171	89.1%	192	100%
Eau Claire	-	0.0%	1	2.2%	-	0.0%	1	2.2%	44	95.7%	46	100%
Green Bay	-	0.0%	4	6.7%	2	3.3%	-	0.0%	54	90.0%	60	100%
La Crosse	1	1.8%	5	9.1%	-	0.0%	1	1.8%	48	87.3%	55	100%
Oshkosh	-	0.0%	3	15.0%	-	0.0%	-	0.0%	17	85.0%	20	100%
Parkside	-	0.0%	1	3.4%	-	0.0%	-	0.0%	28	96.6%	29	100%
Platteville	-	0.0%	-	0.0%	-	0.0%	-	0.0%	24	100.0%	24	100%
River Falls	-	0.0%	-	0.0%	-	0.0%	-	0.0%	25	100.0%	25	100%
Stevens Pt.	-	0.0%	-	0.0%	-	0.0%	-	0.0%	25	100.0%	25	100%
Stout	-	0.0%	1	2.3%	-	0.0%	-	0.0%	43	97.7%	44	100%
Superior	-	0.0%	-	0.0%	-	0.0%	-	0.0%	23	100.0%	23	100%
Whitewater	1	2.0%	3	5.9%	-	0.0%	-	0.0%	47	92.2%	41	100%
Colleges	-	0.0%	3	5.3%	1	1.8%	1	1.8%	52	91.2%	57	100%
Extension	1	1.6%	3	4.8%	4	6.3%	-	0.0%	55	87.3%	63	100%
System	2	3.8%	2	3.8%	1	1.9%	-	0.0%	47	90.4%	52	100%
Total	17	1.4%	64	5.1%	21	1.7%	6	0.5%	1,143	91.4%	1,251	100%

Source: UW System Office of Human Resources.

Table 6e

**UW System Total Staff of Color by UW Institution
2003-04**

Institution	Asian American		African American (Non-Hispanic)		Hispanic/Latino		Native American		White (Non-Hispanic)		Total	
	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total	Number	% of Campus Total
Madison	737	5.2%	278	2.0%	380	2.7%	51	0.4%	12,668	89.8%	14,114	100%
Milwaukee	156	5.0%	359	42.2%	90	2.9%	31	1.0%	2,507	79.8%	3,143	100%
Eau Claire	34	3.0%	13	1.5%	11	1.0%	10	0.9%	1,075	94.1%	1,143	100%
Green Bay	16	2.9%	9	1.1%	12	2.2%	6	1.1%	504	92.1%	547	100%
La Crosse	38	4.0%	13	1.5%	12	1.3%	14	1.5%	883	92.0%	960	100%
Oshkosh	55	4.0%	19	2.2%	26	1.9%	9	0.7%	1,271	92.1%	1,380	100%
Parkside	27	4.7%	31	3.6%	27	4.7%	2	0.3%	485	84.8%	572	100%
Platteville	25	3.7%	17	2.0%	7	1.0%	4	0.6%	622	92.1%	675	100%
River Falls	13	2.0%	6	0.7%	7	1.1%	2	0.3%	621	95.7%	649	100%
Stevens Point	27	2.6%	11	1.3%	15	1.5%	4	0.4%	976	94.5%	1,033	100%
Stout	33	3.3%	13	1.5%	12	1.2%	7	0.7%	935	93.5%	1,000	100%
Superior	4	1.0%	3	0.4%	5	1.3%	11	2.8%	375	94.2%	398	100%
Whitewater	43	4.2%	28	3.3%	23	2.2%	4	0.4%	927	90.4%	1,025	100%
Colleges	36	3.4%	13	1.5%	15	1.4%	2	0.2%	996	93.8%	1,062	100%
Extension	13	1.2%	36	4.2%	21	2.0%	9	0.8%	995	92.6%	1,074	100%
System	3	1.8%	2	0.2%	4	2.3%	1	0.6%	161	94.2%	171	100%
Total	1,260	4.4%	851	2.9%	667	2.3%	167	0.6%	26,001	89.8%	28,946	100%

Source: UW System Office of Human Resources.

Endnotes

- ¹ *Plan 2008: Educational Quality Through Racial and Ethnic Diversity, Biennial Report, Fall 2001*. UW System Board of Regents, October, 2001.
<http://www.uwsa.edu/oadd/oadd.html>, *Plan 2008: Biennial Final Report*, October 2001.
- ² Source: UW System Office of Policy Analysis and Research. Graduates as a percentage of 9th grade enrollments 4 years earlier, calculated from data compiled by the Western Interstate Commission for Higher Education (WICHE).
- ³ Source: DPI website School Performance Report at <http://www2.dpi.state.wi.us/wsas/statewkce.asp>.
- ⁴ Table 1 Source: UW System Office of Policy Analysis and Research.
- ⁵ Table 2 Source: UW System Office of Policy Analysis and Research.
- ⁶ Figures 2 and 3 Sources: UW System Office of Policy Analysis and Research.
- ⁷ Figure 5 Source: UW System Office of Policy Analysis and Research.
- ⁸ Figure 1 Source: UW System Office of Policy Analysis and Research.
- ⁹ UW Institutions that received 2002 Upward Bound TRIO funding include UW-Eau Claire, UW-Green Bay, UW-La Crosse, UW-Manitowoc, UW-Milwaukee, UW-River Falls, UW-Stevens Point, UW-Superior, and UW-Whitewater.
- ¹⁰ Source: DPI website School Performance Report at <http://www2.dpi.state.wi.us/wsas/statewkce.asp>.
- ¹¹ American Multicultural Student Leadership Conference (AMSLC) Graduate School Survey, October 2003.
- ¹² Table 3 Source: UW System Office of Policy Analysis and Research.
- ¹³ Figures 6 & 7 Source: UW System Office of Policy Analysis and Research.
- ¹⁴ UW System Office of Policy Analysis and Research.
- ¹⁵ Table 4 Source: UW System Office of Budget and Planning.
- ¹⁶ Total Fixed Charges is defined as tuition and fees plus room and board. Income data ranges are 2001 figures updated using changes in the CPI. Source: Annual Survey of Colleges, The College Board, New York, NY; pre-1987-88 tuition data are from Integrated Postsecondary Education Data System (IPEDS), U.S. Department of Education, National Center for Education Statistics; income data from the U.S. Department of Commerce, Bureau of Labor Statistics. Lowest income quintile (up to \$25,207 for 2003), middle income quintile (range = \$43,196 to \$65,644 in 2003), and high income quintile (range = \$98,886 or more in 2003).

¹⁷ Figure 10 and 11 Source: UW System Office of Human Resources.

¹⁸ University of Wisconsin Introduction, 1998-99 and 2002-03 Undergraduate Programs.

¹⁹ UW System Administration, Office of Academic and Student Services, December, 2003.

²⁰ (a) Does not include fringe benefits. Also excludes Advanced Opportunity Program, Lawton Undergraduate Minority Retention Grants, and other financial aid allocated by UW System to the institutions. Includes precollege and institutional scholarships.

(b) Includes program revenue funds from auxiliaries and special courses.

(c) Reflects institution awarded scholarships that go through institutional accounts. Does not reflect scholarships administered by foundations.

²¹ Figure 12 Source: UW System Office of Policy Analysis and Research and U.S. Census. People of color include African Americans, Hispanics (any race), Asians, and American Indians. Under the U.S. Census definition, persons of Hispanic origin can be of any race.

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BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

I. Items for consideration in Regent Committees

1. Education Committee - Thursday, April 1, 2004
The Pyle Center, Room 226
702 Langdon Street, Madison
2:00 p.m.

10:00 a.m. Regent Study Groups

12:30 Box Lunch

1:00 p.m. All Regents

- Report on Diversity: A Wisconsin Commitment, An American Imperative.

2:00 p.m. Education Committee

- a. Approval of the minutes of the March 4, 2004 meeting of the Education Committee.
- b. Discussion: All-Regent Sessions.
- c. Report of the Senior Vice President for Academic Affairs:
 - (1) National Poetry Month;
 - (2) Implementation of s.36.11(22)(b), Wis. Stats.: Report on orientation programs and information provided to students on sexual assault and sexual harassment;
[Resolution I.1.c.(2)]
 - (3) Implementation of s.36.25(14m)(c), Wis. Stats.: 2003 Minority and Disadvantaged Student Annual Report;
[Resolution I.1.c.(3)]
 - (4) NCA Accreditation Report and Institutional Report on General Education, UW Colleges.
- d. Approval of requests to Trustees of the William F. Vilas Trust Estate for support of scholarships, fellowships, professorships, and special programs in arts and humanities, social sciences and music.
[Resolution I.1.d.]
- e. UW-Milwaukee Charter School Proposal.
[Resolution I.1.e.]
- f. Faculty Personnel Rule Changes, UW-Whitewater.
[Resolution I.1.f.]
- g. UW System Appointments to the Natural Areas Preservation Council.
[Resolution I.1.g.]

h. Authorization to Expand the Board of Visitors, UW-Extension.
[Resolution I.1.h.]

i. Additional items that may be presented to the Education Committee with its approval.

Implementing s.36.11(22)(b), Wis. Stats.,
Relating to Information Provided to Students
on Sexual Assault and Sexual Harassment

EDUCATION COMMITTEE

Resolution I.1.c.(2):

That, upon recommendation of the President of the University of Wisconsin System and pursuant to 1989 Wisconsin Act 177, s.36.11(22)(b), Wis. Stats., the Board of Regents hereby accepts the report on implementation of the Act (the report on orientation programs and information provided to students on sexual assault and sexual harassment) and directs that the report be submitted to the Chief Clerk of each house of the Legislature for distribution to the appropriate standing committees under s.13.172(3).

2003 REPORT ON SEXUAL ASSAULT AND SEXUAL HARASSMENT INFORMATION PROVIDED TO STUDENTS AT UNIVERSITY OF WISCONSIN SYSTEM INSTITUTIONS

EXECUTIVE SUMMARY

BACKGROUND

Section 36.11(22)(b), Wisconsin Statutes, requires the Board of Regents to report annually to the Chief Clerk of each house of the Legislature on the methods each UW System institution uses to disseminate information to students on sexual assault and sexual harassment. The law requires UW System institutions to incorporate into their new student orientation programs oral and written information on sexual assault and sexual harassment, including information on:

- sexual assault by acquaintances of the victims;
- the legal definitions and penalties for sexual assault, sexual exploitation by a therapist, and sexual harassment;
- generally available national, state, and campus statistics on sexual assault;
- the rights of victims and the services available to assist a student who is a victim; and
- protective behaviors, including methods of recognizing and avoiding sexual assault and sexual harassment.

In addition, each institution must annually supply to all enrolled students printed material that includes information on all of the above topics.

This law was enacted in April 1990; this is the fourteenth report to be compiled for the Legislature since its enactment.

Wisconsin Statutes 36.11(22) also requires that each UW institution annually report to the Wisconsin Office of Justice Assistance, statistics on sexual assaults and on sexual assaults by acquaintances of the victims that occurred on each campus during the previous year. In 2003, the Education Committee of the Board of Regents requested that the statistical information that is sent to the Department of Justice Assistance also be included in the report to the Board of Regents that is then forwarded to the Legislature. The data in this report complies with that request.

REQUESTED ACTION

Adoption of resolution I.1.c.(2), authorizing the report for the 2003 calendar year to be forwarded to the Legislature.

DISCUSSION

Each UW institution provided to the UW System Office of Academic and Student Services information on the methods used to disseminate information to students on sexual assault and sexual harassment. In addition, they submitted examples of best practices in programming or services that assist student victims of sexual assault or harassment, and that offer education or

training in protective behaviors and sexual violence prevention. The summaries provided do not include every event, program, or initiative related to sexual assault at an institution. Rather, they indicate programs and services identified by the institution as their best practices or most notable efforts during the previous year.

RELATED REGENT POLICIES

UW System Sexual Harassment Policy Statement and Implementation (Regent Policy 81-2).

2003 REPORT ON SEXUAL ASSAULT AND SEXUAL HARASSMENT INFORMATION PROVIDED TO STUDENTS AT UNIVERSITY OF WISCONSIN SYSTEM INSTITUTIONS

All UW System institutions provide students with oral and written information on sexual assault and sexual harassment during orientation programs and for continuing students through printed and electronic means.

Section 36.11(22)(1), Wisconsin Statutes, specifies that the materials provided should include the following information:

- sexual assault by acquaintances of the victims;
- the legal definitions and penalties for sexual assault, sexual exploitation by a therapist, and sexual harassment;
- generally available national, state, and campus statistics on sexual assault;
- the rights of victims and the services available to assist a student who is a victim; and
- protective behaviors, including methods of recognizing and avoiding sexual assault and sexual harassment.

The summaries in this report describe the primary methods used by each institution in their efforts to comply with s.36.11(22)(1), Wisconsin Statutes. The summaries are not exhaustive, but they do indicate the major methods occurring at each institution to respond to victims of sexual assault and provide information about sexual assault and its prevention to all students. UW institutions (1) continually update and improve the scope and quality of information provided to students; (2) integrate discussion of the issues into new student orientation; (3) provide educational and resource information on the web; and (4) offer educational programs addressing the topic in a wide range of venues, including residence halls, students unions, classrooms, student organization gatherings, and private housing facilities.

SEXUAL ASSAULT STATISTICS

Wisconsin Statutes 36.11(22) requires that each UW institution annually report to the Wisconsin Office of Justice Assistance, statistics on sexual assaults and on sexual assaults by acquaintances of the victims that occurred on each campus during the previous year. In addition, the statute requires that information on programming and prevention be reported annually to the Board of Regents and forwarded to the Legislature. In 2003, the Education Committee of the Board of Regents requested that the statistical information that is sent to the Wisconsin Office of Justice Assistance also be included in the report to the Board of Regents.

Therefore, included for the first time in this year's report are statistics detailing the reported incidents of sexual assault on "campus" and in an area defined by each institution as "off-campus." Although the statute only requires data regarding assaults on campus, UW System has always provided data regarding the sexual assaults we are aware of that occur off-campus as well. During 2002, UW System staff and institutional representatives met to clarify the definitions of the terms "campus" and "off-campus," in order to make the statutorily required report more consistent both across UW System institutions, and with another report that each institution is mandated to make to the Department of Education in compliance with the federal

Jeanne Clery Act 20 U.S.C. §1092[f]. Since 2002, UW System institutions have defined “off-campus,” for the purposes of this report, as an institutionally defined area off-campus where substantial numbers of students live or congregate.

Sexual assault statistics in this report are based on reported incidents. It is extremely difficult to know how the number of reported incidents relates to the actual number of assaults occurring. The Wisconsin Department of Justice, local law enforcement agencies and national organizations that do research on sexual violence are in agreement that sexual assault is a seriously under-reported crime. The Bureau of Justice Statistics reported that in 1999, only 28 percent of victims reported sexual assaults to the police (Criminal Victimization 2000: Changes 1999-2000 with Trends 1993-2000. Bureau of Justice Statistics, U.S. Department of Justice, June 2001).

Since 2000, the number of systemwide reported on-campus sexual assaults has fluctuated from a low of 52 to a high of 83. The number of reported off-campus assaults has fluctuated even more, but this fluctuation can be attributed in part to the 2002 change in how the UW System defined the categories for reporting sexual assaults in order to make the reporting criteria for the legislative required report and the Department of Education report somewhat more consistent. This year, while the systemwide number of reported sexual assaults on campus dropped, the number of reported sexual assaults on campus increased at eight institutions. Overall, the research indicates that these minor fluctuations from year to year and institution to institution, are not significant. Moreover, they miss the major point, which is that these reports likely represent only a small portion of the sexual assault incidents involving our students.

In an effort to establish a better understanding of the actual number of sexual assault incidents that may be occurring, a number of UW institutions have administered confidential, anonymous student surveys. UW-Oshkosh, for example, used the National College Health Assessment survey that asks students if they had been sexually assaulted within the last year. The results indicated that 4.4 percent of those replying had experienced attempted sexual penetration against their will, and 11 percent had experienced sexual touching against their will in the prior year. Extrapolating from this survey, a conservative analysis of the data indicated that the actual number of incidents could well have been in the neighborhood of 250 sexual assaults annually.¹

By administering the survey every few years, UW-Oshkosh plans to use this approach to determine over time whether the number of actual incidents are increasing or decreasing. After establishing a baseline for understanding the prevalence of sexual assault incidents, they will use assessment strategies to identify which preventive and educational strategies may be most effective in reducing the number of sexual assault incidents.

¹ This web-based survey was completed in April 2003 and sent to a large random sample of UW-Oshkosh students. The conservative estimate of 250 incidents annually was arrived at by taking 4.4 percent of 5,500, or half of the student body, since female students are much more likely than male students to experience sexual assault. Had they used the figures for unwanted sexual touching, the estimated number of sexual assaults annually would be in the range of 600.

**INSTITUTIONAL STATISTICS ON REPORTED SEXUAL ASSAULTS, UW SYSTEM¹
Calendar Year 2003**

CAMPUS	CAMPUS ² [subset involving acquaintances]		OFF-CAMPUS ³ [subset involving acquaintances]		TOTAL [subset involving acquaintances]	
Eau Claire	1	[1]	3	[1]	4	[2]
Green Bay	4	[3]	0	[0]	4	[3]
La Crosse	3	[1]	6	[0]	9	[1]
Madison	20	[15]	14	[9]	34	[24]
Milwaukee	3	[2]	18	[5]	21	[7]
Oshkosh	10	[10]	0	[0]	10	[10]
Parkside	1	[1]	0	[0]	1	[1]
Platteville	2	[2]	5	[4]	7	[6]
River Falls	5	[3]	6	[5]	11	[8]
Stevens Point	1	[1]	1	[1]	2	[2]
Stout	4	[2]	4	[1]	8	[3]
Superior	6	[4]	2	[2]	8	[6]
Whitewater	10	[8]	5	[3]	15	[11]
Colleges	0	[0]	0	[0]	0	[0]
Extension	0	[0]	2	[2]	2	[2]
System Total	70	[53]	66	[33]	136	[86]

**SYSTEMWIDE STATISTICS ON REPORTED SEXUAL ASSAULTS, UW SYSTEM
Calendar Year 2000, 2001**

Year	ON CAMPUS ⁴	IN CLOSE PROXIMITY ⁴	SOME DISTANCE ⁴	TOTAL
2000	52	70	29	151 [128]
2001	79	61	36	176 [121]

**SYSTEMWIDE STATISTICS ON REPORTED SEXUAL ASSAULTS, UW SYSTEM
Calendar Year 2002, 2003**

Year	CAMPUS ²		OFF-CAMPUS ³		TOTAL	
2002	83	[68]	107	[79]	190	[147]
2003	70	[53]	66	[33]	136	[86]

¹ Sexual assaults as defined by Wis. Stats. §940.225 and §948.02.

² “Campus” for this report combines reports from the three geographic categories of “campus”, “non-campus” and “public property” as defined by the federal Jeanne Clery Act 20 U.S.C. §1092[f].

³ “Off-campus” for this report is a region specified by each institution based on the criteria that it identifies for a region surrounding the campus, but not controlled by the institution, where most students typically live or congregate.

⁴ Prior to 2002, UW System collected data using the categories of “on campus,” “in close proximity,” and “some distance from” campus. In 2002 these categories were changed to make them consistent with the federal reporting categories that institutions use to comply with the Jeanne Clery Act.

INSTITUTIONAL SUMMARIES

Sexual assault is a complicated social problem and institutional prevention efforts use a range of approaches in an effort to understand the problem, educate students, encourage reports, and change behaviors in order to prevent incidents. The following institutional summaries of best practices present examples of this range of strategies, including: education on the relation between alcohol and sexual aggression; offering non-alcohol programming; providing educational programming on what constitutes sexual assault; training students to identify high-risk situations and danger signals within relationships; building connections with community prevention/response agencies and local police; actively encouraging reporting by victims following a sexual assault; and establishing reporting/investigative processes that do not re-victimize those who have been sexually assaulted.

UW-Eau Claire

- All new and continuing students are provided with *Your Right to Know*, a publication containing required information on sexual assault and sexual harassment. This document is made available to each new and continuing student when they pick up textbooks in the fall.
- Preventative educational programming and outreach is conducted throughout the year by University Health Services, the Health Educator, Counseling services, and the Office of University Police. Because of the high correlation of acquaintance rape and incidents of alcohol use and abuse, very significant institutional efforts are intentionally directed to the reduction of high risk drinking behaviors on the part of students. These prevention efforts are accomplished by repeated educational efforts with students and parents during new student orientation, through peer education and outreach, significant alternative programming and activity alternatives, and professional staff development during the entire year.
- An extensively publicized twenty-four hour sexual assault telephone help line, staffed by trained volunteers, offers information, help, support, and referral to anyone in need. Intervention and follow-up services are available through University Health Services, Counseling, the Office of Student Development and Diversity, University Police, and intervention and treatment programs are available at both area hospitals.
- Members of the student affairs staff collaborate extensively to provide a range of programming activity: for example, a book reading and discussion of the book *The Lovely Bones*; Women's Night In program featuring a discussion of dating violence and sexual assault; an interactive, male-inclusive approach to raising awareness on the issues of alcohol and sexual assault called "He Said, She Said"; an interactive series of scenarios providing first-hand examples of how drinking in a house party setting puts people at risk.

UW-Green Bay

- At orientation, all new students attend *Dramatic Dialogues*, a program using innovative and interactive theatrical drama scenes to depict situations on date rape, diversity, or substance abuse. A moderated discussion between the actors and the audience follows each scene.

- All new students receive handouts at orientation of definitions and penalties for sexual assault, protective behaviors, survivor's rights, statistics and general safety, and prevention tips.
- To ensure that staff provide consistent and thorough care to victims of sexual assault/harassment and enable more efficient reporting, an emergency notification plan and standard procedures for responding to a sexual assault was developed.
- During fall semester, to address violence related issues, a two-hour training is followed by a one-woman play focused on dating violence/sexual assault and based on the lives of young women who were victims of dating violence.
- *Street Sense: Self-Defense for Personal Protection* was offered in spring 2003 as well as fall 2003 to all students by campus police and a self-defense instructor. Campus police discuss basic campus safety issues and demonstrate proper pepper spray use, followed by personal protection procedures as taught by a karate expert.
- This year, The Chancellor's Annual Security Walk provided a venue to focus on concerns regarding an increase in the number of sexual assaults in Brown County in fall 2003. These five assaults, which were on campus or at a distance from the campus, were well publicized in the media. The Chancellor's walk was an opportunity for students, faculty, and staff to give suggestions for changes towards a safer campus. Additional meetings followed in which students, parents of students, and campus and community members could focus on how to develop a safer community.

UW-La Crosse

- During advance registration days in June, a program on harassment, assault, and AODA issues is offered to incoming students. In addition, a parallel program on health and safety issues for parents/guardians has been developed, with an emphasis on strategies to address under-age drinking, and sexual assault response and prevention.
- All students receive a hard copy of sexual assault and crime statistics through our textbook distribution process.
- A chapter of P.A.V.E., Promoting Awareness and Victim Empowerment, has been established on this campus. These peers help create a supportive environment to encourage victims to seek assistance and support.
- REACH & SHARE (a peer educators group on the issues pertaining to alcohol and sexual assault) conduct over 100 programs annually on campus.
- MUASA, Men United Against Sexual Assault, is a student organization which works to present programs and conferences on campus in an effort to educate others regarding the issues surrounding sexual assault.
- A sexual assault committee has been created to address sexual assault issues, policies, awareness, and education. This group consists of students, staff, faculty, and members of various community agencies, including the city police and medical facilities.
- The Safe Ride bus is a coordinated effort between the city bus company and the Student Association to offer a safe ride between downtown and campus on Thursday, Friday, and Saturday nights free of charge.

UW-Madison

- During Student Orientation, Advising and Registration (SOAR), students participate in facilitated small-group discussions following the viewing of a skit on relationship violence, diversity, and alcohol issues. Students also hear a sexual assault awareness presentation conducted by the campus detective responsible for sensitive crimes that presents information on prevention strategies, investigative techniques, date rape drugs, safety tips, and resources for victims.
- The Dean of Students Office publishes *Campus Safety*, which includes crime prevention tips, information on reducing the risk of sexual assault, sexual assault reporting options, information for victims, sexual assault statistics, and the Wisconsin State Statutes on Sexual Assault. In addition, it includes information on university and community services and programs that work to curb and respond to sexual violence, and concrete crime prevention strategies for personal safety.
- Sexual assault prevention programming is sponsored throughout the year by the Dean of Students Office, the Student Organization Office, the Athletic Department, University Health Services, University Housing, UW Police, and community agencies including the Madison Police Department and the Rape Crisis Center. In addition there are ongoing student organizations and peer to peer initiatives and programs. Examples include:
 - A panel discussion organized by the Multicultural Student Coalition (MCSC), PAVE, and Men Making A Difference (MMAD) on sexual assault in the students of color community;
 - A national conference focused on men's role in domestic violence prevention, entitled *Men and Masculinity*;
 - Sexual assault awareness and training to all new sorority and fraternity members;
 - A day-long training session on dating violence and stalking, which 50 faculty and staff attended.
- Through collaboration with the community Rape Crisis Center, an outreach office and counselor is located on the campus and offers individual counseling and a drop-in support group for all students, faculty, and staff affected by sexual assault.

UW-Milwaukee

- From their first day on campus, new students are educated about the risks of sexual assault and unintended violations of interpersonal boundaries. Freshman and transfer student orientation sessions include small groups of new students reading through a college party scene skit, and trained student leaders facilitating a discussion about the scenario and the issues it raises about sexual assault, consent, and alcohol use.
- The UWM Women's Resource Center provides direct services and informational resources related to sexual assault, as well as sponsors educational and skill-building programs in the areas of safety and violence prevention. All members of the WRC staff are involved with

creating a welcoming and safe environment in the Center for survivors of sexual assault, providing supportive listening, and making referrals to campus and community resources.

- In addition to engaging the campus through presenting educational displays, self-defense workshops and other programs, the WRC Director is the lead organizer of Milwaukee's citywide Take Back the Night event, which highlights information dissemination, community activism, and a forum for public expression by survivors of sexual assault and other forms of violence against women.
- In 2003, the Women's Resource Center received pilot funds through the Student Association's allocation of Segregated Fees, to hire a half-time Violence Against Women Project Coordinator. This staff member is exploring the possibilities for creating a Sexual Assault Coordinated Campus Response Team at UWM, and consolidating existing university policies and procedures related to sexual assault.
- Also in 2003 new efforts were made to address the needs and experiences of men related to sexual assault. The Women's Resource Center worked with male students to begin a men's group against violence; and University Police, the Dean of Students, and the Women's Resource Center collaborated to explore education and counseling-based diversion options for male students accused of violating sexual boundaries.
- Sexual assault education and prevention are topics woven into presentations and programs regarding alcohol and drug use, healthy relationships, and mental health conducted by Norris Health Center Health Education staff and Peer Health Advocates.

UW-Oshkosh

- During the opening week of school, as part of the annual Odyssey program, students participate in small group discussions facilitated by leaders who receive training about sexual assault resources and referral.
- Sexual assault services available at the Student Health Center include informational brochures, STD counseling and testing, emergency contraception and referral as necessary. Various outreach educational programs are available which also address the issue of sexual assault.
- The Health Center now has two SANE (sexual assault nurse examiners) nurses who are able to offer legal rape exams. In addition, we have established an institutional protocol for handling victims of sexual assault that will ensure that all options and resources are utilized and made available to students.
- Victim advocates provide victims with support and information about the legal and disciplinary options for responding to dating or domestic violence, stalking, sexual assault, or sexual harassment. Advocates also: go with victims and speak up for their rights in any community or campus actions they might choose to pursue; provide them with ongoing support and information through 24-hour crisis support; attend medical or legal appointments with them; and help with "safety planning." Safety planning includes helping file restraining or no-contact orders, and making changes in residence hall or classes to avoid contact with the person who hurt them.

- MENCARE—Men’s Education Network for Campus Awareness and Relationship Education—is a student fees-supported, student-run organization that educates men about sexual assault and relationship violence prevention. MENCARE is advised by a Counseling Center psychologist and provides outreach to classes, residence halls, and Greek organizations. MENCARE also is developing a social norms campaign.
- University Police have three RAD (Rape Aggression and Defense) Instructors. The department provides training in the RAD concepts of self-defense to women students and staff. About 40 students have completed the full 16-hour course. The training is not limited to self-defense alone, but includes making rational and wise personal choices, avoiding situations that may place one at risk for sexual assault or attack, and an overview of the process to report and convict an offender.
- The University Police is a full participant in the Fox Valley Sexual Assault Response Team. SART (Sexual Assault Response Team) teams consist of specially trained medical personnel, advocates, and law enforcement officers. They work with common policies and procedures to ensure the proper care of victims and investigation of the crimes against them. The SART teams are a multi-county, multi-jurisdictional effort. To date, all officers in the department have received specialized SART training and one officer has received advanced training in the investigation of sensitive crimes. One officer has also been granted a certification to teach law enforcement officers sensitive crime investigation and domestic crime investigation.

UW-Parkside

- All students at orientation attend a session entitled *Essentials of Student Life*, which addresses a variety of issues pertaining to sexual assault. This program is presented by the Surviving Sexual Assault Advocacy Program, University Police and Public Safety, and the Student Health and Counseling Center. Students also receive basic information on sexual assault and definitions of sexual assault in the State of Wisconsin. Information is provided on "date rape drugs" and how to limit risks for becoming a victim of them, alcohol/drug issues related to sexual assault, how to get assistance on campus (for both primary and secondary victims), and what resources are available to students. Each student leaves with a two-sided bookmark that includes information on the issue of sexual assault, date rape drugs, and suggestions for keeping safe.
- In 2003, UW-Parkside was awarded a two-year, \$198,000 grant from the U.S. Department of Justice under the *Grants to reduce Violent Crimes Against Women on Campus* Program. The Parkside Violence Prevention Program (PVPP) will establish a coordinated community response to violence against women, with the goal of reducing violence against women on campus. The PVPP will strengthen and improve education programs to prevent violence against women. The project will expand current campus programs and develop new programs offering services to victims and strengthening on-campus programs serving diverse populations.
- More than sixty students, staff, and faculty (of mixed gender, age, race, ethnicity, and sexual orientation) have completed a minimum of seven hours of training in the Surviving Sexual Assault Advocacy Program. Training consists of a range of issues including: facts vs. myths; how to respond to a victim; communication and listening skills; special populations (males,

GLBT victims, etc.); date rape drugs and precautionary behaviors; educational awareness issues; statistics; campus resources and medical assistance/resources. Advocates are trained to work with primary and secondary victims and sponsor awareness activities on campus.

UW-Platteville

- New students are introduced to sexual assault awareness information at summer registration with a dramatic portrayal of student life, including a vignette regarding sexual assault by a student acquaintance. The dramatic portrayal is presented by peer advisors.
- At fall orientation, new students attend a session featuring a live theatrical performance addressing sexual assault. All residential students attend a living group meeting facilitated by a peer educator trained by the Department of Student Housing. This meeting focuses on sexual assault awareness, protective behaviors, the role of men in preventing sexual assaults, and the information mandated in Wis. Stat. 36.11(22). Each participant is given a gender-specific publication as a resource on sexual assault awareness and prevention.
- At the beginning of spring semester, Sexual Responsibility Week is held. Informational booths are staffed by personnel from Student Health Services and University Counseling Services.
- During the fall semester of 2003, student athletes attended one of two programs presented on sexual assault awareness. University Police staff and Student Health Services peer educators presented the programs.

UW-River Falls

- The New Student Orientation program each fall includes a special educational session on sexual assault for all new students. This two-hour program consists of presentations by professional speakers as well as staff representing campus departments. The presentations include material on both sexual assault and sexual harassment.
- On the evening of the sexual assault presentation to all new students, there are follow-up, small group discussions on all the residence hall floors and wings.
- Each attendee at New Student Orientation receives a pamphlet providing information on sexual assault legal definitions and penalties; victim's legal rights; reports and statistics; how to report an assault; prevention information; courses and programs; and resources.
- In collaboration with community agencies, several services are available for victims of sexual assault, including:
 - A Sexual Assault Nurse Examiner (SANE) program through which specially trained nurses are available to do evidence collection exams at local hospitals and area facilities for victims.
 - Free or reduced-cost exams and certain treatment, and support and guidance in follow-up, whether the victim decides to report and/or prosecute, or not.
 - Victim support and advocacy.

- Medical follow-up, such as exams, sexually transmitted disease testing, pregnancy testing, and emergency contraception, at two local clinics through contractual agreements with University of Wisconsin-River Falls Student Health Services.
- A Campus Sexual Assault Task Force, with members from SANE, Turningpoint, River Falls Police Department, local county Victim-Witness Services, University of Wisconsin-River Falls Public Safety, Student Health Services, and Counseling Services is working to address education, resources, and services surrounding the issue of sexual assault on campus and in the community. The group is currently working on external grant funding to support its mission.

UW-Stevens Point

- All new students receive a brochure entitled "Crossing the Line: Sexual Assault and Sexual Harassment" at new student orientation. The brochure provides legal definitions for sexual assault and sexual harassment, describes sexual assault according to degree, informs the reader of sexual assault statistics for the previous year, and lists resources for assistance to those assaulted. In addition, each new student participates in a small-group discussion, led by a trained orientation assistant, of behaviors and responsibilities related to personal safety.
- A brochure that addresses "date rape" drugs like rohypnol, GHB, and burundanga is made available in the residence halls, health center, counseling center, and in a variety of other locations across campus. The student focused brochure describes the drug effects on the body, the risks involved for sexual assault, and the signs of ingestion. In addition, instruction is included on actions to take if someone has been sexually assaulted after being drugged.
- The campus peer educator group, the Health Advocates, receives training on strategies to avoid sexual assault and how to help victims. These students present to other students campus-wide.
- Throughout 2003, offices and organizations including the Women's Resource Center, Women's Studies, Student Government Association, Residential Living, Residence Hall Association, Counseling Center, Promoting Awareness with Students (PAWS peer education group), the Student Health Promotion Office, Inter Greek Council, the Counseling Center, and Health Services offered a wide range of programming, such as:
 - A self-defense class to help participants learn techniques to protect themselves from potential attackers.
 - A Safe Space located in the Women's Resource Center of the University Center, available for anyone who wants to find support in a safe space.
 - Sexual Assault Awareness Month—including a Take Back the Night march, a play, safety posters, a purple ribbon campaign, and information booths.
 - Alcohol screenings, offered regularly by the campus Counseling Center staff, were promoted along with a message reminding students that the majority of sexual assaults are alcohol related.

UW-Stout

- During Summer Registration, a student group dramatizes a variety of consequences of losing control under the influence of alcohol, including being caught in a situation in which sexual assault occurs. This provides an opportunity for discussion of the issues of sexual assault incidence, prevention and response among parents, new students, and university staff. Nearly 100 percent of first-year students and their parents attend these sessions.
- The campus collaborates with a local medical center to provide a Sexual Assault Nurse Examiner for victims of sexual assault.
- At least twice each year, the Counseling Center uses its announcement board and printed information distribution system to raise awareness of sexual assault prevention and reporting, and the relationship of sexual assault to the consumption of alcohol. The Center posts information on sites located strategically around campus in areas where students stand and wait, e.g., elevators, cafeteria lines, etc.
- At least once a year, a panel or a speaker is presented at a campus-wide event at which the issues of sexual assault response and prevention are discussed. This past year, for example, a large panel (10-12 participants) of campus and city representatives discussed physical self-defense, police response, medical and counseling service response, and a personal experience with sexual assault. This was attended by 90 students (a good turnout for campus educational programs) and had additional impact through articles in the student newspaper.
- To further strengthen the campus prevention and response network, a campus proposal will be submitted in 2004 to the U. S. Dept of Justice program, *Grants to Reduce Violent Crimes Against Women on Campus*. The intent of this proposal is to strengthen the network and the response protocol of offices who work with prevention of and response to sexual assault, on and off-campus, through training, through the use of male students as role models, and through the use of the comprehensive campus digital learning network and social norms process.

UW-Superior

- At orientation, new students assemble in a theater for a dramatic presentation by a professional group that specializes in programs on sexual appropriateness in society. Topics covered are acquaintance rape, power differentials, drug induced rape, alcohol affects, and sexual assault, when and how to say no. The production encourages students to ask questions and to participate in the scenarios.
- All new students receive a *Student Handbook* in their new student materials. This publication is heavily relied upon as it includes a daily planner in addition to detailed information on sexual assault and sexual harassment prevention and response. Residence hall students review information on sexual assault during their floor and hall meetings with residence hall staff.
- In an effort to copy the *Amber Alert* process, the Campus Security Department has on several occasions throughout the year, sent emails to the entire campus community when a serious criminal act has occurred in the vicinity and people need to be warned about the possible danger. The program has worked well and the campus community has welcomed the updated information.

- Two special emphasis weeks occur, one each semester, as Personal Safety Week. Events are held throughout these weeks that focus specifically on sexual assault prevention, informing students of the importance of reporting, and survivor resources.
- Sexual Assault Information/Resource posters are posted in each female restroom stall in the residence halls and in every female restroom across campus.

UW-Whitewater

- During the summer Preview program for incoming first-year students, all orientation leaders discuss sexual assault laws, statistics, services, and self-protection strategies in small groups. At the beginning of the fall semester, all new students are sent a seven-page booklet describing sexual assault laws and penalties, national and campus statistics, victim services, victim rights, self protection strategies, phone numbers, and web sites for assistance or more information. A wallet card with phone numbers and advice on what to do if sexually assaulted is attached. Extensive information is available on the Sexual Assault Response Team web site, which is advertised in brochures and on posters and magnets.
- The Sexual Assault Response Team (SARTeam) is composed of six-to-twelve staff and faculty members who go through an eight-hour training and monthly inservice training. They take turns carrying a cell phone and large resource manual for one week at a time. Most members serve on the team for two-to-four years. The SARTeam provides information and referral; support; and advocacy to students who have been sexually assaulted and to staff, faculty, friends, and family members concerned about a sexual assault survivor. Team members are aware of the laws, procedures, and services available all over the state of Wisconsin. This service is available 24 hours per day, 365 days per year. It is free, confidential, and can be anonymous. Services are provided both over the phone and in person. Team members will accompany a sexual assault survivor to the police or hospital, if she/he would like. They have also served as a campus liaison with law enforcement and medical service providers in the community.
- In New Student Seminar classes, first year students are educated about sexual assault laws and penalties, national and campus statistics, victim services, victim rights, self-protection strategies, phone numbers, and web sites for assistance or more information. Approximately half of our new first-year students take this one credit course fall semester. The sexual assault presentation is personalized to UW-Whitewater students by using information from a recent survey on the prevalence of sexual assault among our own students. Because it is data about their fellow students, this makes a strong impact on the students in the class. The discussion questions used are developed from another UW-Whitewater survey of first year students' attitudes and behaviors about sexual assault. With this data we can focus on the attitudes and behaviors that put the most students at risk. This program goes beyond personal risk reduction to changing a campus culture that may be facilitating sexual assault and discouraging reporting.
- University Police spend a great deal of time in the residence halls and classrooms educating students about personal safety. This outreach also serves to make the police officers familiar and more approachable if an assault does occur on campus. Police officers teach personal safety in New Student Seminars, Alcohol and Other Drugs classes, and Criminal Justice classes. They talk to students at approximately 30 floor meetings per year in the residence halls. They train

Resident Assistants, SafeWalk volunteers, Student Leadership staff, Student Organization leaders, International students, and University Center event hosts and building managers.

UW Colleges

- The University of Wisconsin Colleges use a variety of methods to provide information about sexual assault to students at orientation. Many campuses use student services staff to discuss the issue of sexual assault, and the relevant material contained in our publication, *Student Rights and Regulations*, which is distributed at the same time. At many campuses, the sexual assault information is presented by the Alcohol and Drug Education Prevention Specialists. This offers an opportunity to discuss the relationship between alcohol and sexual assault and to discuss with the students a number of related issues. At the University of Wisconsin-Barron County, the Alcohol and Drug Education Program Manager lectures about the subject of sexual assault in the women's issues classes each semester.
- Each UW Colleges campus has a strong relationship with local community agencies. Since UW Colleges institutions are primarily non-residential, working with community-based agencies is especially important as a means for providing information to students. Many campuses collaborate with these agencies in the provision of programming related to sexual assault throughout the academic year, and students in need of services are referred to these agencies. For example:
 - Twice yearly, the University of Wisconsin-Baraboo/Sauk County co-sponsors a sexual violence awareness event with Hope House, the local domestic violence prevention center. Staff are available to come to campus to present self-defense workshops, and address issues of date rape and sexual harassment. Staff from the UW Colleges Alcohol and Drug Education Program provide information about the issues of self-protection and safety.
 - The University of Wisconsin-Fond du Lac works with ASTOP, the local sexual assault prevention center. Included among the activities undertaken is the joint sponsorship of a week-long event during Sexual Assault Awareness Month.
 - The University of Wisconsin-Manitowoc has a Wellness Fair at which the Manitowoc County Nurses provide information about sexual assault and sexuality.
 - The University of Wisconsin-Richland has an ongoing collaborative relationship with Passages, Inc. of Richland County. A staff member from Passages has established a consultation hour each week during the school year, and is available for informal conversation, or a more structured evaluation.
 - The University of Wisconsin-Sheboygan works with Safe Harbor, the local sexual assault prevention center, to sponsor a week of activities during Sexual Assault Awareness Month.
 - The University of Wisconsin-Washington County jointly sponsors sexual assault prevention activities with Friends of Abused Families in Washington County.
 - The University of Wisconsin-Waukesha has an active relationship with the Women's Center of Waukesha County, with whom they collaborate each fall and spring to highlight date rape and sexual assault issues.

NOTE: UW-Extension is not included in the institutional summaries. Since it is not a campus, UW-Extension does not hold orientation sessions for extension program participants. UW-Extension students do not typically attend campus, but instead participate in educational programs offered through county extension offices, continuing education and outreach departments across the UW campuses, or correspondence and Web-based courses offered through Outreach and E-Learning Extension. Students who do take classes on a UW campus in partnership with UW-Extension receive sexual assault and harassment information through that campus.

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EDUCATION COMMITTEE

Resolution I.1.c.(3):

That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents accepts the 2002-2003 Minority and Disadvantaged Student Annual Report for submission to the Governor and to the Chief Clerk of each house of the Legislature, pursuant to s.36.25 (14m) (c), Wisc. Stats., for distribution to the appropriate standing committee under s.13.172 (3) Wisc. Stats.

2002-03 MINORITY AND DISADVANTAGED STUDENT ANNUAL REPORT

EXECUTIVE SUMMARY

BACKGROUND

The 2002-03 Minority and Disadvantaged Student Annual Report fulfills the requirement in Section 36.25 (14m)(c) of the Wisconsin State Statutes that the Board of Regents report annually on its pre-college, recruitment, and retention plan for multicultural and economically disadvantaged students. This is the fifth minority and disadvantaged student annual report under the Board of Regents-approved *Plan 2008: Educational Quality Through Racial and Ethnic Diversity*. The information contained in this report responds to the statutory requirement, and reflects some, but not all of the initiatives and activities in Plan 2008. The report includes the following information:

- Pre-college initiatives and activities;
- Expenditures for student-of-color and disadvantaged-student programs; and
- Student financial assistance data.

The UW System's complete plan for pre-college programming for, and the recruitment and retention of multicultural and economically disadvantaged students is incorporated in *Plan 2008: Educational Quality Through Racial and Ethnic Diversity*, in which the targeted race/ethnic groups include African-Americans, American Indians, Hispanic/Latino Americans, and statutorily defined Southeast Asians.¹ A detailed evaluation of Plan 2008 was presented to the Board of Regents in October 2001, as required by Board policy. In April, 2004, a review of all aspects of Plan 2008 Phase I (1999-2003), including recruitment and retention of students of color, is being presented to the Board of Regents along with the M & D report.

REQUESTED ACTION

Approval of resolution I.1.c.(3), accepting the 2002-03 Minority and Disadvantaged Student Annual Report and authorizing its submission to the Governor and the Chief Clerk of each house of the Legislature for distribution to the appropriate standing committees under s.13.172(3).

¹ By statute, Southeast Asians are defined as persons who were admitted to the United States after December 31, 1975, and who either are former citizens of Laos, Vietnam, or Cambodia or whose ancestors were or are citizens of Laos, Vietnam, or Cambodia.



The University of Wisconsin System

**2002-03 Minority and Disadvantaged
Student Annual Report**

April 2004

(Presented pursuant to Section 36.25 (14m)(c) of the Wisconsin State Statutes)

SUMMARY AND HIGHLIGHTS

Pre-college Initiatives and Activities

UW institutions support a large and diverse array of pre-college programs to enlarge the pool of multicultural and disadvantaged students in Wisconsin and prepare them for college. Through these pre-college programs, UW institutions provide opportunities for academic skills enrichment, introduction to college life, and career exploration. Funding for targeted students to attend pre-college programs is provided by a consortium of sources, including the UW System, federal TRIO programs, the Department of Public Instruction's (DPI) Minority Pre-college Scholarship Program, and private dollars. In 2002-03, 14,956 students participated in pre-college programs in UW System institutions.

Program Funding

The state and federal governments, through general program revenue, gifts, and grants, provide program funding for students of color and disadvantaged students. The 1987-89 Wisconsin Biennial Budget Act created an appropriation under Section 20.285 (4)(a) to provide funding for these programs (referred to as Fund 402). All UW institutions obtain extramural support to supplement government funding for these programs:

- In 2002-03, UW System institutions expended approximately \$35.2 million from all funding sources for students of color and disadvantaged student programs. Approximately \$19.7 million of these funds were raised by the institutions from extramural and non-government sources; and
- During 2002-03, slightly over \$7.8 million was expended from Fund 402.¹ Based on institutional estimates, Fund 402 dollars were distributed toward retention activities (62 percent, \$4.8 million); pre-college programs and activities (22 percent, \$1.7 million); and recruitment (16 percent, \$1.2 million).

Student Financial Aid

In addition to the general financial aid programs offered to students, two other financial aid sources are available to students of color and economically disadvantaged students: the Lawton Undergraduate Minority Retention Grant (LUMRG) for undergraduate students; and the Advanced Opportunity Grant (AOP) for graduate students.

- **In 2002-03**, a total of 10,820 students of color in the UW System received financial assistance. Of these:
 - 2,250 students received LUMRG grants. The average LUMRG award was \$1,353. 2,234 of LUMRG recipients were students of color.
 - 531 students received AOP grants. The average AOP award was \$8,025. 422 of the AOP recipients were students of color.

SECTION I: UW SYSTEM M/D PRE-COLLEGE ACTIVITIES

¹ Fund 402 is defined in the state statutes under s.20.285 which states that (a) "The board shall allocate funds under s.20.285 (4)(a) to fund programs for recruiting minority and disadvantaged students and to fund programs for minority and disadvantaged students enrolled in the system."

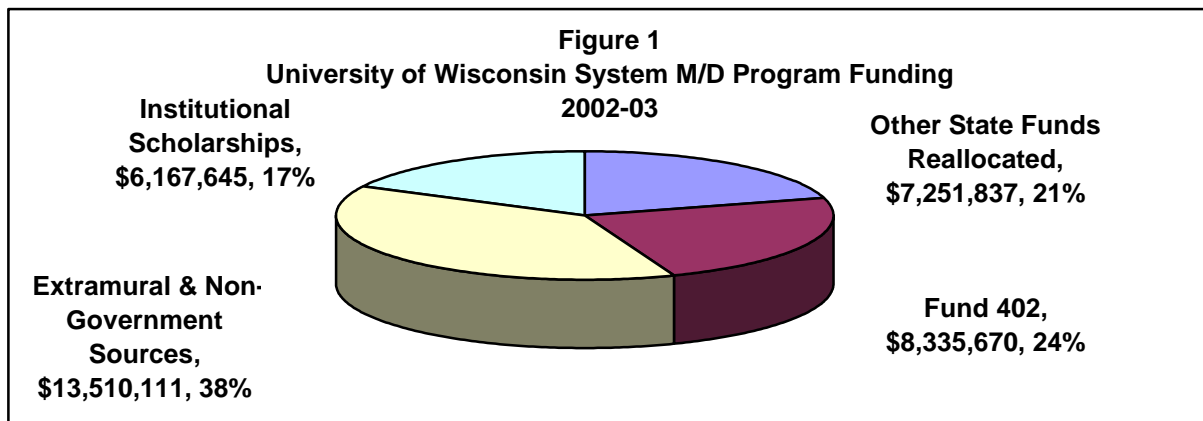
UW System institutions provide various pre-college, recruitment, and retention programs for students of color. Effective pre-college programs expand the pool of high school graduates who apply to the UW System. Participation in pre-college programs increases the probability of students of color graduating from high school.

Data from the 1998 Plan 2008 planning process stressed the importance of pre-college activities for all targeted groups, which include African Americans, Hispanic/Latinos, American Indians, and Asian Americans, with an emphasis on Southeast Asian Americans. College remains a seemingly unattainable goal for many youth of color in Wisconsin and nationally. A lower high school completion rate, inadequate financial aid, and a lack of pre-college opportunities contribute to low college enrollment and graduation rates for students of color. UW System institutions and the Multicultural Center for Educational Excellence (MCEE) have been working vigorously to provide youth of color with the necessary prerequisites, information, and academic skills for access to higher education through pre-college programs.

In 2002-03, UW institutions served 14,956 pre-college students and expended slightly above \$8.3 million in state Fund 402 dollars (Table 1). Approximately 22 percent of these dollars were expended on pre-college activities.

UW System Program Funding

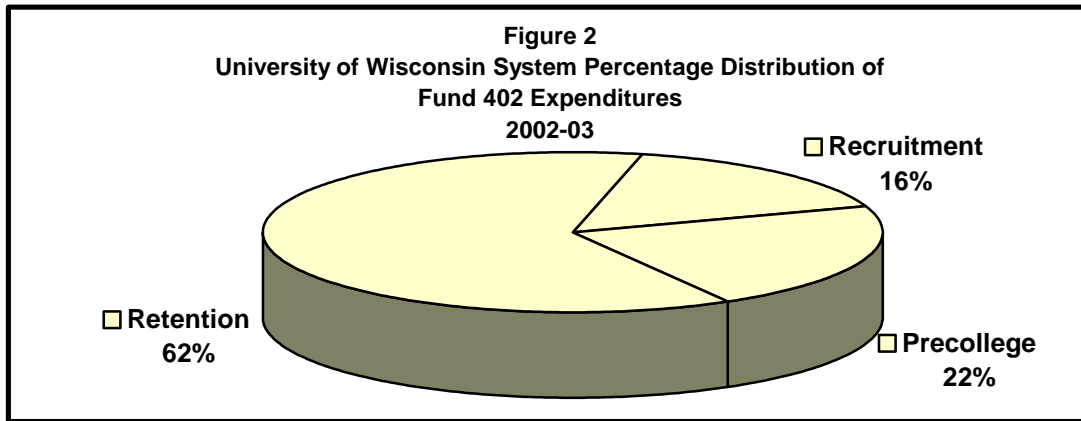
The state and federal governments, through General Program Revenue (GPR) and grants, provide program funding for students of color and disadvantaged students. The institutions also raise extramural funds (Table 1). The 1987-88 biennial budget act [Wis. Stats. 20.285 (4)(a)] created an appropriation designated as Fund 402, specifically for students of color and disadvantaged students. In 2002-03, the state budget allocation designated specifically for minority/ disadvantaged programs (Fund 402) was slightly over \$8.3 million. Table 1 lists all 2002-03 GPR and non-GPR funds expended for student of color and disadvantaged student programs, including institutional expenditures from the appropriation under Fund 402. Of all UW System minority/disadvantaged funding, \$19.7 million (55 percent) was raised by UW System institutions from institutional scholarships, extramural, and non-government sources. Twenty-four percent of Multicultural and Disadvantaged program dollars are from Fund 402, and are dedicated to diversity activities; the remaining 21 percent are state funds reallocated from existing base budgets (Figure 1).



Source: UW System Office of Budget and Planning.

Fund 402 includes funding for pre-college, recruitment and retention activities, and related administrative expenses. Pre-college activities encourage and prepare K-12 students to pursue post-secondary education. Recruitment activities increase new UW System student applications and, ultimately, enrollment. Retention activities assist students in making satisfactory academic progress and in completing their degrees. At UW institutions, Multicultural/Disadvantaged (M/D) offices and other institutional entities provide a wide variety of academic, co-curricular, pre-college, recruitment, retention, orientation, academic counseling, referral, tutorial services, and socio-cultural activities. M/D offices often serve as resource centers for students of color and disadvantaged students, as well as the larger campus community.

In 2002-03, 62 percent of Fund 402 dollars were expended on retention; 16 percent on recruitment, and 22 percent on pre-college activities (Figure 2).



Source: UW System Office of Budget and Planning.

TABLE 1
UW System Minority/Disadvantaged Program Funding ^(a)
2002-03 All Fund Expenditures

Institution	2001-02	2002-03					
	Total Program Funds & Scholarships	Total Program Funds & Scholarships	Fund 402 M/D Appropriation 20.285 (4) (a) Expenditures	Other State Funds Reallocated to M/D Programs	Extramural Funds	Total M/D Program Funds (b)	Institutional Scholarships (c)
Madison	\$8,793,611	\$11,080,470	\$1,751,560	\$3,881,071	\$938,669	\$6,571,300	\$4,509,170
Milwaukee	\$8,136,589	\$8,034,643	\$2,203,353	\$1,403,886	\$3,178,169	\$6,785,408	\$1,249,235
Eau Claire	\$2,201,753	\$2,179,972	\$232,816	\$348,377	\$1,435,819	\$2,017,012	\$162,960
Green Bay	\$1,153,204	\$1,100,887	\$149,738	\$99,593	\$743,928	\$993,259	\$107,628
La Crosse	\$2,427,415	\$2,093,860	\$219,415	\$486,268	\$1,388,177	\$2,093,860	\$0
Oshkosh	\$953,315	\$1,014,879	\$510,492	\$9,152	\$444,119	\$963,763	\$51,116
Parkside	\$844,950	\$931,971	\$354,201	\$145,185	\$396,227	\$895,613	\$36,358
Platteville	\$493,624	\$475,102	\$163,332	\$70,529	\$241,241	\$475,102	\$0
River Falls	\$818,725	\$832,342	\$174,183	\$26,800	\$631,359	\$832,342	\$0
Stevens Point	\$1,081,682	\$1,056,195	\$285,960	\$177,504	\$585,731	\$1,049,195	\$7,000
Stout	\$1,088,052	\$1,280,981	\$318,013	\$98,772	\$848,696	\$1,265,481	\$15,500
Superior	\$981,122	\$1,047,868	\$161,248	\$204,295	\$662,097	\$1,027,640	\$20,228
Whitewater	\$1,767,873	\$1,770,126	\$864,346	\$45,780	\$860,000	\$1,770,126	\$0
Colleges	\$1,158,412	\$1,128,368	\$281,940	\$58,930	\$779,048	\$1,119,918	\$8,450
Extension	\$129,723	\$125,782	\$100,418	\$25,364	\$0	\$125,782	\$0
Systemwide	\$1,081,277	\$1,111,817	\$564,655	\$170,331	\$376,831	\$1,111,817	\$0
Total	\$33,111,327	\$35,265,263	\$8,335,670	\$7,251,837	\$13,510,111	\$29,097,618	\$6,167,645

(a) Does not include fringe benefits. Also excludes Advanced Opportunity Program, Lawton Undergraduate Minority Retention Grants, and other financial aid allocated by UW System to the institutions. Includes pre-college and institutional scholarships.

(b) Includes program revenue funds from auxiliaries and special courses.

(c) Reflects institution awarded scholarships that go through institutional accounts. Does not reflect scholarships administered by foundations.

Source: UW System Office of Budget and Planning.

SECTION II: STUDENT FINANCIAL ASSISTANCE

Financial aid was one of the three highest priorities cited by UW System faculty, staff, students of color, and communities of color during the development of Plan 2008. It is crucial to the successful recruitment, retention, and graduation of students of color and economically disadvantaged students.

In 2002-03, 94,088 UW System students received average aid of \$6,620 (Table 2). In the UW System, 10,820 students of color received financial aid. The average aid provided for students of color was \$8,528; higher financial need among students of color results in higher aid awarded. Of the aid awarded to students of color, 48 percent is in the form of loans and 50 percent is in the form of grants with the remainder consisting of work aid. In contrast, 72 percent of aid is in the form of loans and 26 percent in the form of grants for white students.

Table 2
UW System Financial Aid Recipients' Need Profile by Race/Ethnicity
2002-03

	Number of Recipients	**Average Financial Aid Need	Average Financial Aid Received	* Percent of Aid in Grants	*Percent of Aid in Loans
Asian	3,461	\$11,359	\$8,147	54%	43%
African American	3,973	\$11,764	\$9,225	48%	51%
American Indian	899	\$10,596	\$8,679	62%	37%
Latino/Hispanic American	2,487	\$11,342	\$7,887	45%	53%
Subtotal	10,820	\$11,453	\$8,528	50%	48%
Unknown	2,188	\$11,539	\$6,432	39%	60%
White	81,080	\$8,236	\$6,371	26%	72%
Total	94,088	\$8,728	\$6,620	30%	68%

*Work aid comprised the remaining percentage of financial aid.

**Average financial need is based on students with need (defined by federal methodology).

Minority/Disadvantaged Financial Aid Programs

UW System administers two financial aid programs that target students of color and economically disadvantaged students. The Lawton Undergraduate Minority Retention Grant (LUMRG) Program provides assistance to degree-seeking undergraduates, and the Advanced Opportunity Program (AOP) awards are for students seeking advanced degrees.

In 2002-03, the LUMRG program provided assistance to 2,250 undergraduates, with an average award of \$1353. The AOP program provided assistance to 531 graduate students seeking advanced degrees, with an average award of \$8,025 (Table 3).

Table 3
UW System Students of Color and Disadvantaged Student Financial Aid
Programs
2002-03

	Lawton Undergraduate Minority Retention Grant (LUMRG)		Advanced Opportunity Program (AOP)	
	# Recipients	Average \$	# Recipients	Average \$
African American	820	\$ 1,442	185	\$ 8,862
Latino/Hispanic Amer.	546	\$ 1,368	110	\$ 9,006
American Indian	201	\$ 1,265	52	\$ 7,769
Asian American	667	\$ 1,254	75	\$ 6,547
Missing	9	\$ 1,177	5	\$ 8,674
Unknown	2	\$ 1,755	26	\$ 12,395
White	5	\$ 1,867	78	\$ 4,748
Total	2,250	\$ 1,353	531	\$ 8,025

Source: UW System Office of Policy Analysis and Research.

The Lawton Undergraduate Minority Retention Grant (LUMRG) Program

The LUMRG Program began in 1986-87, and provides need-based assistance to African American, Hispanic/Latino, American Indian, and statutorily defined Southeast Asian American students. Eligible students may be sophomores, juniors, or seniors who are Wisconsin residents or Minnesota Compact students. Students must be enrolled in six or more credits. The LUMRG program replaces loan aid with grant aid when possible. For additional information on undergraduate financial aid, see Appendix A.

In 2002-03, students could receive LUMRG grants up to a maximum of \$2,500 per year, and are eligible for up to four years of LUMRG awards. Financial need for the LUMRG is determined by the standard federal methodology. LUMRG grants are awarded on a “last dollar” basis; all other grants or fellowships are awarded first. The total fund amount in 2002-03 was \$3.8 million.

For additional information on undergraduate level financial aid, see Appendix A.

The Advanced Opportunity Program (AOP)

The AOP Program began in 1973-74 to promote the recruitment and retention of students of color and disadvantaged students seeking degrees at the graduate and advanced professional levels. Eligible students must be U.S. citizens or permanent residents, with preference given to Wisconsin residents. The total fund amount in 2002-03 was \$5.7 million.

For additional information on graduate level financial aid, see Appendix B.

APPENDICES

Appendix A

Undergraduate Financial Aid

Undergraduate		Financial Need		Total Aid		Grants		Loans	
Asian American	Dependent	1911	\$19,069,465	2142	\$16,367,253	1684	\$9,954,880	1360	\$5,755,010
	Independent	678	\$7,495,782	689	\$5,880,426	599	\$3,351,997	485	\$2,383,463
	Unknown	9	\$81,570	274	\$1,140,550	261	\$1,000,461	34	\$140,089
	Total	2598	\$26,646,817	3105	\$23,388,229	2544	\$14,307,338	1879	\$8,278,562
African American	Dependent	1742	\$17,915,497	1982	\$15,914,022	1533	\$8,476,892	1636	\$7,054,515
	Independent	1274	\$14,768,523	1301	\$12,735,736	1114	\$5,772,969	1140	\$6,837,002
	Unknown	3	\$30,720	159	\$1,235,790	146	\$1,109,156	20	\$126,634
	Total	3019	\$32,714,740	3442	\$29,885,548	2793	\$15,359,017	2796	\$14,018,151
American Indian	Dependent	290	\$2,164,107	407	\$2,915,454	324	\$1,838,754	257	\$1,049,277
	Independent	303	\$3,054,909	327	\$2,886,306	290	\$1,881,179	226	\$986,516
	Unknown	1	\$3,830	46	\$336,269	44	\$319,981	3	\$16,288
	Total	594	\$5,222,846	780	\$6,138,029	658	\$4,039,914	486	\$2,052,081
Latin Hispanic American	Dependent	1078	\$10,327,241	1358	\$9,590,607	946	\$4,419,363	1066	\$4,897,694
	Independent	584	\$6,080,538	603	\$5,165,225	501	\$2,392,376	501	\$2,704,081
	Unknown	12	\$151,705	185	\$765,503	178	\$707,044	12	\$58,459
	Total	1674	\$16,559,484	2146	\$15,521,335	1625	\$7,518,783	1579	\$7,660,234
Unknown	Dependent	368	\$2,782,582	551	\$2,756,618	292	\$837,250	391	\$1,837,414
	Independent	402	\$3,231,014	438	\$2,698,544	269	\$860,153	349	\$1,818,311
	Unknown	0	\$0	485	\$2,219,953	441	\$1,928,682	78	\$287,701
	Total	770	\$6,013,596	1474	\$7,675,115	1002	\$3,626,085	818	\$3,943,426
White	Dependent	36361	\$235,311,758	53621	\$298,198,858	22937	\$72,283,196	47303	\$216,568,521
	Independent	12828	\$121,977,622	13512	\$108,482,085	9644	\$39,756,197	11759	\$67,201,688
	Unknown	386	\$3,194,164	6625	\$21,461,081	6285	\$18,403,835	376	\$3,029,308
	Total	49575	\$360,483,544	73758	\$428,142,024	38866	\$130,443,228	59438	\$286,799,517

Appendix B

Graduate Financial Aid

		Total Need		Total Aid		Grants		Loans	
Graduate									
Asian	Dependent	0	\$0	3	\$11,128	3	\$11,128	0	\$0
	Independent	247	\$5,660,086	259	\$4,385,770	113	\$581,926	235	\$3,772,315
	Unknown	0	\$0	97	\$434,356	96	\$399,356	1	\$35,000
	Total	247	\$5,660,086	359	\$4,831,254	212	\$992,410	236	\$3,807,315
African American	Dependent	1	\$6,430	1	\$1,830	0	\$0	1	\$1,830
	Independent	418	\$7,719,546	449	\$6,164,648	181	\$1,455,123	423	\$4,690,146
	Unknown	0	\$0	82	\$600,772	81	\$598,772	1	\$2,000
	Total	419	\$7,725,976	532	\$6,767,250	262	\$2,053,895	425	\$4,693,976
American Indian	Dependent	0	\$0	0	\$0	0	\$0	0	\$0
	Independent	90	\$2,024,610	98	\$1,538,767	77	\$675,134	75	\$861,853
	Unknown	0	\$0	21	\$125,236	21	\$125,236	0	\$0
	Total	90	\$2,024,610	119	\$1,664,003	98	\$800,370	75	\$861,853
Latin Hispanic American	Dependent	1	\$9,225	2	\$27,543	2	\$12,283	1	\$15,260
	Independent	224	\$4,970,345	231	\$3,437,086	108	\$765,938	205	\$2,649,274
	Unknown	0	\$0	108	\$629,800	108	\$622,300	1	\$7,500
	Total	225	\$4,979,570	341	\$4,094,429	218	\$1,400,521	207	\$2,672,034
Unknown	Dependent	1	\$29,042	1	\$8,102	1	\$8,102	0	\$0
	Independent	253	\$5,432,657	265	\$4,228,068	75	\$489,945	251	\$3,698,394
	Unknown	0	\$0	331	\$854,472	324	\$700,474	9	\$153,998
	Total	254	\$5,461,699	597	\$5,090,642	400	\$1,198,521	260	\$3,852,392
White	Dependent	23	\$260,153	87	\$308,087	63	\$45,753	25	\$262,226
	Independent	6088	\$98,606,576	6551	\$87,486,721	1222	\$3,950,746	6371	\$82,675,868
	Unknown	0	\$0	797	\$1,890,646	771	\$1,637,678	26	\$252,968
	Total	6111	\$98,866,729	7435	\$89,685,454	2056	\$5,634,177	6422	\$83,191,062

Source: Office of Policy Analysis and Research

**REPORT ON NORTH CENTRAL ACCREDITATION and
INSTITUTIONAL REVIEW OF GENERAL EDUCATION:
UW COLLEGES**

EXECUTIVE SUMMARY

BACKGROUND

The process of institutional accreditation and re-accreditation by the North Central Association of Schools and Colleges (NCA) provides UW System institutions an independent assessment of their academic quality and institutional health. The Education Committee is customarily provided summary institutional reports on recent North Central Association accreditation visits, which are then followed by a presentation and discussion in the committee meeting with representatives of the institution involved. In conjunction with the NCA report, the institution is required to report to the Education Committee on their General Education program. This report should include discussion of the institution's philosophy of general education, including specific goals for the general education curriculum; an overview of the current general education program; a description of how the general education curriculum provides students with opportunities to achieve institutional goals; and a description of ongoing assessment process for reviewing and improving the general education program.

On August 8, 2003, the NCA's Higher Learning Commission voted to continue the accreditation of the University of Wisconsin Colleges for the maximum ten-year period. A monitoring report on assessment of student academic achievement is required by September 15, 2006. The report from the Higher Learning Commission is attached.

As further elucidation of the information below, UW Colleges Provost Margaret Cleek will be present to discuss the re-accreditation report, to answer questions about the institution's self-study (copies available upon request), and to address the institution's ongoing reconsideration of its General Education program.

REQUESTED ACTION

This item is presented for information only and no action is required.

DISCUSSION AND RECOMMENDATIONS

The re-accreditation process began in spring, 2000, with a self-study conducted by six committees of UW Colleges faculty, academic staff, and administrators. Students had an opportunity to provide input by completing comprehensive surveys, as did all Colleges employee groups. A twelve-member evaluation team from the Higher Learning Commission (HLC) visited the Colleges' central office in Madison and six of its campuses March 10-12, 2003. Faculty, staff, students, and community members from the remaining seven campuses met with team members by compressed

video and teleconference. A videotaped tour of each of the campuses not physically visited was also provided to the team. Regent Gottshalk and President Lyall conferred with the team as part of this process.

Based on the collective visits, the report of the Colleges' self-study, and other materials made available to the NCA team prior to and during the visit, the team noted the following strengths of the UW Colleges:

- Faculty, staff, and administrators are committed to students.
- Students are involved and enthusiastic.
- Faculty and instructional academic staff demonstrate a dedication to student learning.
- Classified staff personnel are supportive of students.
- There is strong community support for the campuses.
- The institution has used technology well to expand instruction and communication.
- The campus libraries have shown significant improvements.
- The institution has a sophisticated approach toward marketing.

The accreditation team also noted several concerns:

- The merit system needs continued refinement.
- Recruitment and retention of under-represented groups among both students and employees needs continued emphasis.
- Course syllabi need to be more securely connected to measurable outcomes.
- Assessment of student learning needs to be made more comprehensive and systematic.

As noted above, the HCL voted to continue the accreditation of the University of Wisconsin Colleges for the maximum ten-year period. The next comprehensive evaluation is scheduled for 2012-2013. In order to address the concern raised about more systematic assessment, a monitoring report on the assessment of student academic achievement is required by September 15, 2006.

RESPONSE TO HIGHER LEARNING COMMISSION CONCERNS REGARDING ASSESSMENT

In preparing students for success in baccalaureate programs and in life-long learning, the UW Colleges have adopted four proficiencies which permeate the courses we offer: Analytical Skills, Quantitative Skills, Communication Skills, and Aesthetic Response. To assess student learning and teaching effectiveness in these four areas, instructors measure student proficiency using common standards applied across the academic disciplines. The accumulated measurements from this assessment are then used as the basis for implementing changes in teaching and curriculum to improve student learning.

In addition to the assessment of institution-wide, general education proficiencies, each academic department within the UW Colleges is involved in the assessment of discipline-specific proficiencies. When assessing student mastery of these discipline-specific proficiencies, instructors use common standards developed within each department. The results from these assessment activities are used to improve student learning and teaching within the department.

In order to address the HLC's concern that the assessment process be made more comprehensive and systematic, the Department Assessment Coordinators, the Senate Assessment Committee, and members of the Office of Academic Affairs have reexamined and reengineered the assessment program. The UW Colleges have taken a number of actions since March, 2003. After discussing the findings of the Commission and their recommendations, drafts of revised department-specific and campus-specific action plans were developed. The institutional list of proficiencies was reviewed and revised, and performance indicators for each proficiency were added. The Department Assessment Coordinators and the Senate Assessment Committee developed rubrics for each of the performance indicators. Results of the revisions were presented to the faculty and staff at the UW Colleges Fall Convocation in August, 2003.

The focus for 2003-2004 has been an assessment of Colleges students' analytical skills. Throughout the fall, 2003, semester, faculty and instructional academic staff across all departments collected and submitted the results, by student, of an assessment of general education proficiencies. In fall, 2003, 544 classes enrolling 8,348 students, and taught by 455 different faculty and staff, participated in the general education assessment program. Reports of student assessment on the performance indicators for fall, 2003, have been reported to each department and to each campus (by division). Individual student assessment information will be further linked to other demographic, curricular, and performance information in order to understand better the impact the Colleges are having on students.

At the same time, each of the individual Colleges campuses are refining the link between institutional and campus goals, and the measurement of the accomplishment of those goals. Each functional area group in the Colleges—such as Student Services, University Relations, Continuing Education, Administrative Services, and Libraries—are completing the development of area group goals and appropriate measures for the assessment of those goals. A UW Colleges' assessment website is under development which will provide information about assessment activities in the institution. An assessment mission statement has been created which clearly establishes the nature, purpose, and structure of the institution's assessment efforts.

INSTITUTIONAL REVIEW OF GENERAL EDUCATION

In conjunction with the Higher Learning Commission's accreditation review and the production of the self-study for that review, the UW Colleges reviewed its general education program. The institution's select mission states, in part, that the UW Colleges' "programs aim to provide qualified students of all ages and backgrounds with the proficiencies and breadth of knowledge that prepare them for baccalaureate and professional programs, for lifelong learning, and for leadership, service, and responsible citizenship." Given this mission, general education courses leading to the Associate of Arts and Science (AAS) degree are the foundation and heart of the educational program within the UW Colleges.

The UW Colleges Associate of Arts and Science degree is a liberal arts-based, general education degree which requires that students complete a distribution of a minimum of 60 credits in the following breadth categories:

- Fine arts and humanities minimum of 9 credits

Students must acquire knowledge of ideas, beliefs, and abiding concerns pertaining to the human condition as represented in literature, philosophy, and cultural history. They must acquire a level of aesthetic appreciation of the human imagination as expressed in the fine arts, and appreciation of the impact of the arts upon the quality and character of human life.

- Mathematical and natural sciences minimum of 11 credits

Students must know of the nature and workings of the physical universe. They must understand scientific method, the functions of numerical data and the solving of problems through mathematical and statistical computations, as well as the application of the scientific method in laboratory and experimental work. For this, an appropriate level of computer literacy is required. Students must also be aware of environmental conditions and challenges, the interrelationships of life forms and ecosystems, and the impact of human activities upon natural environments.

- Social sciences minimum of 9 credits

Students must understand the nature and dynamics of human social systems and how and why people organize their lives and resources. In doing so, students will learn about both their own and diverse cultures to acquire a historical perspective on long-term characteristics and consequences of social change and an informed understanding of the variety of human conditions and the interrelationships of nations, regions, peoples, and individuals.

- Application and performance minimum of 3 credits

Students must demonstrate an understanding of concepts, theory, and knowledge through the application of their skills and understanding to specific problems and activities.

- Ethnic studies minimum of 3 credits

Students must become aware of and sensitive to diversity issues and problems. Courses fulfilling this requirement will have a substantial emphasis on cultural diversity within the United States and examine these issues from at least one of the following perspectives: African American, Hispanic/Latino, Asian American, and American Indian topics.

- Interdisciplinary studies minimum of 3 credits

Students must acquire an appreciation for the multiple dimensions of any given subject by applying the content, methods, and assumptions of two or more disciplines. Students will learn to integrate knowledge from across the curriculum.

Students must also meet core requirements in English and mathematics with Composition II and Quantitative Reasoning or College Algebra.

Two pieces of data especially indicate that the Colleges are providing students with the necessary general education foundation for continued success. First, in their first semester after transfer to another institution, students from the UW Colleges perform as well as students who began at the transfer institution. Second, on average, approximately 81 percent of students who transfer after having completed their first two years with the UW Colleges, will graduate from the UW institution to which they transfer.

In its report, the HLC evaluation team noted that “UW Colleges has demonstrated a commitment to general education. It is responsive to community needs through its freshman-sophomore academic program . . .” In addition, the report states that “. . . the UWC has a clearly identifiable general education program based on the distribution model. The distribution requirements of the general education program are explicitly explained in the hardcopy catalog and in online web pages . . .”

ONLINE GENERAL EDUCATION

The Associate of Arts and Science (AAS) Degree represents what the UW Colleges considers to be the core of a liberal arts-based, general education for university students. In 2001, the Colleges applied to the Higher Learning Commission for approval of its Online Associate of Arts and Science Degree and received that approval. The UW Colleges did not create a separate set of requirements for the online associate degree. Students who receive the AAS degree online meet the same general education requirements as students enrolled in the campus-based AAS degree program.

In their visitation report, the HLC team noted a variety of evidence that the UW Colleges is meeting distance education standards. They noted that the distance education courses are consistent with the Colleges’ mission and purposes, and consist of a breadth of liberal arts courses consistent with the AAS degree requirements. Faculty and curriculum for distance education courses adhere to the same quality standards and processes as all other traditional college courses. Distance learning students have help service available 24-hours a day, seven days a week, that provides for technology assistance to all students. They also have access to advising, library resources, tutoring, and other college resources that are available to campus-based students. Further evidence of excellence is that a number of online courses have been nationally recognized for quality and were selected for E-Learning Design Awards from E-Learning Design Lab at the University of Kansas.

RELATED REGENT POLICIES

Academic Information Series 1.revised (ACIS-1). Academic Program Planning and Program Review (May, 2000).

87-1, Principles on Accreditation of Academic Programs (3/6/87).

92-7, Academic Quality Program--Assessment (9/11/92).

ADVANCEMENT SECTION

REPORT OF A COMPREHENSIVE EVALUATION VISIT

TO

University of Wisconsin Colleges

Madison, Wisconsin

March 10 - 12, 2003

FOR

The Higher Learning Commission

A Commission of the North Central Association of Colleges and Schools

EVALUATION TEAM

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ADVANCEMENT SECTION

I. OVERALL OBSERVATIONS ABOUT THE INSTITUTION

The University of Wisconsin Colleges provide the first two years of baccalaureate education as part of the University of Wisconsin System. With 13 campus sites throughout the State of Wisconsin the institution operates under a unique partnership between local government agencies and the State of Wisconsin's Higher Education community.

Local government agencies provide facilities to house the educational program of the College. Therefore, each campus and campus Dean must develop a balance between both the local and state governing agencies. The Central Office serves to facilitate this balance, allocate funds, coordinate human resources and student services such as financial aid, and oversee the academic programs of the institution. Despite what would appear to an outsider to be a difficult system, UW Colleges has not only succeeded but flourished under this organizational system.

Participating students voiced strong support for the quality of both the support services and educational opportunities available through the Colleges. The Colleges has worked to enhance these opportunities through articulation agreements with other members of the UW System, guaranteed transfer admissions programs, and course equivalency agreements that are posted on a state-wide transfer web page. Students also felt that faculty and staff were dedicated to their success.

To support this success, UW Colleges uses a variety of technology both for educational and administrative purposes. Compressed video courses and on-line course provide students throughout the system with the opportunity to enroll in the courses of their choice. Students and faculty see technology as a tool to enhance education and provide access across the system.

The Colleges benefits from a strong central administration, a committed faculty and staff, and the fiscal strength of the University of Wisconsin System. Community members are actively involved in local campus activities through service on the Board of Visitors, enrollment in Continuing Education classes, and participation in cultural events. Strong community ties are a major factor in the success of the Colleges.

The institutional leadership has a clear vision of its continued and future challenges. This clear vision should position the institution for the future.

II. CONSULTATIONS OF THE TEAM

Institutional Research:

The UWC has created an Institutional Research (IR) Office to provide data and conduct studies. As noted in the Assurance Section, efforts to date have been devoted primarily to compiling and disseminating data. It is now time for the UWC to build upon the IR progress it has made. To improve the utility of the IR function for the UWC the IR Office might now place more emphasis on the application of appropriate statistical methods to analyze data and expanding reports to include explanations, analyses and implications for action. The IR Office might also a) explore ways to present reports in multiple versions for different audiences: full reports, executive summaries, and even one-page summaries; b) provide administrators, deans, department chairs and other appropriate individuals with Excel or Access files so they can perform their own data manipulations; c) partner with other UWC personnel to conceptualize and implement research studies about topics of importance for the Colleges.

Institution research must also begin to collect longitudinal data to be used for the advancement of the Colleges. For example, the Self-Study document provided the results of various surveys administered to faculty, staff, and students. These surveys provide point-in-time data, but provide no institution trend data. Therefore, the institution cannot discern whether the data indicate that things are getting better or getting worse. Timetables for collecting and analyzing various data must be developed, comparisons made over time, and trends analyzed.

Institutional Planning:

The UWC has made progress in coordinating planning and budgeting and using its strategic plan to inform decision-making. It might be useful for the institution to clearly identify planning that occurs at each of these levels and the timetable for each planning initiative: campus-based, UW Colleges, UW System, State, and County/City. Some strategic or long-range plans must comply with timetables established by agencies external to the UW Colleges. While it may be frustrating to the Colleges to have to develop plans that seem to be out of order or responsive to only part of a project (e.g., equipment requests without knowing whether local governments will fund facilities), this is a reality of the environment within which the Colleges plan.

The UWC uses the term "strategic plan" for a variety of planning documents, including the Colleges' strategic plan, Library Council strategic plan, and Continuing Education and Outreach strategic plan. Other plans exist for the Online Program, Information Technology, State and University biennial financial planning, UW System Capital Budget Major Requests, and UW System Major Projects Requests. The Chancellor identifies annual institutional priorities and specific actions to address the priorities. These priorities, which are developed the year prior to implementation, are the clearest, most focused articulation of where the UW Colleges will allocate funds or preserve funds when budget reductions are required. The Chancellor shares ideas about the priorities with the Central Administration, Deans and Senate Steering and Budget Committees. The Chancellor's priorities are shared with other constituencies via e-mail and in the Chancellor's newsletter.

The UWC's new strategic plan was developed by a Working Group of the North Central Association Self-Study Coordination Committee, using input from a variety of sources. This plan was included in the Self-Study Report with an indication that the plan would go to campuses for review and input in Fall 2002. A newer version of the Plan was presented to members of the Accreditation Team. The newer version was recommended by the UW Colleges Senate and approved by the Senate Steering Committee. The Colleges also developed a revised mission, vision and goals statement, in a parallel process to

development of the Strategic Plan. The statement was sent to the UW System Senior Vice President of Academic Affairs because the Board of Regents approves institutional missions within the UW System. The Colleges contend that the reworded mission statement is a change in language but not in institutional purpose. The Colleges are waiting to hear back from the Senior Vice President about whether the revised mission statement is approved or must be sent to the Board of Regents. The vision and goals statements are within the purview of the UW Colleges.

The UWC is encouraged to revisit the Revised Mission, Vision and Goals Statement and the Strategic Plan to be sure they are aligned and present just one set of strategic goals. The goals listed in the Mission, Vision and Goals Statement might be retitled "Purposes" so as to reduce confusion among the documents.

The UWC intends now to determine how to implement the new strategic plan, including how to measure and report on progress in meeting the strategic goals. This need not be an elaborate or overly detailed process, but the UWC should demonstrate it is acting responsibly and making coordinated efforts in moving toward the achievement of its goals.

Assessment of Student Academic Achievement:

In its report to the nation, "Measuring Up 2000, The State by State Report Card for Higher Education," The National Center for Public Policy and Higher Education rated each state's higher education system on various factors of interest to the federal government. The report concluded that all states lack data on student learning beyond the high school years and gave every state an incomplete grade in this area.

Since the early 1990s, the Higher Learning Commission has recognized that the assessment of student learning outcomes is a national issue and has required institutions in the North Central Region to develop and implement their own plans for assessing and then improving student learning. This federally required policy has been implemented in a way so as to recognize the uniqueness of each institution and allow the institution to account for unique circumstances in building a comprehensive and systematic assessment plan with a formalized feedback loop that leads to improvement.

The Team recognizes the Faculty for its recent initiatives in the area of assessment of student academic achievement. The Team found that the UW Colleges has begun the process of course outcomes assessment and has likewise begun to explore mechanisms for program outcomes assessment. In addition, the UW Colleges showed evidence of initial progress in defining expectations for general education. However, the Team did not find evidence of widespread course or program assessment beyond a limited number of Faculty and Instructional Academic Staff. At its current level of implementation at UW Colleges, assessment of student learning is neither comprehensive nor systematic.

Following are some of the major factors. Some suggestions are incorporated; others follow the list.

1. Student learning seems to be valued across the institution and departments; however, Faculty ownership of assessment varies greatly among and between departments, with many Faculty still questioning the need for and value of assessment beyond the traditional class level (i.e., through the grades they give students). Participation in assessment activities is voluntary. According to the *University of Wisconsin Colleges Interim Institutional Assessment Report 2001-2003 Assessment Cycle*, "Ten of the seventeen departments reported they are not satisfied with the level of instructor commitment and participation." According to assessment reports and the Self-Study (e.g., p. 153), many Faculty question the efficacy of assessment. The low level of Faculty commitment seems reflected in a concern expressed in the Self-Study: "Very few departments mention assessment in their bylaws, suggesting no explicit structure [beyond having a department assessment coordinator] connected with that UW Colleges-wide initiative" (p. 58). The low level of Faculty commitment also seems tied to a fear

expressed in the Self-Study that that assessment will be used in a summative manner and are concerned that it threatens academic freedom (p. 165). The low level of Faculty commitment to assessment of student academic achievement is further reflected in the fact that only 56% of the Faculty responded to a survey related to academic assessment and other issues, Spring 2001, as part of the Self-Study process. Acceptable research methodology does not support the conclusion in the Self-Study that the responses of 56% of the Faculty “can probably be considered representative for general purposes” (p. 153).

2. The Senate Assessment Committee is the primary unit of the UW Colleges responsible for the assessment program. Several members of this committee participated in a teleconference with Team members. These Faculty appear to have a good grasp of student outcomes assessment as a systematic program, but these Faculty represent a very small minority on campus. The Team recommends that the committee be expanded to include a broader membership from across the Colleges. Furthermore, the committee should have a place on the agenda of every Senate meeting so that it can report assessment activities to primary governance body on campus. Assessment is important and should be kept in the spotlight.
3. The Self-Study asserts “there is limited evidence that departmental assessment activities have been systematically used to improve instruction in many departments, and there has been some concern that the information being gathered is not as fundamentally useful as it should be” (p. 208). Examination of assessment documents and meetings with Faculty and administrators confirm this assertion.
4. Low Faculty participation, unclearly articulated subject-matter competencies and degree proficiencies, and weak assessment methods make it impossible to generalize the findings at the course, program and degree level in order to facilitate continuous improvement in student learning. In several departments, Faculty assess their own students and may develop individual assessment strategies for assessing competencies. In other departments (e.g., in developmental math), Faculty may “utilize question(s) from the [department] question pool and/or question(s)/activities of their own design for breadth of knowledge outcomes and assigned proficiencies.” However, they may use as few as one question related to the 7 categories relating to breadth of knowledge. Some departments or individual Faculty use pre-post tests that focus on improvement rather than on criterion levels of mastery.

In addition, reports rate students in one of three levels of achievement: “Exceeds expectations,” “Meets expectations,” “Fails to meet expectations”; however, these ratings have typically not been defined within or across departments. Finally, some of the assessments do not affect students’ grades, thus reducing validity and reliability of findings by reducing motivation for students to demonstrate competencies to the best of their abilities (see, for example, “UW Colleges Department of English Spring 2001 What is Assessment? A Guide for Students”).

The Team recommends that (a) departments articulate course breadth-of-knowledge competencies and degree-level proficiencies in measurable terms, (b) that all Faculty who are teaching courses that are being assessed be required to participate in assessment, (c) that all Faculty use common assessment questions clearly tied to course competencies and degree proficiencies, (d) that results of class activities that relate to the UWC assessment plan count towards the students’ grades in the class, and (e) that Faculty not assess their own students unless the test(s)/question(s) are objective.

5. The Self-Study found that assessment in distance education, adult learning and off campus classes is “uneven” (p. 164). Assessment reports and meetings with Faculty and administrators support this claim; there is no evidence of attempts to assess breadth of

knowledge and proficiencies of students in the online sections/degree program, differentiating those from on-campus sections.

6. Many Faculty seem to view degree proficiencies as distinct from proficiencies in disciplines. However, when a department indicates that a proficiency is taught in a course, it is logically saying that that proficiency is an aspect of that course and discipline.
7. The conceptualization of degree proficiencies in general education is impressive in many ways; it identifies three categories of proficiencies (I. Clear and Logical Thinking, II. Effective Communication, and III. Aesthetic Response), with 11, 14, and 3 proficiencies respectively. However, implementation is weak. Conceptually, the plan focuses on “exposing” students to the 28 proficiencies rather than on students’ mastery of the proficiencies (for example, see *Plan for the Assessment of Student Academic Achievement and Institutional Effectiveness*, p. 8 and Self-Study pp. 114-15). Furthermore, although UWC expects that students who complete the degree will have taken at least one course that exposes them to each proficiency, students are not required to do so.

An indirect measure of student academic achievement - a degree audit - was conducted in Spring 2002; it found that only 14% of the students had taken at least one course that exposed them to all 28 proficiencies; 48% had been exposed to 25-28; however, 34.4% had been exposed to only 20-24, and 17.5% had been exposed to fewer than 20. The Team suggests that UWC require students to complete at least one course that addresses each of the degree proficiencies.

Furthermore, “exposure” does not ensure mastery of the relevant competencies. That is, students may pass a course, or even excel in it without mastering the degree proficiencies to which the course exposes them. The Team suggests that students be required to master any degree proficiencies that a course covers in order to earn a passing grade in the course. Another concern is that each department defines the proficiencies and establishes criterion levels, removing the commonality implied in the UWC catalog; in addition, the department definitions are too broad to ensure mastery of common competencies even among students who take the same course from different Faculty. The Team suggests that the degree proficiencies and criterion levels be refined to ensure more commonality among and within departments.

Finally, some of the proficiencies are covered in courses offered by only two, three or four departments. For example, only three departments offer courses that cover Self Assessment, a proficiency in Clear and Logical Thinking, even though that proficiency would seem relevant to students at every level of every discipline: “In order to grow independently, students must develop an ability to analyze their own work and to express accurately both the strengths and weaknesses inherent in their own products.” The Team suggests that each department consider addressing this proficiency in most courses.

8. Since students have little if any awareness of the assessment program and have not participated in the development of the current assessment activities, the Team recommends that each campus develop a means by which student involvement can be incorporated into the assessment plan.
9. Analysis of results is limited and does not address multiple factors such as students’ high school quartile, entrance verbal and quantitative skills or grades in prerequisite courses. There is little evidence that analysis leads to modification of courses and improvement of instruction. Teasing out such information would help develop instructional strategies to improve student learning. (See, for example, the UW-Marquette project referenced in the Advancement Section of this report.)

10. The Team recommends that the Institutional Research Office play a stronger role in the overall assessment of student learning by providing Faculty with resources and training in assessment. IR personnel should not be expected to conduct or analyze data for Faculty. The Faculty must do this for themselves. However, the expertise of IR can be a strong catalyst to achieving the goal of closing the loop and improving student learning.
11. Several factors seem to contribute to the problems UWC is having in the area of assessment. Perhaps the greatest of these are (a) locus of oversight in a department assessment coordinator and (b) the geographical separation of the campuses from the UWC Institution office and the members of each department from each other. Under the current structure, the department members on 12 campuses are geographically separated from their respective department assessment coordinator. Furthermore, because members of each department meet only once a semester, they have little opportunity to develop a culture that embraces assessment. Many Faculty currently view assessment as an imposition on their real jobs of teaching, rather than a means to improve student learning. Thus, the important question is how to help Faculty understand and thus embrace assessment. The Team suggests that UWC revise its assessment plan to place more responsibility for assessment on each campus (e.g., establish an assessment coordinator for each campus). The Team believes that Faculty ownership in assessment would benefit from the dialogue that is naturally occurring among colleagues on campus, as evidenced by the interdisciplinary initiatives. Moreover, there would be more opportunity for Faculty to mentor one another. The focus of a campus-based assessment program would be on the assessment of the general education proficiencies, which are common to all departments. Department-level assessment of subject matter/breadth of knowledge should continue, but a strong campus-based general education assessment program would strengthen the departments' abilities to conduct assessment in a meaningful way.
12. The Team also suggests that UWC offer professional development activities to help Faculty understand concepts and skills related to assessment, particularly, measurable objectives, direct vs. indirect measures, and valid assessment strategies.
13. The lack of common course objectives stated in terms of student learning outcomes makes assessment at the course level inconsistent across the campuses. Syllabi are not departmentalized and therefore students across the UW College system may not be learning the same content in the same courses. It is recommended that academic departments establish learning outcomes for every course and then tie their assessment activities to these departmentally based learning outcomes.

Finally, UW Colleges should take advantage of the fact that they are part of the UW System. The use of student tracking data that is available through the UW System would provide UW Colleges with an indirect measure of student learning. Additionally, partnering and benchmarking against assessment practices with other UW System members should be explored. The Colleges of Education at other University of Wisconsin System institutions could be a potential source of both information and support in the form of graduate student assessment research projects.

Distance Learning:

System Wide “Just in time” Services

Collaborations and articulation agreements with baccalaureate institutions within the University Wisconsin System is allowing the University of Wisconsin Colleges to serve the returning adult population market successfully. As the University of Wisconsin Colleges Online Program continues to grow and projected enrollments continue to increase, it would be beneficial for the University System to embrace future directions that would encourage efforts to be self reliant; i.e., seamless student services, administrative structures, and navigable course transfer abilities. As the system assesses which critical services would be valuable for academic success for the distant learner, it should consider what “core” service areas could enhance the support for the on-campus student.

Blended or Hybrid Instruction

As various technologies begin to enhance the learning environment, distinction between the traditional student and distance-learning student are becoming blurred. A “blended” or mixed model of delivery is emerging within our traditional face-to-face instruction and programs, which is allowing for less seat time and for changes in facility usage patterns. This may suggest that UWC institutions take into consideration developing new course offerings with the assumption that the program will be delivered in multiple formats — courses may be face-to-face, and others may be completely via another mode. Expanding distance-learning opportunities drives planning and new strategies for delivering programs and services. Local and regional needs assessment of UWC could be conducted by campuses in order to identify educational resources and avoid duplication efforts.

System Wide Effectiveness Relating to Distance Education

The University of Wisconsin Colleges should work to establish common data reporting mechanisms for distance learning activities. Quality assurance and accountability for performance are challenges in a distance learning environment. Data collected on enrollment, costs, and successful uses of different technologies will provide needed information for change and improvements for increased capacity and provide system wide accountability. Information and data gathering can foster a linkage between student assessment of learning, satisfaction, achievement outcomes, program review, and future strategic planning. Performance measures can identify areas that require further attention and review. By looking at the data being collected, decisions can be made to support planning activities and the loop will be closed to drive a continuous improvement planning cycle. The planning processes are dynamic and it can influence a means to build collaborative relationships; i.e., regional stakeholder visioning, best practices, identifying key performance indicators, etc. and help influence the commitment to meeting the needs of adult learners through various modes of technology.

Implementation of First Year Experience Initiative (ESFY):

The faculty, Instructional Academic Staff, and Academic Staff of UWC are to be commended for their commitment to creating a comprehensive first-year experience program. The goals, activities, and schedule for implementation of the ESFY initiative indicate that the institution has made a significant commitment to develop this program.

The mission and goals statement is comprised of somewhat lengthy lists of subgoals that differ qualitatively within goals. In some cases, the lists of strategies indeed are strategies, in other cases they are simply lists of skills that students should master. If these lists are simply the result of brainstorming at Fall Convocations, they need to be distilled and refined into strategic

statements that give strong direction to the campuses regarding the future of the ESFY. It may be that the three key areas noted for the spring 2003 ESFY conference at UW-Fox Valley (i.e., first-year seminars, learning communities, and advising, mentoring and orientation) are the agreed upon foci of the ESFY, but this certainly is not clear from the documents describing the initiative. The Team recommends that the UWC implement an ESFY team consisting of the campus ESFY coordinators and chaired by the institutional ESFY coordinator that should do the following:

- Meet regularly as a continuing institutional committee to plan, review, and evaluate components of the ESFY.
- Review the ESFY “Mission, Goals and Strategies” statement and the ESFY Implementation Plan to work the two documents into an integrated strategic plan that strongly guides the campuses in developing programmatic approaches to the first-year experience that are consistent in addressing the ESFY goals of (1) promoting an understanding of liberal education as defined by the UWC degree proficiencies, and (2) helping students develop the skills and dispositions that lead to academic success, (3) promoting faculty and staff enhancement of the campus learning environment. This effort should include evaluation of the sequence of activities planned for spring and fall 2003 and a careful determination of what is to be accomplished and whether sufficient time has been allotted for achieving those ends.
- Consider ways to clarify the relationship of other institutional initiatives (e.g., advising, learning communities, developmental courses, and scholarship of teaching and learning) with the ESFY. It is not clear how first-year seminars and these other initiatives are to be integrated with the ESFY initiative. The administration, faculty, and staff should clarify early on the relationship between these significant institutional initiatives to effectively and efficiently use fiscal and human resources to achieve their objectives.
- Work with the faculty and staff to define more precisely the role and model of the first-year seminar (FYS). Is the FYS to play a specific role with regard to the rest of the curriculum? Is the focus of the seminar to be continued orientation, academic skills for high-risk students, or an academic introduction to the UWC concept of liberal education? Without such an institutional definition of the FYS, the seminar will be unfocused in curricular objectives, content, and learning outcomes.
- Propose strategies for assessing the effectiveness of the ESFY by measuring outcomes directly related to the ESFY goals.
- Plan the intercampus activities that will occur each year to promote the ESFY.

The most notable characteristic of the ESFY Implementation Plan is that it does not seem to have a well-defined strategic center from which all the activities and funding commitments directly emerge. Many excellent activities and laudable funding commitments are made, but it is difficult to discern how they are intended to work in complementary ways to serve a central ESFY goal.

In addition to the recommendations above, the Team encourages the UWC to consider the following:

- The Office of Academic Affairs has committed to providing the funding and administrative support for an ESFY conference in spring 2003 to give faculty and staff the opportunity to plan for learning communities, first-year seminars, and advising, mentoring, and orientation of new students. Stage two of the spring 2003 plan allots \$500.00 to each campus for implementing strategies that presumably will emerge from the spring ESFY conference. This

amount seems inadequate unless the intent is simply to support planning meetings among faculty and staff at the same campus. The successful implementation of the ESFY will require a significant continuing base budget. The Team encourages the UWC administration to develop a long-range budget plan for implementation of the ESFY.

- The administration, faculty, and staff should clarify the relationship between the ESFY and the two other significant institutional initiatives: academic and career advising and the scholarship of teaching and learning. Given the mission of the UWC, the institution appears to have a unique opportunity to focus its attention and resources on linking these initiatives to enhance the student- and learning-centered community that now characterizes the UWC. Integration of the initiatives would effectively and efficiently use fiscal and human resources to achieve the complementary objectives of the three initiatives.
- The UWC faculty and staff should seek ways to integrate the goals of the ESFY with the degree proficiencies adopted for the institution. For example, some of the proficiencies within the “clear and logical thinking” and “effective communication” areas are directly related to goals of the ESFY. Linking the ESFY goals with the degree proficiencies will open opportunities for more efficient and complementary approaches to assessment of intended student learning outcomes in both the curriculum and ESFY initiative.
- Successful establishment of the ESFY program will require strong administrative and faculty leadership of the program. Coordination of the many activities in the program across all campuses of the institution would seem to demand more than a one-half time institutional coordinator. Similarly, because programs functionally operate individually at each of the campuses, the campus-level coordinators need sufficient release time to manage integration of the academic and co-curricular components at each campus. The team encourages the UWC to carefully evaluate the administrative structure necessary for the ESFY and the responsibilities of the coordinators and insure that sufficient release time is provided to successfully establish and maintain the ESFY initiative.
- Although the ESFY plan notes that stage five of the spring 2003 activities focuses on program level assessment, the team recommends that, where it is appropriate for objectives under the ESFY goals, the faculty and staff identify student outcomes that can be measured as well.

III. RECOGNITION OF SIGNIFICANT ACCOMPLISHMENTS, PROGRESS, AND/OR PRACTICES

LIBRARY SPACE AND COLLECTIONS

Significant improvements have been made in the libraries. Utilization of the DINs to acquire technology to update access methods for information enhance significantly the services by providing students with a wide array of digital research capability at all of the UW Colleges campuses.

FOUNDATION AND FUND-RAISING EFFORTS

With UW Colleges' unique financial arrangements, whereby the local community funds the construction and renovation for the campus in its community have led to establishment of Foundations. These Foundations are strong supporters and serve as an exemplary model for a common purpose to support the learning environment in their communities. The outstanding dedication, knowledge and full engagement of the Foundations, coupled with a visionary view for the future, create opportunities for the UW College and those it serves.

RESPONSIVENESS TO COMMUNITY NEEDS AND CHANGES

The array of services that are developed in collaboration with the community and designed to meet diverse and changing community needs is impressive. The UW Colleges have demonstrated their deep partnership with multiple constituencies beyond those normally found. Community support for the UW College is evident through new construction and renovation, increasing contributions to the foundation, participation in college-sponsored activities and utilization of the campus as a community center.

ONLINE LEARNING

A number of online courses have been nationally recognized for quality and were selected for E-Learning Design Awards from E-Learning Design Lab at the University of Kansas.

COLLEGE PERSONNEL

Students believe that the faculty, staff, and administrators are committed, creative, and student centered. Faculty and Instructional Academic Staff are dedicated to helping students learn and achieve their academic goals. Non Instructional Academic and Classified Staff provide outstanding service in support of student learning and persistence.

MARKETING

The UW Colleges has developed a strong, sophisticated marketing approach. This approach gives the institution a standard look, while respecting the differences of each local campus. Research done by the marketing department is used to strengthen marketing strategies and enhance student recruitment efforts.

EDUCATION COMMITTEE

Resolution I.1.d.:

That, upon recommendation of the Chancellors of the University of Wisconsin-Madison and the University of Wisconsin-Milwaukee and the President of the University of Wisconsin System, the Board of Regents approves the request to the Trustees of the William F. Vilas Trust Estate for \$5,351,390 for fiscal year July 1, 2004 to June 30, 2005, subject to availability, as provided by the terms of the William F. Vilas Trust, for Support of Scholarships, Fellowships, Professorships, and Special Programs in Arts and Humanities, Social Sciences, Biological Sciences, Physical Sciences and Music.

**APPROVAL OF REQUESTS TO
TRUSTEES OF THE WILLIAM F. VILAS TRUST ESTATE
FOR SUPPORT OF SCHOLARSHIPS, FELLOWSHIPS,
PROFESSORSHIPS, AND SPECIAL PROGRAMS IN ARTS AND
HUMANITIES, SOCIAL SCIENCES AND MUSIC, AND
A SPECIAL CONSTRUCTION FUND FOR THE PROPOSED
ENGINEERING CENTER**

EXECUTIVE SUMMARY

BACKGROUND

The terms of the Deed of Gift and Conveyance of the estate of William F. Vilas, subsequently validated and accepted by an act of the Legislature of Wisconsin, provides in part that the trustees of the estate may proffer in writing to the Board of Regents funds for the maintenance of scholarships, fellowships, professorships, with their respective auxiliary allowances, and other like endowments specifically enumerated, defined, and provided for by the Deed.

At the beginning of each calendar year, the trustees of the William F. Vilas Trust Estate formally request that the President of the UW System ask the Chancellors of UW-Madison and UW-Milwaukee to determine from the Vilas Professors the amounts they will request for special project allowances for the ensuing academic year, and to obtain from the Chairs of the UW-Madison and UW-Milwaukee music departments their programs and requests for the next year. In addition, the Chancellor of UW-Madison is asked to determine the number of scholarships, fellowships, Vilas Associates, and any other initiatives to be requested.

The proffer is made following receipt, by the trustees, of a certificate or warrant from the Board of Regents showing how the funds will be expended. This request and Resolution I.1.d. constitute that warrant.

Following approval of this resolution, President Lyall will send a formal request to the trustees, who will determine the amount of income that will be available for the various awards (particularly for music, which varies with the value of the trust) and respond with a proffer of funds. The value of the proffer will be reported to the Board of Regents at its meeting in May.

REQUESTED ACTION

Approval of resolution I.1.d., a request to the trustees of the William F. Vilas Trust Estate for \$5,351,390 for fiscal year 2004-2005 for the support of scholarships, fellowships, professorships, and special programs in arts and humanities, social sciences and music.

DISCUSSION

The attached document contains the responses to the trustees' request and details how the proposed funds will be expended. It has seven components: (a) continuation of Trustee-approved programs, UW-Madison (\$4,132,100); (b) expansion of Trustee-approved programs,

UW-Madison (\$160,000); (c) one-time-only program allocations (reinstatements), UW-Madison (\$998,000); (d) a request from UW-Madison that, pursuant to Article 5 of the Deed of Gift and Conveyance, one-half the annual net income be allocated to a special construction fund for the research facility of the BioStar program, identified as the Microbial Sciences Building (estimated cost, \$100 million); (e) support for the *Careers in Music – Preparing Professional Musicians and Educators for the 21st Century* program, UW-Milwaukee (\$18,790); (f) request to fund Vilas Research Professor in the Department of English, UW-Milwaukee (\$40,000); and (g) continuation of the standard retirement benefit in support of Vilas Professor Emeritus Ihab Hassan, UW-Milwaukee (\$2,500).



March 22, 2004

President Katharine C. Lyall
University of Wisconsin System
1720 Van Hise Hall
CAMPUS

Dear President Lyall:

I am submitting the following report for funds from the Vilas Trust Estate for fiscal year July 1, 2004 to June 30, 2005 for the University of Wisconsin-Madison.

A. CONTINUATION OF APPROVED PROGRAMS

- | | | | |
|----|---|--------------|---------|
| 1. | Continuation of 10 Vilas Undergraduate Scholarships
at \$400 each | | 4,000 |
| 2. | Continuation of 10 Vilas Graduate Fellowships: | | |
| | a. 5 at \$600 each | 3,000 | |
| | b. 5 Traveling Fellowships at \$1,500 each | <u>7,500</u> | 10,500 |
| 3. | Continuation of 15 Vilas Research Professors
at \$10,000 salary plus \$30,000 auxiliary allowances each: | | 600,000 |

Vernon Barger - Vilas Research Professor
of Physics, College of Letters and Science

David Bethea - Vilas Research Professor
of Slavic Languages, College of Letters and Science

William A. Brock - Vilas Research Professor
of Economics, College of Letters and Science

William Cronon - Vilas Research Professor
of History and Geography, College of Letters and
Science, and Gaylord Nelson Institute for
Environmental Studies

Richard Davidson - Vilas Research Professor
of Psychology and Psychiatry, College of Letters and
Science and Medical School

Office of the Chancellor

Bascom Hall University of Wisconsin-Madison 500 Lincoln Drive Madison, Wisconsin 53706-1380

Morton Gernsbacher – Vilas Research Professor
of Psychology, College of Letters and Science

Robert Hauser - Vilas Research Professor
of Sociology, College of Letters and Science

Judith Kimble - Vilas Research Professor
of Biochemistry and Medical Genetics, College of
Agricultural and Life Sciences and Medical School

Ching Kung - Vilas Research Professor
of Genetics, College of Agricultural and Life Sciences

Emiko Ohnuki-Tierney - Vilas Research Professor
of Anthropology, College of Letters and Science

Elliott Sober - Vilas Research Professor
of Philosophy, College of Letters and Science

Howard Weinbrot - Vilas Research Professor
of English, College of Letters and Science

Erik Olin Wright - Vilas Research Professor
of Sociology, College of Letters and Science

Sau Lan Wu - Vilas Research Professor
of Physics, College of Letters and Science

Vilas Research Professor - to be appointed

4.	a. Continuation of 50 additional undergraduate scholarships at \$400 each	20,000	
	b. Continuation of 50 additional graduate fellowships at \$600 each	<u>30,000</u>	50,000
5.	Continuation of eighty (80) additional undergraduate scholarships at \$400 each under the provisions of Paragraph (3), Article 4 of the Deed of Gift and Conveyance by the Trustees of the Estate of William F. Vilas		32,000
6.	Retirement benefits for eight (8) Vilas Professors: Berkowitz, Bird, Goldberger, Hermand, Keisler, Lardy, Mueller, Vansina at \$2,500 each		20,000
7.	Continuation of support for encouragement of merit and talent or to promote appreciation of and taste for the art of music: 2004-05 GUEST ARTISTS		26,000

8.	21 Vilas Associates in the Arts and Humanities		658,358
9.	14 Vilas Associates in the Social Sciences		498,736
10.	11 Vilas Associates in the Physical Sciences		412,934
11.	6 Vilas Associates in the Biological Sciences		192,212
12.	One-time special funding for Vilas Research Professors:		
	David Bethea (2nd year of 6-yr request-\$30,000/yr)	30,000	
	Ching Kung	60,000	
	Howard Weinbrot	31,360	
	Erik Wright	15,000	
	Sau Lan Wu (requests for additional funding possible in the future)	<u>125,000</u>	261,360
13.	Continuation of 1998 and 2002 Expansion of Approved Programs:		
	a. 940 additional undergraduate scholarships at \$400 each, pursuant to Article 4, Sections A and E of the Deed of Gift and Conveyance		376,000
	b. 400 additional fellowships at the \$600 level, pursuant to Article 4, Sections A and E of the Deed of Gift and Conveyance		240,000
14.	Continuation of ten (10) existing young investigator awards		750,000
	<u>Total Continuation Request</u>		<u>\$4,132,100</u>

B. EXPANSION OF APPROVED PROGRAMS

1.	4 Vilas Teaching Professorships at \$10,000 salary plus \$30,000 auxiliary allowances each		160,000
	<u>Total Expansion Request</u>		<u>\$160,000</u>

C. ONE TIME ONLY PROGRAM ALLOCATIONS

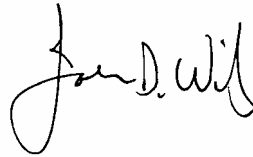
1.	2,495 additional undergraduate scholarships of \$400 each, pursuant to Article 4, Sections A and E of the Deed of Gift and Conveyance, for all undergraduates eligible for need-based grants to offset tuition increases attributable to the Madison Initiative and budget cuts in 2004-05. This is requested for approval consistent with one-time allocations previously made.		998,000
	<u>Total One Time Only Program Allocations</u>		<u>\$998,000</u>

D. FACILITY CONSTRUCTION FUND (MICROBIAL SCIENCE)

Pursuant to Article 5 of the Deed of Gift and Conveyance, we request that one-half the annual net income be allocated to a special construction fund for the research facility of the BioStar program which we have identified as the Microbial Sciences Building. It is our plan to seek this allocation pursuant to Article 5 for five years. This is the fourth year of our request. The estimated cost of the facility is \$100 million. Construction is anticipated in the period 2004-06. A summary of the project was provided to the Trustees at the April 2001 meeting.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Wiley". The signature is fluid and cursive, with the first name "John" being the most prominent.

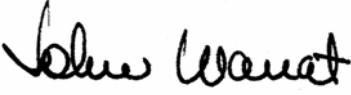
John D. Wiley
Chancellor

Attachments

xc: Provost Peter Spear
Vice Chancellor Darrell Bazzell
Dean Martin Cadwallader

March 18, 2004

TO: Katharine C. Lyall, President
The University of Wisconsin System

FROM: John Wanat 
Provost and Vice Chancellor

RE: UW-Milwaukee 2004-05 Vilas Trust Support Proposals

Please find attached the two proposals that UW-Milwaukee is submitting for the 2004-05 Vilas Trust Funds:

1. Vilas Research Professor Kumkum Sangari, Department of English.
Total Request: \$40,000.00 (\$30,000 for Research Support and \$10,000 for Salary Support)
2. Department of Music, Peck School of the Arts. *Careers in Music-Preparing Professional Musicians and Educators for the 21st Century*. Total Request: \$18,790.00
3. Continuation of the standard retirement benefit of \$2,500 in support of Vilas Emeritus Ihab Hassan.

Thank you for your continued consideration and support of these activities. Both the Departments of English and Music are appreciated of this opportunity to gain funding for both venues.

Should you have any questions, please do not hesitate to contact me or Vice Provost Sona Andrews (229-4501).

c: Robert Greenstreet, Interim Chancellor
Carlos Santiago, Chancellor-designate
Sona Andrews, Vice Provost
G. Richard Meadows, Dean, College of Letters & Science
Robert Buckner, Dean, Peck School of the Arts

Additional materials on the UW-Madison and UW-Milwaukee Vilas requests are available from the Board of Regents Office.

Phone: 608-262-2324

Fax: 608-262-5739

The University of Wisconsin-Milwaukee
Center for Charter Schools Contract
with the Capitol West Academy, Inc.

EDUCATION COMMITTEE

Resolution I.1.e.:

That, upon recommendation of the Chancellor of the University of Wisconsin-Milwaukee and the President of the University of Wisconsin System, the Board of Regents approves the charter school contract with the Capitol West Academy, Inc.

**UNIVERSITY OF WISCONSIN-MILWAUKEE
OFFICE OF CHARTER SCHOOLS CONTRACT WITH
CAPITOL WEST ACADEMY, INC.**

EXECUTIVE SUMMARY

BACKGROUND

Charter schools are intended to offer quality education services to children through the creation of alternative public schools that are not subject to many of the rules and regulations imposed on school districts. The charter school movement is one of the strategies used to expand the idea of public school choice in Wisconsin and the rest of the nation.

In 1997, Wisconsin law was modified to allow the University of Wisconsin-Milwaukee to charter public schools in the city of Milwaukee. Since then, the Board of Regents and the Chancellor of UW-Milwaukee have approved several charter schools, involving a variety of public and private partnerships working to improve educational opportunity and achievement for Milwaukee school children.

The Office of Charter Schools at UW-Milwaukee and Interim Chancellor Greenstreet recommend that the Capitol West Academy, Inc., be granted a charter to operate a public school known as Capitol West Academy.

Capitol West will be UW-Milwaukee's seventh charter school. The Office of Charter Schools undertook an extensive review process that began in May of 2003. The review included an in-depth analysis of the Capitol West Prospectus by the UW-Milwaukee Charter School Board and a three-step review of the Capitol West Charter School Application by the UW-Milwaukee Charter Application Review Committee. The UW-Milwaukee Charter School Board, the UW-Milwaukee Charter Application Review Committee, and the Director of the Office of Charter Schools recommend approval of the charter school contract to allow Capitol West to begin operating as a charter school in the fall of 2004.

REQUESTED ACTION

Approval of Resolution I.1.e., approving the Charter School contract with the Capitol West Academy, Inc., to operate a public school known as Capitol West Academy.

EDUCATIONAL PLAN

The development of Capitol West Academy was initiated by individuals presently associated with St. Aemilian-Lakeside Inc., a non-sectarian, private school specializing in the education of children with severe behavior problems. Capitol West will occupy an unused wing of the St. Amelian building at 8901 W. Capitol Drive, Milwaukee, WI 53222. Capitol West will

enjoy the continued support of St. Amelian through the loan of start-up funds and the sharing of contracted services. Capitol West Academy Inc. will operate as an independent, public charter school organized as a non-stock corporation under Chapter 181 of the Wisconsin State Statutes. The school will be a Local Education Agency (LEA) and will act as its own school district. Capitol West Academy has applied to the Internal Revenue Service for tax-exempt status under 501(c)(3) of the Internal Revenue Code.

Capitol West Academy was developed through a collaborative effort with parents, St. Amilian-Lakeside, Inc., staff, and community members. The mission of Capitol West Academy will be to provide a safe, nurturing educational environment where children, with the support of their families and the community, learn and grow to be successful life-long learners and productive citizens.

The purpose of the organization will be to offer kindergarten through eighth-grade public schooling for children in Milwaukee. Enrollment will be open to all interested students as required by state statute. Capitol West Academy will offer kindergarten through third grade in its first year of operation, and add one additional grade level each year of operation. Class size is anticipated at 20-22 children per classroom, with a projected school enrollment of 80-90 students the first year in kindergarten through third grade. The school plans a teacher-student ratio of one teacher per class of 20-22, and one teacher's aide to every two classrooms. In addition to the four classroom teachers, there will be one special education coordinator/teacher. Support staff will comprise part-time art, physical education, and computer teachers the first year. Music will be added the second year. Capitol West will also employ a part-time social work consultant, as needed, a full-time administrative assistant, and a part-time principal and executive director.

The academic focus of Capitol West Academy will be to effectively and proactively educate children in the core academic areas with an emphasis on a positive educational environment and adaptation to different learning styles. The program's curriculum emphasizes not only academic growth, but personal growth as well. The fundamental goals of Capitol West Academy are to:

- Create a safe, student-centered environment with a high expectation for academic achievement in the areas of reading, language arts, math, and science, which will assist students in exceeding Wisconsin proficiency levels.
- Provide an environment in which all teachers foster academic, social and emotional growth, and effectively and efficiently integrate alternative learning styles to meet the learning needs of each child.
- Nurture a strong linkage and mutual accountability between family, school and community that involves parents as partners to increase the child's positive academic and social development.
- Actively incorporate strong accountability measurements to assess the success of each child and provide quantitative measures to guide continuous improvement.
- Create a culture that values diversity, respects the individual, and values learning as a life-long source of self-mastery, joy, and meaning.
- Develop each child academically, personally, and socially with an understanding of citizenship in the United States.

The mission of Capitol West Academy is a reflection of the importance it places on a school that provides all children an opportunity for a successful, permanent, and accountable educational experience. The model will integrate parental involvement, teachers who are trained in brain-based education, and a reproducible design of educational and social success. The leaders of Capitol West are committed to creating a school environment that results in students who are prepared socially and academically to enter the high school environment with a vision of success.

ELEMENTS OF THE CONTRACT

The contract negotiated with Capitol West Academy, Inc., meets all requirements of the UW-Milwaukee model charter school contract. The Capitol West Academy is prepared to operate in accordance with all applicable state and federal requirements for charter schools. The contract follows the approved model contract and contains additional information that makes the contract more complete for the purpose of granting the charter. The major elements are as follows:

1. Article One – Definitions - Key terms of the contract.
2. Article Two - Parties, Authority and Responsibilities.
3. Article Three – Obligations of the Grantee. This section is important in that it recites the requirements of the law and how the grantee will meet those requirements. This includes such topics as: a) school governance; b) measuring student progress; c) methods to attain educational goals; d) licensure of professional personnel; e) health and safety; f) admissions; g) discipline; h) insurance standards and other topics.
4. Article Four – Additional Obligations. This section adds additional considerations that help define the school, its practices, UW-Milwaukee administrative fees, and financial reporting.
5. Article Five – Joint Responsibilities. This section details the review of the management contracts and methods of financial payments.
6. Article Six – Notices, Reports and Inspections. This section facilitates certain aspects of UW-Milwaukee’s oversight responsibilities.
7. Article Seven – Miscellaneous Provisions. Significant in this section are the Code of Ethics provisions (7.2).
8. Article Eight – Provision Facilitating UW-Milwaukee Research. This section sets forth the guidelines that UW-Milwaukee will use to conduct research into the concept of charter schools and their impact upon educational practice.
9. Article Nine – Revocation of Agreement by UW-Milwaukee. This section establishes how the contract might be defaulted by the grantee and reasons for revocation by

UW-Milwaukee. This section is critical to the idea that a charter school can be closed for not complying with the law, contract conditions, or failure to meet its educational purpose(s).

10. Article Ten – Termination by the Grantee. This is the reverse of Article 9 describing how the grantee may, under specified circumstances, terminate the contract.

11. Article Eleven – Technical Provisions. This section details standard contract language for mutual protection of the parties.

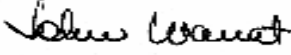
The attached contract represents the final phase of the chartering process for the Capitol West Academy to be chartered under Wisconsin law.

RELATED REGENT POLICIES

Regent Resolution 7905 (May 7, 1999).

March 18, 2004

To: Cora B. Marrett
Senior Vice President for Academic Affairs, University of Wisconsin-System

From: John Wanat 
Provost and Vice Chancellor

Re: Recommendation that Capitol West Academy, Inc. be granted charter status in order to operate a public school known as Capitol West Academy.

The Office of Charter Schools has recommended to Interim Chancellor Greenstreet and me that the Capitol West Academy, Inc. be granted a charter to operate a public school known as Capitol West Academy.

The development of Capitol West Academy was initiated by individuals presently associated with St. Aemilian-Lakeside Inc., a non-sectarian, private school specializing in the education of children with severe behavior problems. Capitol West Academy Inc. will operate as an independent, public charter school organized as a non-stock corporation under Chapter 181 of the Wisconsin State Statutes at 8901 W. Capitol Drive, Milwaukee, WI 53222.

The purpose of the organization will be to offer kindergarten through eighth grade public schooling for children in Milwaukee. Enrollment will be open to all interested students as required by state statute. Capitol West Academy will offer kindergarten through third grade in its first year of operation, and add one additional grade level each year of operation. The academic focus of Capitol West Academy will be to effectively educate children in the core academic areas with an emphasis on a positive educational environment and adaptation to different learning styles. The program's curriculum emphasizes not only academic growth, but personal growth as well.

I am requesting that this be placed on the agenda for the Board of Regents Education Committee meeting in April 2004.

A copy of the contract has already been transmitted electronically to Janice Sheppard of UW System Academic and Students Services and to Pat Brady of UW System Office of the General Counsel.

If you have questions, please feel free to contact my office at 414-229-4501 or Professor Robert Kattman, Director, Office of Charter Schools at 414-229-4682.

cc: Robert Greenstreet, Interim Chancellor
Robin Van Harpen, Senior University Legal Counsel
Robert Kattman, Director, Office of Charter Schools

CHARTER SCHOOL CONTRACT

THE BOARD OF REGENTS
OF THE
UNIVERSITY OF WISCONSIN SYSTEM
(d/b/a the University of Wisconsin-Milwaukee)

AND

CAPITOL WEST ACADEMY, INC.
(Grantee)

CHARTER SCHOOL CONTRACT
BETWEEN
THE BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM
(d/b/a the University of Wisconsin-Milwaukee)
AND

This Contract is made this __ day of _____, by and between the Board of Regents of the University of Wisconsin System (d/b/a the University of Wisconsin-Milwaukee), P.O. Box 413, Milwaukee, WI 53201, and Capitol West Academy, Inc. (“Grantee”), located at 3939 N. 88th Street, Milwaukee, WI 53222.

Whereas, the State of Wisconsin has created a Charter School program under the provisions of s. 118.40, *Wisconsin Statutes*; and

Whereas, the Chancellor of the University of Wisconsin-Milwaukee is authorized by s. 118.40(2r)(b), *Wisconsin Statutes*, to initiate and enter into a contract with an individual or group to operate a school as a charter school, subject to the approval of the Board of Regents of the University of Wisconsin System; and

Whereas, on _____ the Board of Regents of the University of Wisconsin System has approved (i) the Chancellor’s grant of a charter to the Charter School and (ii) the Chancellor’s entering into this Contract with the Grantee for operation of the Charter School;

Whereas, the University of Wisconsin-Milwaukee has established the Office of Charter Schools to serve as the University’s administrative unit to implement the provisions of section 118.40, *Wisconsin Statutes*, and to carry out the University’s oversight responsibilities under the statute; and

Whereas, it is the intention of the Chancellor of the University of Wisconsin-Milwaukee to grant charter school status to qualified non-profit organizations that can bring quality educational services to the children residing within the City of Milwaukee, pursuant to the provisions of s. 118.40, *Wisconsin Statutes*; and

Whereas, the mission of the University of Wisconsin-Milwaukee includes research and the dissemination of knowledge that results from research, and the particular mission of its School of Education is research on reforms in urban education;

Whereas, the Office of Charter Schools has been organized to cooperate with community organizations, parent groups, educators and other individuals who are committed to improving the quality of education for children in the City of Milwaukee; and

Whereas, the Parties (as defined below) have successfully negotiated this Contract as a charter school contract in accordance with s. 118.40, *Wisconsin Statutes*, and in particular, the

provisions specified under sub. (1m)(b) 1. to 14. and sub. (2r)(b), and additional provisions as authorized by sub. (2r)(b);

NOW THEREFORE,

- A. As contemplated under s. 118.40(2r)(b), the Chancellor, on behalf of and with the approval of the Board of Regents of the University of Wisconsin System (d/b/a the University of Wisconsin-Milwaukee), hereby establishes by charter the Charter School to be known as Capitol West Academy.
- B. The Chancellor, on behalf of and with the approval of the Board of Regents of the University of Wisconsin System (d/b/a the University of Wisconsin-Milwaukee), hereby enters into this Contract with Capitol West Academy, Inc. and thus hereby authorizes the Grantee to operate the Charter School; and
- C. In consideration of this grant, the Chancellor, on behalf of the University of Wisconsin - Milwaukee and with the approval of the Board of Regents of the University of Wisconsin System, and the Grantee (each as defined below), hereby agree as follows:

ARTICLE ONE

DEFINITIONS

Section 1.1 Certain Definitions. For purposes of this Contract, and in addition to the terms defined throughout this Contract, each of the following words or expressions, whenever initially capitalized, shall have the meaning set forth in this section:

- (1) “Applicable Law” means all federal, state, and local law now or in the future applicable to Wisconsin charter schools.
- (2) “Board” or Board of Regents means the Board of Regents of the University of Wisconsin System.
- (3) “Chancellor” means the Chancellor of the University of Wisconsin-Milwaukee or any designee of the Chancellor.
- (4) “Office” means the Office of Charter Schools at the University of Wisconsin-Milwaukee, and for the purposes of this contract, is a designee of the Chancellor.
- (5) “Charter School” and “School” and “CWA” mean a school to be known as Capitol West Academy, which is under the control of the Grantee, a Wisconsin nonstock, nonprofit corporation.
- (6) “Day” shall mean calendar day,
 - (a) The first day shall be the day after the event, such as receipt of a notice,

- (b) Each day after the first day shall be counted, except that a Saturday, Sunday, or legal holiday shall not be counted if it would be the final day of the period.
- (7) “Department” means the Department of Public Instruction of the State of Wisconsin.
- (8) “District” means the First Class City School System operating pursuant to Wis. Stat. ch. 119, as well as any successor to it that may have jurisdiction over or statutory duties with respect to the Charter School.
- (9) “Grantee” means Capitol West Academy, Inc., a nonprofit nonstock corporation duly organized and existing under the laws of the State of Wisconsin.
- (10) “Parties” means the Board (d/b/a the University of Wisconsin-Milwaukee) and the Grantee, through their designated representatives.
- (11) “University” means the Board (d/b/a the University of Wisconsin-Milwaukee) and the Chancellor acting as the Board’s representative.
- (12) “School Board” means the Board of Directors of the Capitol West Academy.

ARTICLE TWO

PARTIES, AUTHORITY AND RESPONSIBILITIES

Section 2.1 The Parties to this Contract are the University and the Grantee.

Section 2.2 Board of Regents.

- (1) Under the authority of s. 118.40(2r), Wisconsin Statutes, the University, with the approval of the Board, hereby grants to Grantee a charter to operate a Charter School under the terms and conditions of this Contract.
- (2) On behalf of the University, the Chancellor shall exercise all oversight responsibilities as set forth in this Contract.
- (3) The Chancellor may conduct research as set forth in Article Eight and elsewhere in this Contract.

Section 2.3 Grantee. Grantee is responsible and accountable for performing the duties and responsibilities associated with the Charter School assigned to it under this Contract.

Section 2.4 The Parties agree that the establishment of the Charter School shall have no effect on the liability of the University other than as to those obligations specifically undertaken by the University herein. The University thus shall not be liable to any person not a Party to this Contract on account of the establishment or

operation of the Charter School. Further, the University assumes no obligation with respect to any officer, director, employee, agent, parent, guardian, student, or independent contractor of the Grantee or the Charter School, or any other persons contracting with the Grantee.

ARTICLE THREE

OBLIGATIONS OF GRANTEE UNDER SECTION 118.40, WISCONSIN STATUTES

Grantee should insure that the language of the contract reflects the statements in the application. This section should be descriptive of the proposed program. Please give special attention to admission standards.

Section 3.1 With regard to the requirements for Charter Schools set forth in sec. 118.40(2r)(b)1.to 14., Wisconsin Statutes, Grantee hereby agrees to operate the Charter School in substantial compliance with all of the following specifications:

- (1) The name of the person who is seeking to establish the Charter School:

Capitol West Academy, Inc. (Grantee).

- (2) The name of the person who will be in charge of the Charter School and the manner in which administrative services will be provided:

Donna Niccolai-Weber is the Executive Director of the Capitol West Academy. She is the chief administrative officer of the school. She reports directly to the Board and has the responsibility to hire, monitor, evaluate and replace, if necessary, the Principal.

All other positions within the school are hired by and report to the Principal or his/her designee. An organizational chart is found in Appendix E.

Duties and responsibilities of the Executive Director, Principal, Administrative Assistant, Teachers and Instruction Assistants are noted in the job description found in Appendix E.

Ms. Niccolai-Weber's Vitae is found in Appendix E.

In the event there is a change in the Principal or Executive Director of the Charter School, or a material change in the leadership of the Charter School as described in this subsection, the Charter School agrees to notify the Office immediately of the change.

- (3) A description of the educational program of the School:

Capitol West Academy will provide a structured environment with an integrated curriculum, service learning component, and an emphasis on quality academic skills. Academic content in reading, language arts, math and science through

integrated and discrete learning experiences is absolutely essential. Discrete academic content will be taught because not all content can be learned through integrated curriculum or projects. This will assist students in mastering skills that will enhance their ability in analysis, synthesis and decision-making.

- (4) The methods the School will use to enable pupils to attain the educational goals under s. 118.01:
 - (a) Create a safe, student-centered environment with a high expectation for academic achievement in the areas of reading, language arts, math, and science, that will assist students in exceeding Wisconsin proficiency levels.
 - (b) Provide an environment in which all teachers foster academic, social and emotional growth, and effectively and efficiently integrate alternative learning styles to meet the learning needs of each child.
 - (c) Nurture a strong linkage and mutual accountability between family, school and community that involves parents as partners to increase the child's positive academic and social development.
 - (d) Actively incorporate strong accountability measurements to assess the success of each child and provide quantitative measures to guide continuous improvement.
 - (e) Create a culture that values diversity, respects the individual, and values learning as a life-long source of self-mastery, joy and meaning.
 - (f) Develop each child academically, personally and socially with an understanding of citizenship in the US.

- (5) The method by which pupil progress in attaining the educational goals under s. 118.01 will be measured:
 - (a) As required by Wis. Stat. chs. 118 and 121, the Charter School shall, on behalf of the District, administer the examinations under ss. 118.30(1m) and 121.02(1)(r) to pupils enrolled in the Charter School and shall cause the testing data for the Charter School to be transmitted to the Office in such form as the District shall customarily transmit such data.
 - (b) With respect to examinations required under ss. 118.30(1m) and 121.02(1)(r), the Parties hereby agree that, if the District's Board of School Directors shall develop or adopt any of its own examination(s) (in lieu of the Department's examination(s)) for administration to the District's pupils, the Charter School may elect to administer and transmit testing data for either the Department's or the District's examination(s). In that event, the Charter School shall provide the Office six months' notice of its plan to use such examination(s) and shall give the Chancellor a timely opportunity to comment on the intended change.

- (6) The governance structure of the School, including the method to be followed by the board of directors to ensure parental involvement:

(a) Legal Structure

Capitol West Academy, Inc. will operate as a legally constituted corporation, with 501(c)(3) status. It is also a Local Education Agency (LEA) with all of the rights and responsibilities of an LEA. Capitol West Academy, Inc. is a charter school organized under Chapter 118.40 of the Wisconsin Statutes. The Board of Regents of the University of Wisconsin-Milwaukee is the chartering authority. Capitol West Academy Inc. is a charter school organized as a non-stock corporation under Chapter 181 of the Wisconsin State Statutes. The School Board will have the over-all decision making authority.

Members of the School Board hold in public trust the welfare and the well being of the School. School Board members will be asked to make major policy decisions and to represent the school within the community. The School Board is the corporate body that oversees the operation of the School.

(b) School Board Structure

The School Board will be composed of no less 7 and no more than 13 members. The initial School Board members will be recommended for appointment and approved by the Board of Directors of St. Aemilian-Lakeside. Subsequently, School Board members will be recommended for appointment by the School Board and approved by the Board of Directors of St. Aemilian-Lakeside. Members will be appointed for two-year terms and may serve up to 6 years. (See Appendix E for a copy of the “CWA Organizational Chart”).

School Board Membership:

at least one (1) parent;
up to two (2) educators who are not employed by the school;
up to four (4) representatives from the business community;
up to three (3) representatives from the university community;
up to two (2) members of the Board of Directors of St. Aemilian-Lakeside; and
the Executive Director of the Capitol West Academy

the Executive Director of the School (non-voting);
the Principal of the School (non-voting); and
the Chief Financial Officer of St. Aemilian-Lakeside (non-voting).

School Board Meetings:

The School Board will meet at least five times per year. A member of the School Board who is also a St. Aemilian-Lakeside Inc. Board Member will be the liaison and bridge between the two entities.

(c) Parent and Family Involvement in Governance

(Please note: The phrase “parental involvement” is understood to be inclusive of the many changes in family structure in the U.S. and would include biological families, foster parents, grandparents and other persons who function in the legal role of family.)

Parents are one of the most important partners in the ability of CWA to provide successful K4-8 education, where children are academically proficient and socially prepared. In their role on CWA Board they have direct involvement in the governance of the School as defined in the By-laws of CWA, Inc. The parents on the School Board will provide a clear and accessible link to other parents in the School and CWA School Coordinating Committee (SCC). CWA views parents' input into policy and continuous improvement decisions as an integral part of the charter school design and fully supports the 2000 National Educational Goal of the U.S. Department of Education:

“Every school will promote partnerships that will increase parental involvement and participation in promoting the social, emotional and academic growth of children” (U.S. Department of Education, 1994).

In addition, social science research indicates parental involvement in their child’s education is one of the most integral factors of academic success. Our governance structure returns the opportunity for parents to be an important decision making force in their child’s learning community.

(d) Staff Involvement

The staff of CWA is an essential asset in the success of our School, and is recognized as key in the successful operations of the school and delivery of quality education that is aligned with the CWA vision and mission. They provide the daily link between student, parent and principal. As members of the CWA learning community they are valued for their input into the governance and structure of the School. To this end staff members will be ad hoc members on the School Board. In addition staff participate in the School Coordinating Committee as a source of continuous improvement.

(e) Parent/Community Support

It is our goal to partner with parents in the education of children. To this end, we have several opportunities for parents to be engaged in their child’s education.

- At least one parent will be a member of the School Board.
- By the end of the first school year, the Principal will organize a Parent Advisory Committee whose purpose will be to keep the Principal apprised of issues and concerns of parents. These can include and are not limited to discipline practices, uniform, school climate etc.
- Parents will be invited to be members of the committees developed in the school as part of the school operational model.
- Parent/Teacher conferences will be held at least three (3) times a year to ensure parents are well aware of their child's progress.

(7) Subject to Applicable Law, the qualifications that must be met by the individuals to be employed in the School:

All school personnel for whom licensure is required under ss. 118.19(1) and 121.02(1)(a)2 shall hold a license or permit to teach issued by the Department.

Notwithstanding the foregoing, however, the Parties acknowledge and agree that the Charter School is not an instrumentality of the District, and thus that the Charter School is not subject to requirements arising in connection with ss. 118.40(7)(a) and 118.40(7)(am).

(8) The procedures that the School will follow to ensure the health and safety of the pupils:

(a) Health, Safety, and Discipline:

Capitol West Academy will create a safe, nurturing environment where children can thrive academically and socially. In order to accomplish this, rules, policies and procedures are in place to create a consistent, safe, positive and focused learning environment. School uniforms, consistent enforcement of behavioral expectations and high academic standards are required and enforced to create the school culture where children can thrive.

(b) Smoking

Under Wisconsin Law, minors can be cited for possession of tobacco products. Smoking is prohibited on school grounds.

(c) Medical Assistance

If a student becomes ill during school hours, he / she must get a pass from the teacher and be escorted by a school staff member to the school office. The office will keep a record of all student complaints of illness or injury. A school office staff member will dismiss students only after that staff member has contacted a family or guardian. An adult will be required to enter the school office in order for the child to be released from school

staff care. Unless authorized by the family or guardian in writing, no one else will be permitted to pick up the child. The school will maintain a list of all individuals authorized in writing by the family or guardian to pick the child up from school.

(d) Medication

Medication administered in school must have:

- Written order from a physician to be completed on a form created by the school.
- Child's full name on the container.
- Name of medication, milligrams, and dosage.
- Time the medication is to be given.
- Written permission from the family or guardian on a form provided by the school.
- The child will take the medication at the designated time, supervised by authorized personnel.
- A log of dated, times, and personnel administering the medication will be kept at school.
- All medication administered at school will be stored in a locked drawer, cabinet, or file.
- Families must notify the school via written communication when the medication is to be discontinued, or the dosage or time is changed.
- If the medication is discontinued, and thereafter resumes, a new order must be received.
- No aspirin or over-the-counter medication will be administered to children unless the guidelines above are followed.

(e) Universal Precautions

The risk of transmission of blood borne diseases in a normal school setting is very small. Nonetheless, it must be assumed that some risk does exist. Because it is not possible to know or practical to expect to know the identity of an infected person in an institutional setting, to guard against exposure to HIV, Hepatitis B, or other blood borne pathogens, it is necessary that a standard approach be used in every case of exposure to blood and body fluids. This standard approach is called Universal Precautions. Both Hepatitis B vaccinations and training related to Universal Precautions will be made available to all Capitol West Academy employees. The school will comply with all Wisconsin Department of Industry, Labor, and Human Relations standards as provided by Chapter 32- Safety and Health Standards for Public Employees (section 1910.1030 – blood borne pathogens.)

Disposable plastic gloves will be provided for each classroom for staff use when handling any body fluids or excretions including blood. Contaminated materials will be placed in a tightly closed plastic bag to be placed in a contamination container.

(f) Suspected Child Abuse and Neglect

When there is a reasonable cause to believe that a child has been abused or neglected, school personnel must act in accordance to Wisconsin Statutes and report such incidents to the Bureau of Milwaukee Child Welfare and / or the Milwaukee Police Department. Child abuse includes physical, sexual, and emotional abuse.

(g) Immunizations

Each family must provide the Capitol West Academy an immunization record for each student enrolled. Prior to attending the program, each student must be in compliance with the Wisconsin State requirements for student immunization.

(h) Accidents

Every accident in the school building or on school grounds, whether before, during, or in after school activities, must be reported immediately to the person in charge. First aid will be given by a staff person. School staff will be required to fully report all accidents as well as create a written record of such accidents. It is the responsibility of the school staff involved and / or the Administrative Assistant to notify the family / guardian of such accidents.

(i) Emergency

In the event of a serious emergency requiring immediate medical treatment, each family will be required to sign a release, prior to their child attending school, authorizing the school to transport the child to emergency facilities. School staff when possible will transport the child. The family or guardian will be immediately contacted regarding the medical situation.

(j) Playground Policy

The Capitol West Academy play area is located in a dedicated playground area that is supervised by adult staff during times of use. The play area is not accessible to automobiles. There will be 1 adult supervisor for every 20 children. Supervising staff will immediately provide attention to any injuries, accidents, or fights. A written report will be generated to address these issues. Supervising staff is also responsible for ensuring that no

uninvited visitors enter onto the playground as well as reporting any suspicious looking activity.

(k) Visitors

All visitors will enter at the 88th St. entrance. All visitors can enter the building by ringing the doorbell. Upon entry, visitors must sign in at the office.

(l) Halls and Playground Areas

During school hours, corridors and playground areas will be continuously monitored to ensure that no unauthorized individuals are present on the property.

(m) Early Pick Up

Any child being checked out of school prior to the normal end time will only be released to individuals who have been authorized in writing by the family or guardian. An updated list of individuals authorized to remove children from the premises will be kept in the main office.

(n) Beginning and End of Day

At the beginning and end of the school day, school staff, along with the building principal will be positioned outside of the school to ensure that all children arrive or leave the school premises safely.

(o) Tornado Drill

Emergency siren will indicate a tornado drill. Tornado drill placards will be placed in each classroom to alert teachers to designated areas of safety. When a drill is held, the following procedures are in affect:

- Go to the designated area in an orderly fashion, walking on the right hand side of the hallway.
- Absolutely no talking is allowed during the drill.
- Leave books and supplies in the classroom – no exceptions.
- An announcement or bell will signal the end of the drill.

(p) Fire Drill

At the sound of the fire alarm, every person must leave the building. Exit directions for fire drills are posted in every room near the door. All entrances should be cleared to make way for fire fighters in case of a real emergency. The following rules have been established for fire drills:

- Cease work immediately upon the sound of the alarm.
- Pass quietly in an orderly fashion, by rows if possible, out of the building.
- Teachers must bring a class list to check that all students are accounted for.
- All classroom doors should be closed, but not locked.
- Once outside of the building, maintain distinct lines for identification of students. An announcement or bell will signal the end of the drill.
- The school will have fire suppression and alarm systems throughout.
- Representatives of the Milwaukee Fire Department will monitor at least one drill per year.
- The school will conduct monthly fire drills.

(q) Hazardous Chemicals and Equipment

Staff members are expected to follow safety precautions and standard procedures in the handling and storage of all potentially hazardous chemicals and equipment. The safety of students and staff members is to be the primary concern at all times.

The Charter School shall also comply with all Applicable Laws. In addition, Section 118.32, Wisconsin Statutes, which prohibits a strip search of a pupil, shall apply to the Charter School.

- (9) The means by which the School will achieve a racial and ethnic balance among its pupils that is reflective of the school district population:

The school will employ a blind admissions policy.

- (10) The requirements for admission to the School:

- (a) Our school will be open to any age appropriate student living within MPS boundaries.
- (b) Maximum enrollment per classroom will be 20-25 students.
- (c) Open enrollment will begin on February 2, 2004 and if we are oversubscribed prior to the lottery, we will set aside seats for students who have siblings in under subscribed grades and children of staff members.
- (d) The lottery will begin on April 16, 2004 starting with the lowest grade in the school.

- (11) The manner in which annual audits of the financial and programmatic operations of the School will be performed:

The Grantee shall submit audited financial statements of the Charter School's operation, including auditor's management letters and any exceptions noted by the auditors, to the Office annually beginning after the first full school year. The audit reports shall be prepared by a certified public accountant and submitted to

the Office within 120 days after the end of the Grantee's fiscal year on June 30. In addition, the Grantee shall submit to the Office, with the audited financial statements, a list of expenditures in each of the following categories and subcategories:

(a) Total Revenue

- (1) State aid
- (2) Federal aid
- (3) Other

(b) Total Expenditures

- (1) Instruction
- (2) Pupil services including special education
- (3) Instructional support including curriculum development, library/media and faculty/staff development
- (4) School board
- (5) Administration
- (6) Facilities
- (7) Transportation
- (8) Food service
- (9) Debt service
- (10) Uncategorized

(12) The procedures for disciplining students:

(a) Behavior Management

Capitol West Academy considers the welfare of each attending student to be its paramount interest. We consider it a fiduciary duty to work with student to make decisions and solve problems, in essence, to create a school climate that is respectful of both adults and children. Our focus on behavior management is to "catch kids being good." It is imperative to create a positive atmosphere, which focuses on behaviors that are productive.

One of the goals of Capitol West Academy is to make our school a learning community where students feel valued and respected, where care and trust take the place of restrictions and threats. It is our feeling that in such an environment, students will have a major role in making meaningful decisions about their schooling. Children will learn the value and efficiency of good behavior, which enhances their self-image through using a positive approach to discipline. Our role as educators is to provide a positive and safe environment where children can learn to make good decisions.

The Behavior management approach to discipline is one of “catch them being good.” Teachers, administrators and families are expected to recognize and acknowledge those behaviors the child is engaging that are positive. Negative behaviors will be redirected or cued to assist a child in making a better choice. Capitol West Academy community is valued and appreciated. Therefore, it is expected that all Capitol West Academy members will treat each other with respect, and will act at all times in the best interest of the safety and well-being of themselves and others. Any behaviors that detract from a positive learning environment are not permitted, and all behaviors that enhance and encourage a positive learning environment are appreciated as an example of how we can learn from each other. In particular all students and staff are expected to conduct themselves in a manner consistent with the goals of the school, and to work in cooperation with all members of the school community to improve the educational atmosphere of the school.

It is our intention to develop a school-wide incentive program where children practice positive behaviors and learn how these positive behaviors contribute to their overall success in school.

As a school community our priority is clearly focused on learning and student success. An orderly and safe school environment is essential to the achievement of our mission and assuring students and staff can pursue learning and success without disruption. Focusing on positive behaviors at the beginning of the child’s school experience will decrease the likelihood of his/her engagement of negative behaviors.

When students choose behaviors that are not appropriate, the following strategies will be used:

1. Positive reinforcement: teachers will immediately look for children displaying appropriate behaviors and reinforce that behavior
2. Reminders: teacher will remind child of the rule or appropriate behavior.
3. Modeling: teacher will model the appropriate behavior.

Once the child engages in the appropriate behavior, she/he will be immediately recognized with approval from the teacher. This type of behavioral approach will help guide children to make positive choices.

In the event that these techniques do not produce positive behavior, the following strategies may be used:

1. The child may be asked to move away from the group of children.
2. The child may temporarily visit another classroom to continue the learning process.

3. The teacher may contact the family/guardian
4. The teacher may schedule a meeting of the Capitol West Academy team to work on strategies. Family will be invited to attend.
5. Family may be encouraged to spend the day in the classroom.

We acknowledge that families have the ultimate responsibility for their children's in-school behavior; therefore families will be notified of any behavior issues through use of the daily report. If there are more serious behavior issues, families will be notified immediately. A pupil is defined as "disruptive" if he/ she continually and willfully interferes with the learning process in the classroom.

(b) Grounds for Suspension and Expulsion

Students and families should be aware that certain actions that show a gross neglect for the integrity and reputation of the school and its responsibility to provide an orderly and safe environment for all students may necessitate immediate and serious disciplinary action. Sanctions for these activities may include immediate suspension for one or more days with family notification, and possible expulsion.

Immediate Suspension may result if any of the following Non-Negotiable behaviors occur:

- Physical aggression toward staff or students (e.g. hitting, kicking, biting)
- Fighting with another student in school
- The intentional use of profanity directed at a teacher, staff member, or student
- Extreme disruption of the classroom (prolonged screaming or shouting out, throwing of any object, yelling at a teacher or any student in the classroom, or continuous disruption).
- Threats of harm
- Stealing

Students may also be suspended at the discretion of the school for the following conduct:

- Noncompliance with school rules.
- Knowingly conveying any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives.

- Conduct while at school or while under the supervision of a school authority that endangers the property, health or safety of others.
- Conduct while not at school or while not under the supervision of a school authority that endangers the property, health or safety of others at school or under the supervision of a school authority or endangers the property, health or safety of any employee or board member of the school in which the pupil is enrolled.

Note: Conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

A student may be expelled for the following conduct:

- Repeated refusal or neglect to obey school rules.
- Knowingly conveyed or caused to be conveyed any threat or false information concerning an attempt or alleged attempt being made or to be made to destroy any school property by means of explosives.
- Engaging in conduct while at school or while under the supervision of a school authority which endangered the property, health or safety of others.
- While not at school or while not under the supervision of a school authority engaged in conduct which endangered the property, health or safety of others at school or under the supervision of a school authority.
- Endangering the property, health or safety of any employee or board member of the school in which the student is enrolled.

Note: Conduct that endangers a person or property includes making a threat to the health or safety of a person or making a threat to damage property.

A student shall also be expelled from school for not less than one year if it is determined that while at school or while under the supervision of a school authority, the student possessed a firearm, as defined in 18 USC 921 (a)(3).

Consistent with Wisconsin State law (WI Statute 119.25 & 120.13 (1)), only the School Board can expel a student from school. Following an expulsion hearing, if the School Board orders expulsion, it will:

- Reduce the decision to writing in the form of a written order.

- State the length of time for the expulsion including the beginning and ending date. Include specific finding of fact and conclusions in support of the decision. Be sent to the family/guardian by certified mail.

In addition, Section 118.31, Wisconsin Statutes, which prohibits corporal punishment of pupils, shall apply to the Charter School.

- (13) The public school alternatives for pupils who reside in the school district and do not wish to attend or are not admitted to the Charter School:

Under s. 118.40(6), no pupil may be required to attend the Charter School. Students who reside in the District and do not wish to attend the Charter School remain eligible to attend the District's schools.

- (14) A description of the school facilities and the types and limits of the liability insurance that the School will carry:

Capitol West Academy will operate as a tenant of St. Aemilian-Lakeside, which is located at 8901 West Capitol Drive on the northwest side of the city of Milwaukee. St. Aemilian-Lakeside's facility was originally constructed in 1956 as an orphanage. The use of the facility has evolved over the years. Currently, the facility houses St. Aemilian-Lakeside's Residential Treatment program, a Day Treatment School, administration and other program staff. The facility encompasses 18 acres at the Corner of Capitol Drive and 88th Street. The facility meets City of Milwaukee code requirements.

CWA will rent approximately 9,000 square feet of space on the ground level of the 118,500 square foot building.

Current capacity of the CWA space is 210. There is handicap access, a chair lift, and handicap accessible restrooms in the space to be leased by CWA. There is adequate daily parking for staff and guests and additional parking for school events when larger numbers of guests would attend.

Safe and adequate play space for CWA students is located on site.

There is a detailed fire evacuation plan with evacuation maps posted in all rooms and fire drills which occur at least monthly to ensure adequate training in the event of a fire.

St. Aemilian-Lakeside has an Asbestos Abatement Plan on file with the State of Wisconsin.

Food service for the School will be provided through a contract. Menus will be created according to Department of Public Instruction guidelines. Menus can be modified for individual health reasons.

Grantee shall provide the Office with evidence of a lease or ownership of the School premises in accordance with the provisions of Section 7.4 of this Contract.

The Grantee shall provide the following minimum liability insurance coverages with limits in respect to the Charter School as set forth below:

<u>Coverage Type</u>	<u>Minimum Limit</u>
A. Fidelity Bond Coverage (for the employees and Board Members of the Charter School and its sponsoring organizations and management companies who are responsible for the financial decisions of the Charter School, including the CEO, DVO and Board Members of the Charter School and its sponsoring organizations and/or management companies)	
Limit per Loss	\$500,000
B. Worker's Compensation	
Worker's Compensation	Statutory Coverage
Employer's Liability Limits:	
Bodily Injury by Accident	\$100,000 each accident
Bodily Injury by Disease	\$500,000 policy limit
Bodily Injury by Disease	\$100,000 each employee
C. Commercial General Liability (deleting any X, C, and U exclusions, as well as any exclusions for sexual abuse and molestation, corporal punishment, athletic events, and use of gymnasium equipment)	
Each Occurrence Limit	\$1,000,000
Personal & Advertising	\$1,000,000
General Aggregate	\$3,000,000
Products-Completed	
Operations Aggregate	\$3,000,000
Medical Expense	\$5,000
D. Auto Liability	
Combined Single Limit	\$1,000,000 each accident
E. Umbrella (providing excess employer's liability, general liability and auto liability coverage)	

Each Occurrence Limit	\$5,000,000
General Aggregate Limit	\$5,000,000

F. School Leader’s Errors & Omissions

Aggregate Limit	\$1,000,000
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The Board shall be named as an additional insured under relevant insurance policies, as its interest may appear. A certificate of insurance evidencing the aforementioned insurance requirements is to be provided to the Office annually, prior to the start of each academic year. Under no circumstances is the Board’s right to recovery of damages limited to the fact that it is named as an additional insured under the insurance policies noted above.

The Grantee shall require subcontractors of the Charter School to be insured and provide a certificate of coverage providing for the following:

A. Workers Compensation	Statutory Coverage
B. Commercial General Liability	
Each Occurrence Limit	\$1,000,000
General Aggregate	\$1,000,000
Products-Completed	
Operations Aggregate	\$1,000,000
C. Automobile Liability	
Combined Single Limit	\$1,000,000

In addition, for high risk subcontractors providing the following services: air charter, asbestos abatement, building construction and remodeling, custodial, daycare, elevator maintenance, manual food service, medical services, recreational services/high risk entertainment, refuse transportation and disposal, security, and transportation of people, the Grantee shall require subcontractors to provide a certificate of additional coverage for the coverage and in the amounts described in the UW-System Risk Management Manual, the relevant portion of which is attached hereto at Appendix A. Should Grantee be unable to obtain proof of insurance as required in this subsection from a particular subcontractor, Grantee may seek a written waiver of the above provisions from the University’s Risk Manager by directing such a request to the Office.

For the purposes of this subparagraph, “subcontractor” is defined as any third party or entity with which Grantee contracts for the provision of goods or services related to the school, whose employees or representatives will have face-to-face contact with students, staff, or the school site, and which subcontractor is not expressly covered by the Grantee’s own liability insurance coverage as described above.

- (15) The effect of the establishment of the Charter School on the liability of the University:

- (a) The University shall not be liable to any person not a Party to this Contract on account of the establishment or operation of the Charter School. Further, the University assumes no obligation with respect to any officer, director, employee, agent, parent, guardian, student, or independent contractor of the Grantee or the Charter School, or any other persons contracting with the Grantee.
- (b) The Parties agree that nothing contained in this Contract will create any association, partnership, or joint venture between the Parties, or any employer-employee relationship between the University and the Grantee or the Charter School.

Section 3.2 Nonsectarian Practices. The Charter School shall be nonsectarian in all its programs, admissions policies, employment practices and all other operations.

Section 3.3 Tuition. To the extent provided in the Wisconsin Statutes (§118.40), the Charter School shall not charge tuition.

Section 3.4 Anti-discrimination. The Charter School may not discriminate in admission or deny participation in any; program or activity on the basis of a person's sex, race, religion, national origin, ancestry, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability.

ARTICLE FOUR

ADDITIONAL OBLIGATIONS OF THE GRANTEE

Grantee hereby covenants to undertake the following:

Section 4.1 Compliance with Applicable Law. The Charter School shall comply with Applicable Law, which may change from time to time and which may include, but is not limited to:

- (1) Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d-2000d-7;
- (2) Title IX of the Education Amendments of 1972, 20 U.S.C. ss. 1681 et seq.;
- (3) Age Discrimination Act of 1985, 42 U.S.C. ss. 6101 et seq.;
- (4) Sec. 504 of the Rehabilitation Act of 1974, 29 U.S.C. s. 794 and the Americans with Disabilities Act, 42 U.S.C. ss. 12101-12213.
- (5) Individuals with Disabilities Education Act, 20 U.S.C. ss. 1400-1485 et seq.
- (6) 20 U.S.C. s. 1232(g) of the General Education Provisions Act, 20 U.S.C. ss. 1221-1234i;
- (7) Drug-Free Workplace Act, 41 U.S.C. 701 et seq.;
- (8) Asbestos Hazard Emergency Response Act, 15 U.S.C. ss. 2641-2655; and
- (9) No Child Left Behind Act of 2001 and its implementing regulations, 20 U.S.C. 6301 to 6578, 34 C.F.R. § 200.

If the Applicable Law requires the Office to take certain actions or establish requirements with respect to the Grantee, Grantee shall cooperate with those actions and comply with those requirements.

To the extent that the No Child Left Behind Act of 2001 (the “NCLB”) is applicable to the Charter School, the Grantee agrees that the Grantee will comply with the responsibilities and obligations of the Title I, Part A accountability provisions as specified under the NCLB or its implementing regulations established by the U.S. Department of Education, which currently include participating in statewide assessments, meeting the state adequate yearly progress definition, meeting public and parent reporting requirements, implementing school sanctions if Grantee is identified for school improvement, and meeting the highly qualified teachers and paraprofessional requirements.

Section 4.2 Non-profit Status. The Charter School shall be created, maintained, and operated by the Grantee, a nonstock corporation created under chapter 181, Wisconsin Statutes. The Grantee shall provide to the Office documentary evidence that it is a nonstock organization in good standing under the laws of the State of Wisconsin, including a copy of its By Laws, by the date this Contract is executed. The Grantee shall remain a nonstock corporation under the laws of Wisconsin for the duration of this Contract and shall from time to time (but not more often than annually) after the date this Contract is executed, as the Chancellor requests, provide the Office documentary evidence that confirms its good standing and its nonstock status.

Section 4.3 Background Screening. The Grantee shall, at its own expense, perform or cause to be performed background screening through the State of Wisconsin Department of Justice of all full- and part-time employees and volunteers engaged at the Charter School as teachers or otherwise having access to pupils, and shall not assign any employee or volunteers, to teach or otherwise to have access to pupils until the Grantee or its designee investigates and determines that there is nothing in the disclosed background of the employee or volunteer which would render the employee or volunteer unfit to teach or otherwise have access to pupils of the Charter School including, but not limited to, conviction of a criminal offense or pending charges which substantially relate to the duties and responsibilities assigned to the employee or agent, including volunteers. For purposes of this Section, “volunteer” shall mean a non-paid person who serves at the Charter School and who provides services on a regular and ongoing basis for more than 5 hours per calendar week, but shall not under any circumstances include any parent of a student enrolled in the Charter School, unless the parent is employed by the Charter School.

Section 4.4 Employment of Personnel. The Grantee or its agents or designees shall contract with personnel in accordance with all state law requirements, regarding certification and qualifications of employees of public schools, including but not limited to, s. 118.19 and s. 121.02, Wisconsin Statutes, certification of school personnel. The Grantee shall provide to the Office a copies of all faculty and staff

certification reports filed with the Wisconsin Department of Public Instruction and showing that such personnel are licensed as required by this section or have applied for licensure from the Department. The Grantee or its designee shall make available to the Office, upon request, all licenses, certifications, and employment contracts for personnel engaged at the Charter School.

Section 4.5 [Omitted]

Section 4.6 Administrative Fee.

- (1) The Grantee shall pay to the University annually an administrative fee to reimburse the University for the actual direct and indirect costs of administering this Contract during each period of July 1 to June 30 during the Term of this Contract, which actual costs shall include but not be limited to execution of the University's oversight responsibilities. Actual costs shall not include research fees. The administrative fee shall be determined by the University but shall not exceed 3% of the amount paid to the Grantee each year by the Department under Article Five, Section 5.2 of this Contract.
- (2) Not later than May 1 of each year during the term of this Contract, the University shall provide the Grantee with an itemized budget showing the University's best estimate of its proposed total expenditures for administering the Contract during the upcoming period of July 1 to June 30. The Grantee shall thereafter pay to the University the amount of such proposed total expenditures, doing so in four (4) equal payments, each due within ten (10) days after the Grantee shall have received from the Department a quarterly payment payable under s. 118.40(2r)(e), Wisconsin Statutes.
- (3) In addition, not later than August 1 of each year during the term of this Contract, the University shall provide the Grantee with an end of year financial statement showing the University's actual total expenditures for administering the Contract, as provided in this Section 4.6, during the period of July 1 to June 30 then just completed. Within ninety (90) days after the Grantee receives such end of year financial statement, the University shall pay to the Grantee, or the Grantee to the University, as the case may be, the difference between (i) the amount of the University's actual total expenditures during the period of July 1 to June 30 summarized in such end of year fiscal statement and (ii) the amount paid by the Grantee with respect to such period. Any reconciling payments made by Grantee pursuant to this Section 4.6(3) shall, however, remain subject to the 3% cap on aggregate administrative fees imposed by Section 4.6(1).

Section 4.7 Student Activities' and Rental Fees.

- (1) The Charter School may assess reasonable pupil fees for activities such as field trips and extracurricular activities, which fees shall not exceed the actual cost to provide such activities. The Charter School may also assess reasonable rental fees for the use of such items as towels, gym clothing, and uniforms, which fees

shall not exceed the actual cost to provide such items. The Charter School may not, however, prohibit an enrolled pupil from attending the Charter School, or expel or otherwise discipline such a pupil, or withhold or reduce the pupil's grades because the pupil has not paid fees permissibly charged under this Section.

- (2) The Charter School may require its pupils to purchase and wear uniforms, but no Party shall benefit from the sale of uniforms to pupils.

Section 4.8 Transportation Contracts. Grantee may enter into contracts with other school districts or persons, including municipal and county governments, for the transportation of Charter School students to and from school and for field trips.

Section 4.9 Inspection of Charter School Facilities. Grantee shall permit any designee(s) of the Chancellor to inspect Charter School facilities at any time during the term of this Contract, provided that such inspection shall not materially interfere with the orderly and efficient operation of the Charter School.

Section 4.10 Access to Charter School Records. Subject to Applicable Law, Grantee shall grant any designee(s) of the Chancellor upon reasonable notice the right to reasonably inspect and copy at cost any and all Charter School records and documents, including but not limited to pupil records, at any time within normal business hours during the term of this Contract; provided, however, that such inspection shall not materially interfere with the orderly and efficient operation of the Charter School or otherwise unduly burden the staff of said school.

Section 4.11 Financial Reports. As required under Section 3.1(11) of this Contract, Grantee shall submit audited financial statements of the Charter School's operation, including auditor's management letters and any exceptions noted by the auditors, to the Office annually. The audit reports shall be prepared by a certified public accountant and submitted to the Office within 120 days after the end of the Grantee's fiscal year on June 30. Audits shall be conducted in accordance with generally accepted auditing standards and with the prevailing Government Auditing Standards issued by the Comptroller General of the United States. Audited statements shall be prepared in accordance with "Generally Accepted Accounting Principles" [GAAP].

In addition, at the same time the audit report is submitted to the Office, the Grantee shall provide to the Office a report of the Charter School's expenditures in each of the categories and subcategories listed in Section 3.1(11). In the case that the Grantee contracts with one or more management companies for the operation or administration of the Charter School, the report shall include the management companies' expenditures on behalf of the Charter School.

Section 4.12 School Year Calendar. The calendar for each school year shall be submitted to the Office no later than the prior June 1 and shall be subject to the approval of the Chancellor or Chancellor's designee. If the Chancellor or Chancellor's designee

does not notify the Grantee otherwise, the calendar shall be deemed approved 30 days after submission to the Office.

Section 4.13 Grant Applications. Grantee shall submit to the Office copies of any applications for grants made on behalf of the Charter School at the time the application is submitted to the funding authority.

ARTICLE FIVE

JOINT RESPONSIBILITIES OF THE PARTIES

The Parties agree to take the following actions:

Section 5.1 Operation or Management Contracts and Other Sub-contracts.

- (1) The Chancellor reserves the right to review and approve beforehand any Operation or Management Contract for operation or management of the Charter School that the Grantee wishes to itself enter into with any third party not treated by the Grantee as an employee of the Grantee; provided, however, that such approval shall not be unreasonably withheld, conditioned, or delayed. An "Operation or Management Contract" is a contract (i) that relates to the creation, implementation, or operation of the academic program, instruction, supervision, administration, or business services at the Charter School and (ii) that contemplates an aggregate liability of more than \$50,000 per fiscal year.
- (2) The Grantee shall submit to the Office a copy of any proposed Operation or Management Contract and shall not enter into any such contract until the Chancellor or the Chancellor's designee shall have approved (or be deemed to have approved) the same. The Chancellor or the Chancellor's designee shall have 30 Days after receiving the proposed completed Operation or Management Contract to review the document and to deliver to the Grantee a written statement approving or rejecting such contract. If the Chancellor or the Chancellor's designee does not within such 30 Days object in writing to the proposed completed contract, the contract shall be deemed approved. If the Chancellor or the Chancellor's designee rejects the proposed contract, however, the Chancellor or the Chancellor's designee shall also within the 30 Day review period hereunder advise the Grantee in writing of its specific objections to the proposed contract. The Grantee may thereafter modify (and remodify) the proposed contract and continue submitting the modified contract for the approval of the Chancellor or the Chancellor's designee, which approval shall not be unreasonably withheld, conditioned, or delayed.
- (3) Every Operation or Management Contract: (i) shall be written and executed by both the Grantee and the third party; (ii) shall contain the third party's covenant to submit to the Office any documentation material to the Office's efforts to assist the Chancellor in carrying out its oversight responsibilities; and (iii) shall provide that the third party shall, subject to Applicable Law, grant the Chancellor or the Chancellor's designee and the Grantee the right to inspect and copy at cost any

and all third party records and documents directly related to the terms and conditions of this Contract, including pupil records. In addition, every Operation or Management Contract with a third-party provider of educational management services shall specify the nature and methods of compensation for such third-party provider of educational management services, and shall specify the methods and standards the Grantee shall use to evaluate the performance of the third party.

Section 5.2 Payments to Charter School. Upon execution of this Contract, the Chancellor shall notify the Department in a timely fashion of the Grantee's eligibility for funds under s. 118.40(2r)(e). The Grantee shall be paid by the Department the amount during each school year as specified by s. 118(2r)(e), Wisconsin Statutes, and applicable rules and policies of the Department.

Section 5.3 Performance Evaluation of Certain Subjects.

- (1) The University shall evaluate the performance of the Charter School in the areas of leadership, strategic planning, student, stakeholder, and market focus, information and analysis, process management, and organizational performance results as set forth in the Educational Criteria for Performance Excellence of the Baldrige National Quality Program. A description of the specific measures that shall be used to evaluate such areas shall be provided to the Grantee annually, no later than 60 days prior to the start of each academic year.
- (2) The Grantee shall provide to the University the following required reports, at the times described below:
 - (a) Strategic Plan. The Grantee must provide a strategic plan to the University by August 1 prior to the first year of the operation of the Charter School. The strategic plan should specify the mission and vision of the school, identify the target population of students, and establish strategic goals for the development of the school. The Grantee shall resubmit the strategic plan to the Office upon each revision. In addition, a revised strategic plan must be submitted to the Office by August 1 immediately following any renewal of the initial term of the Contract.
 - (b) School and Organization Profile. No later than October 1 of each school year, the Grantee shall submit to the Office a school profile which provides general information about the school and its operations.
 - (c) Annual School Accountability Plan. No later than July 1 of each school year, the Grantee shall submit to the Office for approval a school accountability plan which sets forth, in measurable terms, goals for school improvement in the following school year. If the Charter School has not made Adequate Yearly Progress ("AYP") under the NCLB, as determined by the State of Wisconsin, this plan shall include a detailed description of the Grantee's plans to implement any of the responsive and/or corrective requirements of the NCLB in the following school year.

- (d) Annual School Accountability Progress Report. No later than July 1 of each school year, the Grantee shall submit a school performance report to the Office which states how the school has made progress on the goals identified in the school accountability plan established the prior year. This report shall include a description of how the Charter School is or is not meeting the State of Wisconsin's definition of Adequate Yearly Progress under the NCLB and, if the Charter School has not made AYP in the past, a detailed description of the Charter School's compliance with the responsive and/or corrective requirements of the NCLB in the prior year.

ARTICLE SIX

NOTICES, REPORTS AND INSPECTIONS

- Section 6.1 Notice of Annual Budget. The Grantee shall provide the Office with a copy of the proposed annual Charter School budget for the upcoming academic year no later than the June 30 immediately preceding the beginning of each such academic year.
- Section 6.2 Other Notices.
- (1) Agendas and Meetings. If the Charter School shall itself be constituted as a corporation, it shall provide to the Office agendas and notice in advance of all meetings of the Charter School board of directors.
 - (2) Governmental Agencies. Grantee shall immediately notify the Office when either Grantee or the Charter School receives any correspondence from the Department or the United States Department of Education and the Department that requires a formal response, except that no notice shall be required of any routine or regular, periodic mailings.
 - (3) Legal Actions. The Charter School shall immediately report to the Office any material litigation or formal Court proceedings alleging violation of any Applicable Law with respect to the Charter School.
- Section 6.3 Certain Reports. The Grantee shall at its expense provide such information and nonperiodic reports as the Office or the Office shall reasonably deem necessary to confirm compliance by Grantee and the Charter School with the terms and conditions of this Contract.
- Section 6.4 Omitted.

ARTICLE SEVEN

MISCELLANEOUS PROVISIONS

Section 7.1 Athletic and Other Associations. The Charter School may, but shall not be required to, join any organization, association, or league as is customary for public schools in the State of Wisconsin which has as its objective the promotion and regulation of sport and athletic, oratorical, musical, dramatic, creative arts, or other contests by or between pupils.

Section 7.2 Code of Ethics. A member of the School Board, and any of the officers of the Grantee directly related to the implementation of the terms and conditions of this Contract (together “the board members”) shall be subject to the following code of ethics.

“Anything of value” means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation paid by Grantee for the services of a member of the board, or expenses paid for services as a board member, or hospitality extended for a purpose unrelated to Charter School business.

“Immediate family” means a board member’s spouse and any person who receives, directly or indirectly, more than one half of his or her support from a board member or from whom a board member received, directly or indirectly, more than one half of his or her support.

- (1) No board member may, in a manner contrary to the interests of the Charter School, use or attempt to use his or her position or Charter School property, including property leased by the Charter School, to gain or attempt to gain anything of substantial value for the private benefit of the board member, his or her immediate family or any organization with which the board member is associated.
- (2) No board member may solicit or accept from any person or organization anything of value pursuant to an express or implied understanding that his or her conduct of Charter School business would be influenced thereby.
- (3) No board member may intentionally use or disclose confidential information concerning the Charter School in any way that could result in the receipt of anything of value for himself or herself, for his or her immediate family or for any other person or organization with which the board member is associated.
- (4) (a) If a board member, a member of a board member’s immediate family, or any organization with which a board member is associated proposes to enter into any contract (including a contract of employment) or lease with the Grantee that may within any 12 month period involve payments of \$3,000 or more derived in whole or in part from payments made pursuant to s. 118.40(2r)(e), such board member shall be excused from, and shall

not participate in, any dealing, discussion, or other position of approval or influence with respect to the Grantee's entering into such contract or lease; provided, however, that such board member may be part of a discussion concerning such proposed contract or lease for the limited purpose of responding to board inquiries concerning such contract or lease.

- (b) Provided that the board member is not in a position to approve or influence the Grantee's decision to enter into such contract or lease and that the procedures set forth in Section 3.32(4)(a) are observed, a board member may enter into a contract or lease described in Section 7.2(4)(a) if the board member shall have made written disclosure of the nature and extent of any relationship described in the paragraph (a) immediately preceding to the Office.

Section 7.3 Use of University Marks. Neither Grantee nor the Charter School nor any of their sub-contractors may use the name, logo, or other mark designating the University without the expressed prior written consent of the Chancellor, nor may the name, logo, or other mark designating the Board of Regents of the University of Wisconsin System without the expressed prior written consent of the Board of Regents.

Section 7.4 Copies of Certain Documents. Upon request, Grantee shall provide to the Office at least 90 days before the start of a school year (1) copies of its lease or deed for the premises in which the Charter School shall operate; (2) copies of certificates of occupancy and safety which are required by law for the operation of a public school in the State of Wisconsin.

Section 7.5 Public Records. The Grantee agrees to manage and oversee the Charter School in accordance with all applicable federal and state public records laws. For purposes of this Contract, the Grantee shall be deemed an "authority" as defined in Wis. Stats. 19.32(1) and shall be subject to the public records law provisions of Wis. Stat. Chapter 19, subchapter II.

Section 7.6 Open Meetings. The Grantee specifically agrees that the following meetings shall be open to the general public:

- (1) Submission of annual report to the Board of the Charter School.
- (2) Approval of the annual budget of Charter School by the Board of Directors.
- (3) All school admission lotteries.
- (4) Approval of the annual audit of Charter School by the Board of the Charter School.
- (5) Annual open house.

The Grantee shall use its good faith efforts to provide reasonable notice of the above listed meetings to the parent/guardian of each student attending the Charter School and shall notify the public according to Wisconsin Statute section 120.08(2)(b).

ARTICLE EIGHT

PROVISIONS FACILITATING UNIVERSITY RESEARCH

- Section 8.1. Research. The Parties agree that the University may seek information from the Grantee and the Charter School for purposes of research. Prior to conducting such research, the University shall seek Grantee's prior written approval which will not be unreasonably withheld. Information relevant to such research shall include, but not be limited to, the following:
- (1) Surveys. The University may survey individuals and groups (including but not limited to, parents, students, teachers, board members, others involved in the governance of the Charter School, and the public) concerning the performance of the Charter School, provided that such surveying (i) shall be done at the University's sole expense and (ii) shall not materially interfere with the orderly and efficient operation of the Charter School. Grantee agrees to cooperate with the University's efforts to conduct such surveys. Employment contracts with teachers employed at the Charter School shall specify that they shall cooperate with such surveys.
 - (2) Pupil Testing. The University may seek to administer to each pupil of the Charter School (other than kindergarten pupils), in connection with the pupil's first enrolling in the Charter School, a one-time examination designated by the University. Such examination shall be administered at the University's sole expense and shall not materially interfere with the orderly and efficient operation of the Charter School. The results of any such examination shall be promptly shared with Grantee.
 - (3) Parent/Guardian Evaluation Participation. The Grantee shall use its good offices to urge that each parent and/or legal guardian of a pupil enrolling in the Charter School sign, at the time of pupil registration, a written statement provided by the Office that the parent(s) and/or legal guardians agree to participate in an evaluation or research process that may include their responding in interview or questionnaire form about the performance of the Charter School.
 - (4) Research Observers. As contemplated by the assessment protocols set forth in Appendix B, Grantee agrees to accept on the Charter School's premises research observers designated by the University to serve as observers of the activities of the Charter School, provided that the activities of such research observers shall not interfere with the orderly and efficient conduct of education and business at the Charter School. Costs and expenses incurred for the evaluation activities of

such observers shall be reimbursed to the University as part of the reimbursement owing under Section 4.6 of this Contract.

ARTICLE NINE

REVOCATION OF CONTRACT BY THE UNIVERSITY

Section 9.1 Events of Default by Grantee. This Contract may be terminated by the University under procedures in Section 9.2 if the University finds that any of the following Events of Default have occurred:

- (1) The pupils enrolled in the Charter School have failed to make sufficient progress toward attaining the educational goals under s. 118.01, or have failed to achieve Adequate Yearly Progress, as determined by the State of Wisconsin pursuant to the federal No Child Left Behind Act, for 3 consecutive years;
- (2) The Grantee has failed to comply with generally accepted accounting standards of fiscal management with respect to the Charter School;
- (3) The Grantee is insolvent or has been adjudged bankrupt;
- (4) The Grantee's directors, officers, employees, or agents provided the University false or intentionally misleading information or documentation in the performance of this Contract; or
- (5) The Charter School has failed materially to comply with Applicable Law;
- (6) The Charter School has violated section 118.40, Wisconsin Statutes; or
- (7) The Grantee defaults materially in any of the terms, conditions, promises or representations contained in or incorporated into this Contract.

Section 9.2 Procedures for The University's Revocation.

- (1) Emergency Termination or Suspension Pending Investigation. If the Chancellor determines that any of the Events of Default set forth in Section 9.1 has occurred and that thereby the health or safety of the Charter School's students is immediately put at risk, the University shall provide Grantee written notice of such Event(s) of Default and, upon delivering such notice, (i) may either terminate this Contract immediately or (ii) may exercise superintending control of the Charter School pending investigation of the pertinent charge.
 - (a) If the University shall elect to exercise superintending control pending investigation of the pertinent charge, the University shall give Grantee written notice of the investigation, shall commence such investigation immediately, shall permit Grantee fairly to address the pertinent charge, and shall thereafter complete its investigation as quickly as reasonably practicable.

- (b) Upon completing its investigation, the University shall promptly deliver to Grantee in writing either (i) a notice of immediate termination on the bases set forth in this Section 9.2, (ii) a notice of an Event of Default and an opportunity to cure pursuant to Section 9.2(2), or (iii) a notice rejecting the pertinent charge and reinstating control of the Charter School to Grantee.
- (2) Non-Emergency Revocation and Opportunity to Cure. If the Chancellor determines that any of the Events of Default has occurred but that such occurrence does not thereby immediately put at risk the health or safety of the Charter School's students, the University shall advise Grantee in writing of the pertinent occurrence and shall specify for Grantee a reasonable period of time (though in no instance less than 30 days) within which Grantee shall cure or otherwise remedy the specified Event(s) of Default to the reasonable satisfaction of the Chancellor.
- (a) If Grantee shall not so cure or otherwise remedy the specified Event(s) of Default, the University may terminate this Contract by written notice delivered within 10 days after expiration of the specified period.
 - (b) If the University shall so terminate this Contract, termination shall become effective at the end of the next academic semester scheduled for the Charter School.

ARTICLE TEN

TERMINATION BY THE GRANTEE

Section 10.1 Grounds for Termination by the Grantee. This Contract may be terminated by the Grantee under procedures in Section 10.2 if Grantee finds that any of the following Events of Termination have occurred:

- (1) The Charter School has insufficient enrollment to successfully operate a public school;
- (2) Grantee's Operation or Management Contract with a third-party provider of educational management services has been terminated;
- (3) The Charter School has lost its right to occupy all or a substantial part of its physical plant and cannot occupy another suitable facility, at a cost deemed reasonable by Grantee, before the expiration or termination of its right to occupy its existing physical plant;
- (4) Grantee has not timely received any one of the payments contemplated under s. 118.40(2r)(e);
- (5) Grantee has become insolvent or been adjudged bankrupt; or

- (6) The University defaults materially in any of the terms, conditions, promises or representations contained in or incorporated into this Contract.

Section 10.2 Procedures for Grantee Termination of Contract. Grantee may terminate this Contract according to the following procedures:

- (1) Notice. If the Grantee determines that any of the Events of Default set forth in Section 10.1 has occurred, Grantee shall notify the Chancellor of the pertinent Event(s) of Termination. The notice shall be in writing, shall set forth in sufficient detail the grounds for termination, and shall specify the proposed effective date of termination (which date shall, to the extent reasonably practicable, be the end of the next academic semester scheduled for the Charter School).

(2) Discretionary Termination.

- (a) As to the Event(s) of Termination set forth in Sections 10.1(1)-(2) and (6), the Chancellor may conduct a preliminary review of the alleged bases for termination to ensure that such bases are bona fide. Such review shall be completed promptly and, within 30 days after the Chancellor receives Grantee's notice, the Chancellor shall deliver to Grantee a notice (i) approving Grantee's requested termination or (ii) denying the same on the grounds that the asserted bases for termination are not in fact bona fide.

- (b) If such results of the review and the Chancellor's determination are not delivered to Grantee in writing within 30 days after the Chancellor receives Grantee's notice, Grantee's notice shall be deemed an approved basis for termination.

- (3) Automatic Termination. As to the Event(s) of Termination set forth in Sections 10.1(3)-(5), termination shall be effective on the date set forth in Grantee's notice under Section 10.2(1).

Section 10.3. Final Accounting. Upon termination of the Contract, Grantee shall assist the Chancellor in conducting a final accounting of the Charter School by making available to the Chancellor all books and records that have been reviewed in preparing Grantee's annual audits and statements under Section 3.1(11) of this Contract.

ARTICLE ELEVEN

TECHNICAL PROVISIONS

Section 11.1 Term of Contract. The term of this Contract shall commence on the date of the execution of this Contract and continue until June 30, 2009. During the third full academic year of this Contract the University shall conduct a review of the Charter School's performance to date. The University shall specify in writing for Grantee the subjects of the review at least 3 months prior to the beginning of the

third full school year of the operation of the Charter School. The University shall complete the review and shall issue a written report by the end of the third full school year of the Contract. Results of the review shall serve as the basis for the University to determine whether it will negotiate another Contract with Grantee.

Section 11.2 Non-agency. It is understood that neither Grantee nor the Charter School is an agent of the University.

Section 11.3 Appendices. The following documents, appended hereto, are made a part of this Contract and Charter School agrees to abide by all the terms and conditions included herein:

Appendix A: Part 4.D of the UW System Risk Management Manual, Vendor Certificates of Interest

Appendix B: Statement of Performance Measurers and Required Reports

Appendix C: Other Provisions Incorporated From Grantee Application

Section 11.4 Applications of Statutes. If, after the effective date of this Contract, there is a change in Applicable Law which alters or amends the responsibilities or obligations of any of the Parties with respect to this Contract, this Contract shall be altered or amended to conform to the change in existing law as of the effective date of such change.

Section 11.5 Hold Harmless and Indemnification. To the extent allowed by law, Grantee shall hold harmless and indemnify the University against any and all liability whatsoever for injury to or death of any person or persons, or for loss of or damage to any property occurring in connection with or in any way incident to the Grantee's performance of its obligations under this Contract.

Section 11.6 Amendments. This Contract may be amended only upon the written agreement of the Parties.

Section 11.7 Severability. If any provision of this Contract is held to be invalid or unenforceable, it shall be ineffective only to the extent of the invalidity, without affecting or impairing the validity and enforceability of the remainder of the provision or the remaining provisions of this Contract. If any provision of this Contract shall be or become in violation of any federal, state, or local law, such provision shall be considered null and void, and all other provisions shall remain in full force and effect.

Section 11.8 Successors and Assigns. The terms and provisions of this Contract are binding on and shall inure to the benefit of the Parties and their respective successors and permitted assigns.

Section 11.9 Entire Agreement. This Contract sets forth the entire agreement among the Parties with respect to the subject matter of this Contract. All prior application materials, agreements or contracts, representations, statements, negotiations, understandings, and undertakings are superseded by this Contract.

Section 11.10 Assignment. This Contract is not assignable by either Party without the prior written consent of the other Party.

Section 11.11 Non-waiver. Except as provided herein, no term or provision of this Contract shall be deemed waived and no breach or default shall be deemed excused, unless such waiver or consent shall be in writing and signed by the Party claimed to have waived or consented. No consent by any Party to, or waiver of, a breach or default by the other, whether expressed or implied, shall constitute a consent to, waiver of, or excuse for any different or subsequent breach or default.

Section 11.12 Force Majeure. If any circumstances occur which are beyond the control of a Party, which delay or render impossible the obligations of such Party, the Party's obligation to perform such services shall be postponed for an equivalent period of time or shall be canceled, if such performance has been rendered impossible by such circumstances.

Section 11.13 No Third Party Rights. This Contract is made for the sole benefit of the Parties. Except as otherwise expressly provided, nothing in this Contract shall create or be deemed to create a relationship among the Parties or any of them, and any third party, including a relationship in the nature of a third party beneficiary or fiduciary.

Section 11.14 Governing Law. This Contract shall be governed and controlled by the laws of the State of Wisconsin.

Section 11.15 Notices. Whenever this Contract provides that notice must or may be given to another Party, or whenever information must or may be provided to another Party, the Party who may or must give notice or provide information shall fulfill any such responsibility under this Contract if notice is given or information is provided to:

To Grantee: Donna Niccolai-Weber
Executive Director
Capitol West Academy
3939 North 88th Street
Milwaukee, WI 53222

with a copy to: Jon E. Anderson, Esq.
LaFollette, Godfrey & Kahn, S.C.
P.O. Box 2719
Madison, WI 53701-2719

Notice hereunder shall be effective if made by hand delivery to the pertinent Party or by United States mail, postage prepaid, certified with return receipt requested. Notices shall be effective (i) when actually received by the addressee, if made by hand delivery, or (ii) 2 days after delivering the pertinent notice to the control of

the United States Postal Service, if made by certified mail with return receipt requested.

The undersigned have read, understand, and agree to comply with and be bound by the terms and conditions as set forth in this Contract.

FOR GRANTEE:

FOR THE UNIVERSITY:

Name

Name

President

Title

Chancellor

Title

Date

Date

APPENDIX A

Part 4.D of the UW System Risk Management Manual on Vendor Certificates of Insurance is attached hereto.

APPENDIX B

Statement of Performance Measures and Required Reports

The school will administer the 3rd grade State Reading Test and the 4th and 8th grade WSAS tests annually.

The school will administer the Terra Nova test to grades 5, 6 and 7 annually as means of determining annual growth of students and as a means to assess curriculum content and delivery.

The school will administer the Stanford Diagnostic to grades K5, 1, 2.

APPENDIX C

Other Provisions

1. Vitae of Donna Niccolai-Weber

Present Address: N62 W14739 Mill Creek Court
Menomonee Falls, WI 53051
Telephone: (262) 252-2376 - home
(414) 465-1355
E-mail: weberbr@execpc.com

EDUCATION

- 1989 University of Wisconsin - Milwaukee, Principal License, Administrative Leadership
- 1985 University of Wisconsin - Whitewater, Masters of Science Education/ Emotional Disturbance
- 1977 Cardinal Stritch College Milwaukee, Bachelors of Arts, Psychology/Special Education

Wisconsin Department of Public Instruction License:

- 51 principal - preK-12
810 Cognitive disability - pre-k through 12
830 Emotional behavioral disability - elementary

EXPERIENCE

Sept. 2002 - present

Administrator of Education Services / St. Aemilian-Lakeside Inc., Milwaukee, WI

- Overall responsibility for operations and growth of education-related program and services Including all program fiscal and HR Issues.
- Supervise school Principal, residential Director, and community outreach program coordinators.
- Responsible for program Implementation and development
- Overall responsibility to explore the viability of starting a Charter School at St. Aemilian-Lakeside Inc.
 - Researched Charter School
 - Wrote and developed the application
- Programs Include:
 - School for emotionally disturbed children both day school and residential students / staff of 30, population of children 85-90
 - Residential program for behaviorally disturbed children/ staff of 50, program for 25-30 children
 - Community day Treatment Program / staff of 2, program for 10 children
 - FACIT day treatment services/ staff of 3, program services 30-35 youth In community school placements

1994 - Sept. 2002

Chief Operating Officer/St. Aemilian Lakeside, Inc, Milwaukee, WI

- Overall responsibility for operations of programs: Therapy, Education, Residential Services, Foster Care and Outreach
- Supervise all Department Directors
- Supervise Clerical Department
- Developed and managed budgets and financial statements for all programs
- Member of agency management team
- Responsible for development of agency-wide training program

1991-1994 *Director of Education/ St. Aemilian-Lakeside Inc, Milwaukee, WI*

- Supervise education staff of 50 at two school locations, including a principal, teachers, aides, speech and language therapists, reading specialists, Title I staff
- Developed and monitored school budgets
- Overall responsibility for the development and Implementation of school wide behavior management program for approximately 125 students
- Responsible for hiring, training, and evaluating staff
- Presented and designed staff development programs
- Coordinated and scheduled summer school program
- Trained staff in behavior management techniques
- Assisted in the development of the Behavior Self Control Program
- Developed working relationship with MPS to coordinate special education placements
- Developed and updated curriculum
- Coordinated move of entire agency to one campus

1989-1991 *Coordinator of Education/ St. Aemilian-Lakeside, Inc. (School Principal)*

- Opened new school
- Developed and monitored program budget
- Hired, trained and supervised staff
- Implemented new programs
- Ordered materials, furniture etc.
- Developed an integrated curriculum, teaching reading, and math through content areas with a thematic approach

1987-1989 *Emotional Disabilities Teacher/ St. Aemilian-Lakeside, Inc.*

- Responsible for teaching all academic areas including math, reading, language arts, science and social studies.
- Responsible for developing IEP's and participating on IEP meetings
- Worked as member of treatment team to develop and Implement Individualized programs
- Participated In committee to develop school wide behavior management system

1985-1987 *Teacher /Walworth County Handicap Children's Education Board, Elkhorn, WI*

- Self-contained integrated ED classroom; Phoenix Middle School in Delavan, ED 5-8.
- Instructed all subject areas and included academic tutoring and social/emotional Support.
- Responsible for assessment, M-team reports, parent contact and writing and implementing IEP.
- Worked closely with parents to Implement IEP goals
- Worked closely with regular education teachers to Integrate students Into classes

1980-1985 *Teacher/Clinton Public Schools, Clinton, WI*

- Self-contained integrated multi-categorical classroom, MR/ED 6-8 grade students.
- Instructed all subject areas included academic tutoring and social/emotional Support.
- Responsible for assessment, reports to M-team, writing IEP's and working with Parents and regular education personnel.
- Collaborated with regular education teachers/ team taught Science
- Self-contained integrated multi-categorical classroom, ED/CD K-5.
- Self-contained integrated classroom, ED 6-8, half-day
- Self-contained integrated classroom, MR K-5, half-day

1979-1980 *Activity Therapist / Curative Rehabilitation Center, Milwaukee, WI*

Developed and conducted a work activity program for handicapped adults with a variety of disabilities ranging from cognitive disabilities to senility. Program included both pre-vocational and vocational skills.

1977-1979 *Teacher/Madison Elementary School, Marshfield, WI*

Instructor in team-teaching class for cognitively delayed students' ages 6-21. Co-teacher and myself developed program with emphasis on independence in daily living skills and pre-vocational skills. Curriculum based on Wisconsin Curriculum. Included a swim program and the use of sign language with non-verbal students. Coached Special Olympians including adult and children participants.

PROFESSIONAL AFFILIATIONS

Association of Supervision and Curriculum Development
Wisconsin Association for Children with Behavioral Disorders
Council of Exceptional Children
Wisconsin Charter School Association

PRESENTATIONS

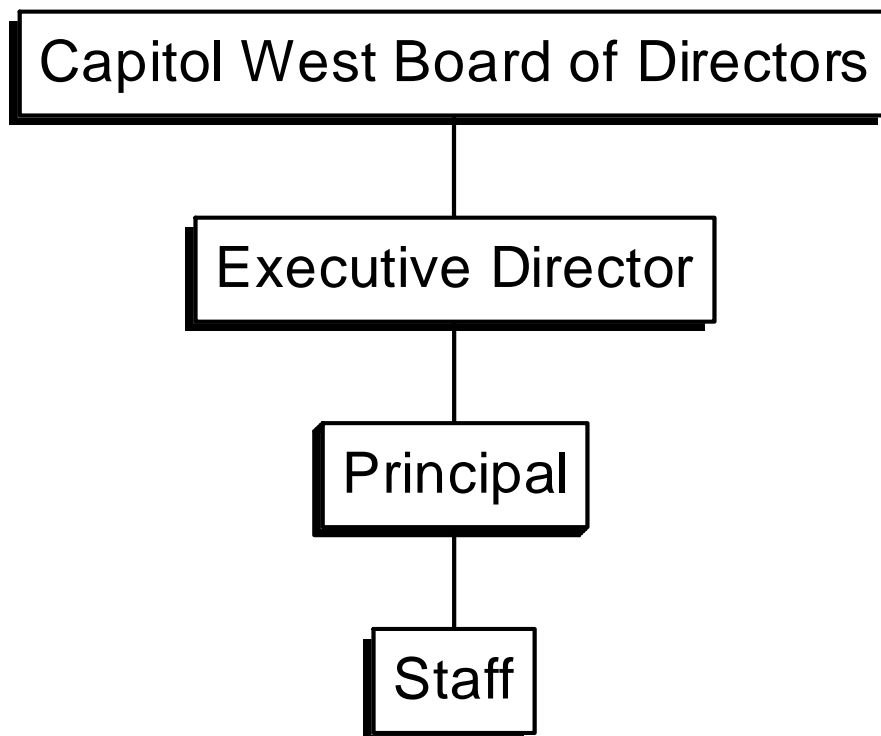
1990 Juvenile Delinquency Conference Appleton, WI
1991 Wisconsin Association of Children with Behavioral Disabilities Madison
1996 NAHSC conference Chicago, IL
1995- Present Numerous presentation and training for staff, board and purchasers
2003 Wings Academy: Developing a School-Wide Behavior Management Program

Other Certifications:

1996 Certified trainer of Managing Organizational Change - William Bridges
2001 Trainer: Effective Supervisory Practice

2. Organization Chart for CWA

Capitol West Academy 2004-2005 School Year



3. Job Descriptions

EXECUTIVE DIRECTOR

- Hire and supervise the school principal
- Keep the school focused on its vision, mission, and philosophy.
- Recruit and orientate Capitol West Academy Board of Directors members.
- Assist in the recruitment of families/students.
- Establish processes for continuous improvement of policies, operations, and procedures in collaboration with Board members.
- Serve as the media spokesperson for the school and supervise public relations, marketing, and recruitment of staff.
- Analyze school operations.
- Review development of the annual budget by the school principal.
- Present annual budget to the Board for review and action.
- Review annual budget with financial manager.
- Advise the Board on effective use of resources.
- Contract with external entities to provide non-academic services.
- Serve as liaison with the University of Wisconsin – Milwaukee.
- Work as a team member.
- Participate actively in the training and professional development of staff.

- Research and develop grant opportunities to support the Capitol West Academy.
- Complete other duties as assigned by the Board.
- Overall responsibility to monitor, communicate, and provide timely information to the management team regarding national, state, and local legislation, funding, political or tactical events that impact services in education.
- Accountable for the timely compliance for all state regulations and accreditation.

PRINCIPAL

- Establish a culture of collaboration and respect that engages all education staff and focuses on the needs of students and their families.
- Keep the school focused on its vision, mission, and philosophy.
- Overall responsibility to recruit, hire, train, and maintain school staff by clearly defining expectations, effectively delegating responsibilities, appraising teacher effectiveness, and providing educational opportunities and experiential growth.
- Establish processes for continuous improvement of instructional delivery and evaluation of staff.
- Responsible for the effective day-to-day operation of the school such as class schedules and purchase requisitions.
- Compile, analyze, and report student and school performance data.
- Develop school master calendar on a yearly basis.
- Develop school budget on an annual basis.
- Review school budget and financial statements on a monthly basis.
- Ensure that the school staff consistently provide timely communication to all parents / guardians.
- Overall responsibility to maintain quality school climate
- Establish and maintain effective communication with parents and staff and collaborate with them to establish and maintain academic standards and social expectations.
- Maintain records, prepare performance reports, and monitor student progress relative to the achievement of goals and standards.
- Participate actively in professional development and training.
- Overall responsibility for monitoring, reviewing, and improving the curriculum to meet the varied needs of students.
- Develop staff meeting agenda and conduct meeting.
- Supervise teachers, teaching assistants, and support staff by clearly defining expectations, effectively delegating responsibilities, appraising teacher effectiveness, and providing educational opportunities and experiential growth.
- Oversee special events in the school and serves as an ad hoc member on all school committees.
- Serves as a member of the Capitol West Academy's Advisory Board.

ADMINISTRATIVE ASSISTANT

- Support the school's vision, mission, and philosophy
- Provide secretarial support to Executive Director and the Principal.
- Perform general office duties utilizing various office machines (ie. telephone, fax, computers, copiers).
- Provide information materials to students, staff, parents, and the general public.
- Coordinate student registration, monitor class attendance lists, class lists (census), and student absenteeism. Track immunization and screening records, student lunch counts, and maintain a student disciplinary record file.
- Overall responsibility for set up and maintenance of cumulative folders for each student
- Prepare beginning of year packets and all correspondence for parents.
- Prepare special education reports as directed.

TEACHER

- Support the school's vision, mission, and philosophy

Lesson Plans

- Work as a team member with other teachers across grade levels to create stimulating lessons from the adopted curriculum and other academic content consistent with WI State Standards.
- Identify ways and means to assist individual children to achieve.
- Demonstrate creativity in development of lesson plans and use a variety of instructional delivery methods.
- Provide detailed lesson plans that will allow an observer to readily determine the purpose of the lesson.
- Remain current in teaching/learning styles within the education environment and reflect it in the lesson plans.

Exhibit and apply knowledge of the curriculum content and show evidence of student performance and progress.

Classroom Management

- Present subject matter in an organized, sequential, and concise manner.
- Establish a classroom environment where expectations are high and classroom procedures are consistent and predictable for children and parents.

Demonstrate professionalism in oral presentation, appearance, and demeanor.

Maintain accurate records of:

- Attendance
- Passports
- Lesson plans
- Grade book
- Interim progress reports and grades
- Parent contact logs
- Student achievement data
- Test scores
- Student portfolios

Analyze intake-testing material and develop an academic plan that is appropriate to the child's individual learning needs.

Participate actively in all training, seminars, and faculty meetings

Teamwork

- Work as a team member in creating grade appropriate technology plans that incorporate technology into the delivery of the curriculum.
- Disseminate clearly information gathered at conferences and professional development.

INSTRUCTIONAL ASSISTANT

- Support the school's vision, mission, and philosophy

Assist Teacher in classroom

- Assist children with self-help and assist in supervision and guidance of children's activities.
- Assist with the engagement of students in direct instructional activities during the lesson.
- Perform room management tasks (bulletin boards, calendar, daily schedules).
- Prepare appropriate teaching aids.
- Manage minor behavior problems with positive affirmations.
- Assist students with minor academic problems.
- Assist with behavior management model (i.e. passport, catch 'em being good dollars, etc.).

Assist Teacher with classroom paperwork

- Offer suggestions for specific lessons and materials.
- Assist with maintenance of portfolios.
- Assist with report cards.

- Participate in orientation, in-service programs, educational training, and professional developments.
- Supervise children to and from bus, lunchroom, recess, and field trips.
- Monitor groups or students while teacher is teaching another group.
- Assist students with accommodations from their IEP's.

Demonstrate teamwork attributes.

Revisions to
Faculty Personnel Policies and Procedures
University of Wisconsin-Whitewater

EDUCATION COMMITTEE

Resolution I.1.f.:

That, upon recommendation of the Chancellor of the University of Wisconsin-Whitewater and the President of the University of Wisconsin System, the Board of Regents approves the revisions to the UW-Whitewater Faculty Personnel Policies and Procedures.

FACULTY PERSONNEL POLICIES AND PROCEDURES UNIVERSITY OF WISCONSIN-WHITTEWATER

EXECUTIVE SUMMARY

BACKGROUND

Section UWS 2.02, Wisconsin Administrative Code ("Faculty Rules: Coverage and Delegation") requires that rules, policies, and procedures developed by each institution in the System pursuant to Chapters UWS 3, 4, 5, 6, and 8 must be approved by the Board of Regents before they take effect.

The proposed revisions to the UW-Whitewater Faculty Personnel Policies and Procedures are the result of work by the UW-Whitewater Faculty Personnel Rules Committee over a number of years. The rules have been approved by the Faculty Senate and by Chancellor John W. Miller after extensive consultation and discussion. The Whitewater student government and the Assistant to the Chancellor for Affirmative Action were consulted during the development and review of these rules. These revisions have also been reviewed by the UW System Office of the General Counsel and the Office of Academic Affairs.

The rule changes involve extensive revision and reorganization to what had previously been in place (the 1979/1982 Faculty Personnel Rules; attached). The revised rules are attached and may be found at <http://www.uww.edu/facsenate/rulesrev.pdf>. Normally, the Board receives three sets of documents when personnel rule revisions are presented: the original rules; the revised rules with strike-outs showing deletions and additions highlighted in bold; and a clean copy of the new, revised rules. Because the revisions to the new rules are so extensive, no attempt has been made to show additions and deletions using the earlier document.

REQUESTED ACTION

Approval of Resolution I.1.f., approving the amendment to the UW-Whitewater Faculty Personnel Policies and Procedures.

DISCUSSION AND RECOMMENDATIONS

UW System Administration recommends approval of these revisions.



TO: Cora B. Marrett, Senior Vice President for Academic Affairs
University of Wisconsin System

FROM: Richard Telfer, Provost and Vice Chancellor for Academic Affairs
University of Wisconsin-Whitewater

Richard Telfer

DATE: February 24, 2004

RE: Changes in Faculty Personnel Rules

We have enclosed a copy of revised Faculty Personnel Rules (Chapter III: Rules Governing Faculty Appointments Under UWS 3, Wisconsin Administrative Code) for UW-Whitewater. We ask that they be placed on the agenda of the Board of Regents for the April meeting, if possible. These rules are the result of work by the UW-Whitewater Faculty Personnel Rules Committee over a number of years. The rules have been approved by the Faculty Senate and Chancellor Jack Miller after extensive consultation and discussion. The Whitewater Student Government and the Assistant to the Chancellor for Affirmative Action were consulted during the development and review of these rules. The revised Faculty Personnel Rules have been reviewed by Anne Bilder and Chris Ashley from the UW System General Counsel's Office.

We have also enclosed a copy of the 1979/1982 Faculty Personnel Rules for reference. Please note that, since the changes involved extensive revision and reorganization, no attempt has been made to show additions and deletions using the earlier document.

The rules are designed to be accessible online, with an online indexing system. The revised rules may be found at <http://www.uww.edu/facsenate/rulesrev.pdf>.

C: Chancellor Miller
Faculty Senate Chair Ed Erdmann

Attachments



OFFICE OF THE PROVOST AND VICE CHANCELLOR
800 West Main Street • Whitewater, WI 53190-1790
Phone 262-472-1672 • Fax 262-472-1670 • E-mail telferr@uww.edu

- I.
- II. **Refer to Wisconsin Administrative Code UWS CHAPTER 2, FACULTY RULES; COVERAGE AND DELEGATION, which authorizes the faculty of each institution to write rules and procedures pursuant to chapters UWS 3, 4, 5, 6, and 8.**

III. RULES GOVERNING FACULTY APPOINTMENTS UNDER UWS 3, WISCONSIN ADMINISTRATIVE CODE

(Approved by Board of Regents on October 5, 1979, and amended February 5, 1982 and XXX, 2001)

A. Development and Revision of Standards and Procedures for Reappointment, Tenure, and Promotion

- 1. General policies
 - a. Standards and procedures must be consistent with state and university reappointment, tenure, and promotion policies as defined by
 - (1) State and federal statutes,
 - (2) Wisconsin Administrative Code, UWS 3,
 - (3) UW-Whitewater Faculty Personnel Rules,
 - (4) Recommendation 9 of the report of the Governor's Commission on UW System Compensation (Board Resolution 6198), and
 - (5) Board of Regents Policy 74-13, Student Evaluation of Instruction.
 - b. The Faculty Senate and the Chancellor grant the final approval of the standards and procedures.
 - c. Department, constituency, and university standards of evaluation for purposes of reappointment, tenure and/or promotion shall be in effect one year after the Faculty Senate and the Chancellor approve the standards.
 - d. Pending approval of constituency standards, the university standards shall be used in lieu of approved constituency standards. Similarly, pending approval of department standards, constituency standards shall be used in lieu of approved department standards.
 - e. Schedules for reappointment, tenure, and promotion shall be in accordance with UW System and UW-Whitewater policy. Timelines (III, I of these rules) for reviews shall be published by the Vice Chancellor for Academic Affairs on or before the first contract day of the academic year.
 - f. All materials submitted for review shall adhere to a common university format, referred to in these rules as the portfolio (III, F of these rules).
 - g. The dean of each respective constituency shall provide faculty members with the format instructions for submitting portfolios.
- 2. Department standards committee
 - a. Formation: Each department shall establish a committee to develop standards and procedures for reappointment, tenure, and promotion decisions.
 - b. Functions
 - (1) Write
 - (a) Write department standards that are consistent with the constituency and university standards and the mission and goals of the department,

- constituency, and university. Since probationary faculty shall demonstrate substantial progress toward meeting the standards for tenure and/or promotion, the committee may wish to write intermediate or formative standards for probationary faculty.
- (b) Write department procedures that are consistent with these rules to be used when making reappointment, tenure, and/or promotion decisions.
 - (c) Define any elements of the format for submitting reappointment, tenure and/or promotion materials that are unique to the department. These elements must be consistent with the portfolio established by the University Standards Committee (III, C, 1, f, (1) - (3) and III, F of these rules).
- (2) Review: Assure that the content of the Document of Intent (III, C, 1, c and d; III, C, 4, a; and III, F, 2 - 4 of these rules) indicates the probationary faculty member's commitment to make substantial progress toward meeting the department standards for tenure and/or promotion.
- (3) Report
- (a) Submit the standards and procedures to the tenured faculty in the department for approval.
 - (b) Submit department's approved standards and procedures to the constituency standards committee for review, possible negotiation and adjustment (III, A, 3, b, (4), (a) of these rules), and approval.
 - (c) After the constituency standards committee approves the department standards, submit department's standards and procedures to the Chancellor for review.
 - i) The focus of the Chancellor's review shall be to identify inconsistencies among the department standards and procedures and the constituency and university standards and procedures and/or the mission and goals of the department, constituency, and university.
 - ii) If the Chancellor finds inconsistencies among the department standards and procedures and the constituency standards and procedures and/or the mission and goals of the department and constituency, then the Chancellor shall request negotiation with the department (III, A, 2, b, (4), (b) of these rules).
 - iii) The request for negotiation shall be in writing and shall specify the inconsistencies the Chancellor has identified. The request shall be delivered to the chair of the department standards committee.
 - (d) Following the Chancellor's review and any needed negotiations, submit the department standards and procedures to the constituency standards committee for approval and inclusion in the final standards and procedures package to be submitted to the Faculty Senate for

approval. Official Faculty Senate actions shall go to the Chancellor for approval.

- (e) When all required approvals have been granted (III A, 1, b of these rules), forward copies of the department standards and procedures to the department, the constituency standards committee, the dean, the Vice Chancellor for Academic Affairs, and the Chancellor for reference during reappointment and tenure and/or promotion procedures.
- (4) Negotiate
- (a) If the constituency standards committee finds that these department standards do not show parity with other department standards within the constituency or in some way are not consistent with the constituency standards, the university standards, or the goals and mission of the department, constituency, or university, then the department standards committee shall
 - i) negotiate these differences with the constituency standards committee,
 - ii) submit a copy of the adjusted standards produced by these negotiations to the department for approval, and
 - iii) upon approval by the tenured faculty of the department, follow procedures listed in III, A, 2, b, (3), (b) through (e) of these rules.
 - (b) If the Chancellor or Chancellor's designee finds that these department standards are not consistent with the constituency standards, the university standards, or the goals and mission of the department, constituency, or university, then the department standards committee and a representative from the constituency standards committee shall
 - i) negotiate with the Chancellor or Chancellor's designee to seek resolution of these differences,
 - ii) submit a copy of the adjusted standards produced by the negotiations to the tenured faculty of the department for approval, and
 - iii) if approved by the tenured faculty of the department, follow procedures listed in III, A, 2, b, (3), (b) through (e) of these rules.
 - (c) If, after twelve months' negotiation, the parties are unable to resolve differences (III, A, 2, b, (4), (a) and/or (b) of these rules), either of the differing parties may request that the Faculty Senate Executive Committee identify an individual to serve as a mediator. This individual must be external to the university and acceptable to both of the differing parties. The Vice Chancellor for Academic Affairs shall make arrangements for the mediator and mediation session(s).
3. Constituency standards committee
- a. Formation: Each constituency shall have a constituency standards committee composed of at least one tenured faculty member from each department. The

total membership of the committee shall include proportionate representation from all departments within the constituency.

- (1) The tenured faculty from each constituency shall determine
 - (a) the total number of representatives on this committee,
 - (b) the basis for defining proportionate representation, and
 - (c) percentage of committee members that constitutes a quorum.
 - (2) Each department's faculty shall elect its representative(s) to this committee.
 - (3) Departments without tenured faculty shall elect their representative(s) from the tenured faculty of other department(s) within the constituency.
- b. Functions
- (1) Write
 - (a) In consultation with the constituency dean, write constituency standards that are consistent with the university standards and the mission and goals of the departments, constituency, and university.
 - (b) Prescribe the format for writing and submitting department standards and procedures.
 - (2) Review
 - (a) Review departments' standards and procedures to appraise
 - i) the compatibility of these standards with the constituency's approved standards, the university standards, and the mission and goals of the department, constituency, and university,
 - ii) the degree of parity among them, and
 - iii) their consistency with procedures specified in III, C, D, and E of these rules.
 - (b) Review the portfolios of faculty members who are applying for reappointment, promotion, or promotion and tenure.
 - (3) Report
 - (a) Present the constituency standards and procedures to the tenured faculty of the constituency for approval.
 - (b) Submit a copy of the constituency's approved standards and procedures to the University Standards Committee for review and approval.
 - (c) After the University Standards Committee approves the constituency standards, submit constituency's standards and procedures to the Chancellor for review.
 - i) The focus of the Chancellor's review shall be to identify inconsistencies among the constituency standards and procedures and the university standards and procedures and/or the mission and goals of the constituency and/or university.
 - ii) If the Chancellor finds inconsistencies among the constituency standards and procedures and the university standards and procedures and/or the mission and goals of the constituency and

- university, then the Chancellor shall request negotiation with the constituency (III, A, 3, b, (4), (b) of these rules).
- iii) The request for negotiation shall be in writing and shall specify the inconsistencies the Chancellor has identified. The request shall be delivered to the chair of the constituency standards committee.
 - (d) Following the Chancellor's review and any needed negotiations, submit the constituency standards and procedures to the University Standards Committee for approval and inclusion in the final standards and procedures package to be submitted to the Faculty Senate for approval. Official Faculty Senate actions shall go to the Chancellor for approval.
 - (e) When all required approvals have been granted (III A, 1, b of these rules), forward copies of the constituency standards and procedures to the departments, the constituency standards committee, the dean, the Vice Chancellor for Academic Affairs, and the Chancellor for reference during reappointment and tenure and/or promotion procedures.
- (4) Negotiate
- (a) To support making changes to be approved by the tenured faculty of each respective department (III, A, 2, b, (3), (a) through (e) of these rules), consult with department standards committees to negotiate (III, A, 2, b, (4), (a) of these rules) adjustments in standards and procedures to achieve
 - i) conformity with the approved format for the submission of standards (III, A, 3, b, (1), (b) of these rules).
 - ii) parity among the departments' standards and procedures,
 - iii) consistency with the department, constituency, and university goals and missions.
 - (b) If the Chancellor or Chancellor's designee finds that the constituency standards are not consistent with the university standards or the goals and mission of the constituency or university, then the constituency standards committee and a representative from the University Standards Committee shall
 - i) negotiate with the Chancellor or Chancellor's designee to seek resolution of these differences,
 - ii) submit the adjusted standards produced by these negotiations to the tenured faculty of the constituency for approval, and
 - iii) upon approval by the tenured faculty of the constituency, follow procedures listed in III, A, 3, b, (3), (b) through (e) of these rules.
 - (c) If, after twelve months' negotiation, the parties are unable to resolve differences (III, A, 3, b, (4), (a) or (b) of these rules), either of the differing parties may request that the Faculty Senate Executive Committee identify an individual to serve as a mediator. This individual must be external to the university and acceptable to both of

the differing parties. The Vice Chancellor for Academic Affairs shall make arrangements for the mediator and mediation session(s).

4. University Standards Committee

a. Formation: The faculty of the university shall elect a University Standards Committee composed of an equal number of representatives from each constituency. The Elections Committee shall conduct this election (UW-Whitewater Handbook - Faculty Committees).

b. Functions

- (1) Write: In consultation with the Vice Chancellor for Academic Affairs,
 - (a) write university standards that are consistent with the university mission and goals,
 - (b) make revisions of the timeline (III, I of these rules) as needed,
 - (c) identify the types of evidence required in the portfolio (III, F of these rules), and
 - (d) prescribe the format for the portfolio.
- (2) Review: Review constituency standards and procedures to appraise
 - (a) the compatibility of these standards and procedures with the university standards and the mission and goals of the constituency and the university,
 - (b) the degree of parity among them, and
 - (c) their consistency with the procedures specified in III, C, D, and E of these rules.
- (3) Report
 - (a) Present recommendations as specified in III, A, 4, b, (1) of these rules to the Faculty Senate for approval. Official Faculty Senate actions shall go to the Chancellor for approval.
 - (b) Present the final standards and procedures documents to the Faculty Senate for approval. Official Faculty Senate actions shall go to the Chancellor for approval.
 - (c) When all required approvals have been granted (III A, 1, b of these rules), forward copies of the university standards and procedures to the department standards committees, the constituency standards committees, the dean, the Vice Chancellor for Academic Affairs, and the Chancellor for reference during reappointment and tenure and/or promotion procedures.
- (4) Negotiate
 - (a) To support making changes to be approved by the tenured faculty of each respective constituency (III, A, 3, b, (3), (a) through (e) of these rules), consult with constituency standards committees to negotiate adjustments in standards and procedures to achieve
 - i) parity among constituencies and
 - ii) consistency with the standards, procedures, and missions and goals of the constituencies and the university.

- (b) If the Chancellor or Chancellor's designee finds that the university standards and procedures cannot be approved because of inconsistency with the goals and mission of the university, then
 - i) the University Standards Committee and a representative elected by the Faculty Senate shall negotiate with the Chancellor or Chancellor's designee to seek resolution of these differences,
 - ii) submit the adjusted standards produced by these negotiations to the Faculty Senate for approval,
 - iii) upon approval by the Faculty Senate, follow procedures listed in III, A, 4, b, (3), (b) & (c) of these rules.
- (c) If, after twelve months' negotiation, the parties are unable to resolve differences (III, A, 2, b, (4), (a) or (b) of these rules), either of the differing parties may request that the Faculty Senate Executive Committee identify an individual who is external to the university to serve as a mediator. This individual must be acceptable to both of the differing parties. The Vice Chancellor for Academic Affairs shall make arrangements for the mediator and mediation session(s).

5. Faculty Senate

- a. Consider resolutions presented to it by the University Standards Committee.
- b. Report
 - (1) Forward copies of all resolutions concerning reappointment, tenure and/or promotion decisions to the Chancellor for approval.
 - (2) Forward copies of all resolutions concerning reappointment, tenure and/or promotion decisions to the university archives for storage.
 - (3) Forward copies of resolutions concerning reappointment, tenure and/or promotion decisions to the Vice Chancellor for Academic Affairs for reference and dissemination to affected parties.
- c. Elect a representative as needed in negotiations with the Chancellor or the Chancellor's designee and the University Standards Committee (III, A, 4, b, (4), (b) of these rules).
- d. Faculty Senate Executive Committee shall identify a mediator (III, A, 2, b, (4), (c); III, A, 3, b, (4), (c); and III, A, 4, b, (4), (c) of these rules).

B. Authorization, Recruitment, and Initial Appointment

- 1. Authorization: A department seeking authorization to recruit a faculty member shall, in consultation with the dean,
 - a. describe duties and responsibilities of the position,
 - b. define required and desired applicant qualifications, and
 - c. determine rank(s) (UWS 3.01) and salary range(s) for the position.
- 2. The dean shall submit the request for authorization to recruit a faculty member to the Chancellor for approval.
- 3. Recruitment: A department authorized to recruit a faculty member
 - a. may define a search committee by open and fair procedures previously agreed upon by the department members and dean which, through its composition and/or procedures, shall demonstrate the university's commitment to diversity

- and provide for faculty and student participation in the recruitment and selection processes. (This search committee will act on behalf of the department in those functions determined by the department),
- b. shall meet with the Assistant to the Chancellor for Affirmative Action to establish the guidelines for recruitment procedures,
 - c. shall establish recruitment procedures, and
 - d. shall submit the recruitment procedures, position description, and advertisement to the Assistant to the Chancellor for Affirmative Action to assure that they are consistent with federal, state, UW System, and UW-Whitewater policies.
4. When the Assistant to the Chancellor for Affirmative Action approves the recruitment procedures, the department or its search committee shall
- a. distribute advertisements for the position, making every effort to identify and attract a diverse pool of applicants,
 - b. establish the process and criteria for reviewing credentials, and
 - c. determine the method for selection of candidates.
5. Selection of candidates
- a. The department or its search committee shall
 - (1) review applicants' credentials,
 - (2) create a list of candidates for approval by the Assistant to the Chancellor for Affirmative Action and Vice Chancellor for Academic Affairs for initial interview,
 - (3) provide a list of the remaining applicants and the reason(s) each was not recommended for immediate interview, and
 - (4) forward the search packet to the dean.
 - b. The dean shall
 - (1) review the list of candidates submitted by the department or its search committee to ascertain if the established procedures have been implemented in accordance with III, B, 3 and 4 of these rules, and
 - (2) based on this review, either
 - (a) sign the Recruitment Sign-off Sheet and forward it to the Assistant to the Chancellor for Affirmative Action and Vice Chancellor for Academic Affairs, or
 - (b) negotiate suggested changes with the department or its search committee and then sign the Recruitment Sign-off Sheet.
 - c. The Vice Chancellor for Academic Affairs and Assistant to the Chancellor for Affirmative Action shall
 - (1) review the candidates' qualifications to certify that the candidates' qualifications conform to the position description as advertised, and
 - (2) forward the certified list to the department or its search committee.
6. Interview
- a. The department or its search committee shall interview each candidate to determine the candidate's qualifications for appointment. If the appointment is to be at a rank higher than assistant professor, then additional interviews are required.

- (1) The Vice Chancellor for Academic Affairs also shall interview any candidate to be considered for appointment at the associate professor rank.
 - (2) The Vice Chancellor for Academic Affairs and Chancellor also shall interview any candidate to be considered for appointment at the professor rank.
 - b. The department chair shall interview all candidates and inform them of department policies and procedures.
 - c. The dean shall interview all candidates and inform them of constituency policies and procedures.
 - d. At each interview level, the same core questions and format must be used during the interview of all candidates.
7. Recommendation of candidate
- a. At the close of the interview process, the department or its search committee, the department chair, and the dean shall meet to consider the respective views of the candidates' strengths and weaknesses, the department's needs, and proposed terms of employment. At the close of this consideration, the department or its search committee and the dean shall
 - (1) prepare a written document including:
 - (a) statement of their recommendation of the candidate to be offered the position,
 - (b) list of the terms of employment including terms of initial appointment (III, B, 8 of these rules) including
 - i) rank,
 - ii) credited prior service used to set the mandatory tenure decision, if any,
 - iii) years of teaching experience that may be used for promotion eligibility (III, B, 8, c, (3) & (4) of these rules), and
 - iv) conditions for conversion to faculty status, if necessary (III, B, 8, a, (3) of these rules).
 - (c) signatures of all members of the department or its search committee and the dean participating in this consideration process.
 - (2) If the department or its search committee and dean do not reach consensus to recommend any of the candidates, then the department or its search committee shall file a written
 - (a) request with the Assistant to the Chancellor for Affirmative Action and the Vice Chancellor for Academic Affairs asking that they meet with the department or its search committee, department chair, and the dean to again work toward consensus to recommend a finalist, or
 - (b) request with the Assistant to the Chancellor for Affirmative Action that the search be continued, or
 - (c) recommendation with the Assistant to the Chancellor for Affirmative Action that the search be terminated.
 - b. When the actions specified in III, B, 7, a of these rules have been concluded, the dean submits the document prepared in III, B, 7, a, (1) of these rules to the Vice

Chancellor for Academic Affairs who shall forward the document and name of the finalist to the Chancellor for his recommendation.

- c. If the Chancellor agrees with the recommendation prepared in III, B, 7, a, (1) of these rules, then the Chancellor shall request that the dean
 - (1) contact the finalist and
 - (2) negotiate what would be an acceptable offer of employment following the terms described in III, B, 7, a, (1), (b) of these rules.
 - d. If the Chancellor agrees with the recommendation prepared in III, B, 7, a, (1) of these rules, but the dean was unable to negotiate with the candidate an acceptable offer of employment following the terms described in III, B, 7, a, (1), (b) of these rules, then the dean shall meet with the department or its search committee and the department chair to either
 - (1) recommend one of the other candidates as determined in III, B, 7, a, of these rules, and prepare a written recommendation of the candidate as in III, B, 7, a, (1) of these rules, or
 - (2) request continuation or termination of the search (III, B, 7, a, (2) of these rules).
 - e. If the Chancellor disagrees with the recommendation prepared in III, B, 7, a, (1) of these rules, the Chancellor shall request that the dean meet with the department or its search committee and the department chair to
 - (1) recommend one of the other candidates as determined in III, B, 7, a, of these rules, and prepare a written recommendation of the candidate as in III, B, 7, a, (1) of these rules, or
 - (2) request continuation or termination of the search (III, B, 7, a, (2) of these rules).
8. Initial appointments
- a. Type of appointment
 - (1) Probationary faculty appointment: The initial faculty appointment shall be for two years.
 - (2) Tenured faculty appointment: The initial appointment may be with tenure if the department finds that the candidate has met the department standards for tenure and both the department and Chancellor recommend granting tenure.
 - (3) Instructional academic staff: When a candidate who does not hold a terminal degree is recommended for a faculty position, the candidate shall be hired as instructional academic staff. At such time as the degree is completed and the instructional staff member meets the minimum requirements for the rank of assistant professor, the faculty member will be converted to faculty status. [Note: This conversion to faculty status from academic staff status occurs within an employment line listed as a faculty line, not an academic staff line.] The mandatory tenure decision shall be based on a fall faculty appointment of the fall semester following award of the terminal degree.
 - b. Rank at the time of initial faculty appointment shall be as determined in III, B, 1 of these rules and advertised (III, B, 4, a of these rules).

- (1) Assistant professor only on the affirmative recommendation of the department (III, B, 6, a of these rules).
 - (2) Associate professor only on the affirmative recommendations of the department and Vice Chancellor for Academic Affairs (III, B, 6, a, (1) of these rules).
 - (3) Professor only on the affirmative recommendations of the department, the Vice Chancellor for Academic Affairs, and the Chancellor (III, B, 6, a, (2) of these rules).
- c. Probationary periods: In accordance with both state law and the accepted standards of academic practice defined by the Association of American Colleges and the American Association of University Professors, the length of the probationary period of a faculty member shall be determined using the following principles:
- (1) The maximum probationary period of a faculty member without prior service credit shall be 7 years in a full-time appointment and 10 years in an appointment which is at least half-time, but less than full-time (UWS 3.04, (1)).
 - (2) A candidate may request credit for up to three years of prior service at the rate of one year for each year of full-time faculty or equivalent service at UW-Whitewater and/or at other colleges or universities. Acting upon the department's recommendation, the Chancellor may grant prior service credit to the candidate (III, B, 10, f of these rules). Such creditable service shall be
 - (a) subsequent to completion of the terminal degree and
 - (b) in positions that have expectations for productivity in the areas of research and creative activity and public and professional service as well as teaching.
 - (3) A candidate whose term of employment begins at the associate professor rank may request credit for up to three years for the purpose of determining the time of the mandatory tenure decision. However, once the minimum number of years in rank has been achieved and tenure has been granted, the faculty member may request that up to seven of their years of full-time faculty service at other colleges or universities and/or at UW-Whitewater be used to determine eligibility for promotion to professor.
 - (4) A candidate whose term of employment begins at the assistant professor rank may request credit for up to three years for the purpose of determining the time of the mandatory tenure decision. However, once the minimum number of years in rank has been achieved and tenure has been granted, the faculty member may request that up to three of their years of full-time faculty service at other colleges or universities and/or at UW-Whitewater be used to determine eligibility for promotion to associate professor.
 - (5) A candidate whose term of employment begins at the rank of instructional academic staff in a faculty line (III, B, 8, a, (3) of these rules) and who completes all requirements of a terminal degree during an academic year

shall complete that year as an instructional academic staff member. Their mandatory probationary period will begin in the fall of the subsequent academic year; however, such a candidate may wish to request an early tenure decision (III, C, 2, c of these rules).

- d. When a faculty member begins service in the spring semester, the faculty member shall select one of the following options:
 - (1) Accept an appointment as academic staff for the initial semester upon receipt of a letter from the Chancellor stipulating that
 - (a) the salary during the initial semester shall be that of a faculty member of the rank appropriate to the candidate's qualifications in the salary line assigned to the position,
 - (b) appointment as faculty commences in the fall subsequent to the spring appointment,
 - (c) the date of the first reappointment decision and of the mandatory tenure decision shall be based on an appointment as faculty in the fall subsequent to the initial spring appointment, and
 - (d) the first reappointment decision shall include performance data from all semesters of full-time instructional service at UW-Whitewater beginning with the date of initial appointment as determined in III, B, 10 of these rules. *Only in this special case can performance data from time as academic staff be considered in reviews for tenure and/or promotion.*
 - (2) Accept an appointment as faculty for the initial semester upon receipt of a letter from the Chancellor stipulating that
 - (a) appointment as faculty commences in the spring,
 - (b) the date of the first reappointment decision and of the mandatory tenure decision shall be based on an appointment as faculty in the fall prior to the initial spring appointment, and
 - (c) the first reappointment decision shall include performance data from all semesters under contract at UWW.
9. Offer of employment
- a. If the Chancellor or the Chancellor's designee supports the candidate and the conditions in III, B, 7, a, (1), (b) of these rules, the dean
 - (1) contacts the candidate to make an unofficial offer according to the terms in III, B, 7, a, (1), (b) of these rules;
 - (2) sends the candidate a memorandum of understanding specifying the terms agreed upon under III, B, 9, a, (1) of these rules with copies to the department or its search committee and Vice Chancellor for Academic Affairs.
 - b. If the Chancellor or the Chancellor's designee supports the candidate, but does not support the conditions in III, B, 7, a, (1), (b) of these rules, then the department or its search committee and the dean negotiate the terms at issue with Chancellor or the Chancellor's designee. The dean then
 - (1) contacts the candidate to make an unofficial offer according to the negotiated terms, and

- (2) sends the candidate a memorandum of understanding specifying the terms agreed upon under III, B, 9, b, (1) of these rules with copies to the department or its search committee and Vice Chancellor for Academic Affairs
 - c. If the Chancellor or the Chancellor's designee does not support the candidate or satisfactory terms cannot be negotiated under III, B, 9, b of these rules or the candidate declines the offer, then the department or its search committee and the dean shall
 - (1) submit the name of another acceptable candidate, or
 - (2) submit the name(s) of additional candidate(s) to be invited for campus interview(s), or
 - (3) request permission of the Assistant to the Chancellor for Affirmative Action to continue the search, or
 - (4) request permission of the Assistant to the Chancellor for Affirmative Action to terminate the search.
10. Appointment letter: The Chancellor's appointment letter shall include
- a. items listed in UWS 3.03,
 - b. the approximate date of first review,
 - c. assignment of home department (III, C, 9, a, (1) of these rules),
 - d. department standards for tenure and promotion,
 - e. notice that for subsequent reviews, other standards may be established in accordance with UWS 3.06, (1), (b),
 - f. statement of the number of years of credited prior service, if any,
 - g. credited prior service used to set the mandatory tenure decision, if any,
 - h. years of teaching experience that may be used for promotion eligibility,
 - i. the date of mandatory tenure decision, if applicable, and
 - j. a statement that acceptance of the appointment is an acceptance of all stated employment conditions.

C. Reappointment, Tenure, and Promotion

- 1. General policies
 - a. Faculty appointments shall be renewed only on the affirmative decision of the department and Chancellor as required by UWS 3.06, (1), (a) except as provided in UWS 3.07, (1), (b); UWS 3.08, (1)-(3).
 - b. Tenure is an appointment for an unlimited period, granted to a faculty member by the Board of Regents upon the affirmative decision of the appropriate academic department, or its functional equivalent, and the Chancellor of an institution via the president of the system. At UW-Whitewater, tenure may be granted either as a condition of initial appointment, or upon successful completion of the probationary period in accordance with UWS 3.04 and 3.06 and III, C, 2, b or c and III, C, 4, e, (1), (b) and III, C, 4, e, (3) of these rules.
 - c. Performance reviews for teaching faculty are based upon the major evaluation categories of teaching, research and creative activity, and professional and public service as weighted by agreement between the probationary faculty member and the department as recorded in the Document of Intent (Appendix

A, paragraph D of these rules). Performance reviews for faculty with non-teaching assignments are based upon the major evaluation categories of job performance, research and creative activity, and professional and public service as weighted by agreement between the probationary faculty member and the department as recorded in the Document of Intent.

- d. Reappointment, tenure and/or promotion is recommended for those who, in the judgment of their peers, satisfy the department's discipline-related standards and the constituency and university standards. Such judgment shall take into account the weighting of performance in each category as agreed upon by the faculty member and the department as recorded in the Document of Intent.
 - e. Since the portfolio (Appendix A, paragraph E and III, F of these rules) is a cumulative record of performance, deficiencies in performance identified in earlier reviews that have been designated by the department as corrected shall not be held against the candidate in subsequent reappointment and tenure and/or promotion decisions.
 - f. The Standard Classification of Performance Data (III, G of these rules) provided in the portfolio shall be used for all reviews.
 - (1) Not all performance data need to be part of a performance review, but any performance datum listed is eligible for inclusion.
 - (2) Department standards committees may add performance data to an evaluation category, but may not remove an item from the standard classification or move it to a different category.
 - (3) The University Standards Committee recommends revisions of the Standard Classification of Performance Data to the Faculty Senate for approval.
2. Types of decisions
- a. Decisions within the probationary appointment period
 - (1) Affirmative or reappointment for additional academic year(s) within the probationary term. This decision does not confer tenure. *See consultation and review schedule chart in Appendix C.*
 - (2) Negative or non-reappointment. When negative decisions are made during the probationary period, the conclusion of the contract period in which the negative decision was rendered represents the termination of the appointment, but the time requirements for written notification of non-reappointment given in UWS 3.09 apply.
 - b. Decisions at the end of the maximum probationary appointment period: A decision to reappoint at the end of the maximum probationary period (III, B, 10, g & i of these rules) is a decision to recommend tenure. The decision must be made during the review which immediately precedes the deadline for notice of reappointment/non-reappointment for the period following the maximum probationary period. If the decision is negative, the faculty member will be offered a terminal contract for one additional academic or fiscal year, whichever is appropriate (UWS 3.09, (c)).
 - c. Optional early tenure decisions: The length of the mandatory probationary period is established at the time of the initial appointment (III, B, 7, a, (1), (b),

ii); III, B, 8, c; and III, B, 10, g & i of these rules), but may be changed as provided in UWS 3.04, (1). Faculty members who have had a total of four or more years of full-time instructional service or the equivalent at UW-Whitewater and/or at other colleges or universities may request consideration for an early tenure or early tenure and promotion decision (III, B, 8, d, (1), (d); and III, H, 1, e of these rules).

- (1) A faculty member who wishes to apply for an early tenure or early tenure and promotion decision must present a written request for the early decision to the department chair or equivalent by the end of the semester prior to the academic year during which the decision is to be made.
- (2) When the department denies tenure and/or promotion in early decision cases, the department must cite the standards which have not been met (III, C, 4, f, (1), (a), vi) of these rules).
- (3) If a faculty member's request for early tenure or early tenure and promotion is denied, then the faculty member may not request
 - (a) a reconsideration (III, C, 4, g, (2), (a) of these rules) or appeal (III, E of these rules). (However, the faculty member may request that the dean review the department's decision and procedures as specified in III, C, 5, b, (1) & (2) of these rules.), or
 - (b) an additional early tenure and/or promotion consideration prior to the end of the mandatory probationary period established at the time of initial appointment.
- (4) Denial of early tenure or early tenure and promotion shall not prejudice action on the tenure and/or promotion decision to be made at the completion of the mandatory probationary period established at the time of the initial appointment.

d. Promotion

- (1) Associate Professor: As of May, 1999, promotion to the rank of associate professor is concomitant with the tenure decision (FS989-48). Any probationary faculty member holding the rank of assistant professor who is granted tenure is also promoted to the rank of associate professor. Assistant professors tenured prior to May, 1999, may apply for promotion to associate professor when they have met the minimum university requirements for education and time in rank (III, H, 1 of these rules).
- (2) Professor: Associate professors may apply for promotion to professor when they have met the minimum university requirement for education and time in rank (III, H, 1 of these rules).

3. Faculty member's responsibilities

- a. Assemble the portfolio organized according to the university format (III, F and III, G of these rules). The portfolio is a cumulative record of the faculty member's performance at UW-Whitewater.
- b. Write a Document of Intent (Appendix A, paragraph D of these rules) so that its fulfillment would represent significant progress toward satisfying the department, constituency, and university standards for tenure and/or promotion. Probationary faculty members shall submit an annual Document of Intent to the

- department standards committee for review. Generally the probationary faculty member will write the Document of Intent in consultation with the supervisor, i.e., department chair, department standards committee, or other appropriate person(s) specified by the department
- (1) by the third Friday in September for new faculty members, or
 - (2) within ten calendar days of the department consultation during non-review years, or
 - (3) within ten calendar days of the department consultation following the review and decision by the department.
- c. The faculty member places a copy of the approved and signed Document of Intent in the portfolio and submits a copy to the supervisor. Subsequent performance consultations and reviews assess progress in fulfilling the indicators of quality identified in the Document of Intent.
 - d. Satisfy the department requirements.
4. Department's responsibilities
- a. Within ten calendar days from the time the faculty member submits the Document of Intent to the department, the department standards committee shall review a probationary faculty member's annual Document of Intent to insure that its fulfillment would represent significant, continuous progress toward a reasonable expectation, but not a guarantee, of an affirmative tenure and/or promotion decision. If needed, the department standards committee negotiates adjustments in the Document of Intent with the probationary faculty member. The department chair and a representative of the department standards committee shall sign the faculty member's approved Document of Intent.
 - b. Notice of performance consultation or performance review and decision. *See consultation and review schedule chart in Appendix C of these rules.*
 - (1) The faculty member being reviewed shall receive a written notice at least 20 calendar days prior to the department review. The department shall post a notice of the review at least 7 calendar days in advance in a public place regularly used for posting of notices by the department.
 - (2) The notice shall include
 - (a) time and place of the review,
 - (b) decision to be made,
 - (c) period of performance to be evaluated,
 - (d) department standards and procedures to be used,
 - (e) notice that the faculty member may present information orally or in writing,
 - (f) notice that other persons may present information in writing or, with the consent of the committee, orally,
 - (g) statement that the review will be conducted in accordance with UWS 3.06; III, C, 4, c-f of these rules, and applicable state law governing meetings of public bodies,
 - (h) notice that the faculty member has the right to rebut any part of any of the reports of decision or recommended action (III, D of these rules) and of subsequent reviews by the dean and/or constituency

- standards committee, the Vice Chancellor for Academic Affairs, and the Chancellor, as required by the review schedule,
- (i) notice that the faculty member has the right to a reconsideration and appeal of the department's and Chancellor's decision(s) (UWS 3.07, (1), (b) or UWS 3.08, (3) and III, C, 4, g, (2), (a); III, C, 8, f of these rules) and the right to request an appeal (UWS 3.08; III, C, 4, g, (2), (b); and III, E of these rules), and
 - (j) The faculty member may withdraw an appeal at any time prior to its completion. Such withdrawal terminates consideration of the faculty member's current application for reappointment, tenure and/or promotion. Upon receipt of the written request to withdraw, the department, dean, constituency standards committee chair, Vice Chancellor for Academic Affairs, or Chancellor shall return the portfolio to the faculty member, and send copies of the written request to withdraw to the department, dean, the constituency standards committee chair, the Vice Chancellor for Academic Affairs, and the Chancellor.
- c. Department performance consultation (*See consultation and review schedule chart in Appendix C of these rules.*)
- (1) In consultation years (*See consultation and review schedule chart in Appendix C of these rules*), a consultation shall be conducted by a subset of the tenured faculty in the department. This subset shall consist of the department chair and at least one other member. At least one of these two shall have observed the probationary faculty member's teaching (*See Appendix B of these rules*).
 - (2) This committee shall
 - (a) consult with the probationary faculty member on the progress made in fulfilling the indicators of quality identified in the Document of Intent, and
 - (b) write a summary of the consultation session.
 - (3) The probationary faculty member and the committee members shall sign the summary indicating that they have reviewed its contents.
 - (4) The probationary faculty member shall place the summary in the portfolio for that year.
 - (5) With the probationary faculty member, the committee shall consider the content of the Document of Intent for the subsequent year.
- d. Department performance review with decisions. *Refer to the review schedule in Appendix C of these rules.*
- (1) A review shall be conducted by a department committee which shall have at least 3 members, one of whom is the department chair. The faculty of the department (III, C, 4, e, (2) of these rules) shall choose the composition of this committee within the following parameters:
 - (a) the entire tenured faculty of the department, or
 - (b) tenured faculty of the department selected by the tenured faculty of the department, or

- (c) tenured faculty of the department selected by the faculty of the department.
 - (2) A quorum of this committee shall be 3, or more than one-half the regular membership, whichever is greater.
 - (3) If a department does not have sufficient tenured faculty available for a quorum, then the dean of the constituency shall appoint tenured faculty of related disciplines to the department committee so that there are sufficient tenured faculty to constitute a quorum. Such appointed members shall participate only in the review(s) which they are appointed to conduct and any reconsideration under UWS 3.07, (1), (b) or UWS 3.08, (3) and III, C, 4, g, (2), (a) of these rules.
- e. Review procedures
- (1) Periods of review
 - (a) Probationary reappointment: The initial review of a probationary faculty member shall include the period since the initial appointment as a faculty member. For subsequent reviews, the period considered shall be the period since the previous review.
 - (b) Tenure: For granting tenure, the period to be considered shall be the probationary faculty member's entire period of credited service except as provided in III, C, 2, c and III, H, 1, e of these rules.
 - (c) Promotion: For promotion to a higher rank, the period of review shall be the faculty member's time of service in the current rank up to the time the faculty member submits the portfolio to the department for review. Accomplishments after the faculty member submits the portfolio for review by the department shall count toward subsequent promotion applications.
 - (2) No faculty member shall review the portfolio of a faculty member in another department of the university, except as provided in III, C, 4, d, (3) and III, C, 9 of these rules and as provided for as a member of the constituency standards committee (III, C, 6 of these rules) or as a member of an appeal panel drawn from the Faculty Appeals and Grievance Committee (III, E, 2, b of these rules) or as a member of an *ad hoc* credential review committee (Notestein Committee) (III, E, 3, c of these rules).
 - (3) A decision about reappointment, tenure and/or promotion shall be made only after the department has evaluated the faculty member's performance in relation to established department, constituency, and university standards and procedures established according to: III, A of these rules; annual Document of Intent (Appendix A, paragraph D of these rules); Board of Regents Policy 74-13; Student Evaluation of Instruction (Appendix B, parts A & B of these rules); and Peer Evaluation (Appendix B, part C of these rules). Such judgments shall take into account the weighting of performance in each category as agreed upon by the faculty member and the department as recorded in the Document of Intent.
 - (4) Standards and procedures in effect at the time of the review period shall be applied consistently to all faculty.

- (5) The department may consider any information that is relevant, of reasonable probative value, and recorded as part of the Record of Review (III, C, 4, f, (1) of these rules).
 - (6) The department may seek clarification or additional data from the faculty member.
 - (7) Procedures for the review of faculty holding positions in more than one department are described in III, C, 9 of these rules.
 - (8) An affirmative decision requires the affirmative votes of a majority of the members participating in the review.
 - (a) A participant is defined as any individual who is a qualified decision-maker or a tenured member of the department and who is
 - i) present during the review and discussion of the faculty member's documented performance, and
 - ii) free of disqualifying conflicts of interest (as defined in UWS 8.03, 8.04, Regent Policy 91-8, and UW-Whitewater, Consensual Relationship Policy, 1997).
 - (b) Because an affirmative decision requires the affirmative votes of the majority of the members participating in the review, a participant's abstention has the effect of a negative vote.
 - (9) A review of a faculty member shall be conducted in accordance with applicable state laws governing meetings of public bodies.
- f. Document requirements and disposition
- (1) Record of Review
 - (a) The department's record of review of a faculty member shall include
 - i) date and time of the review,
 - ii) members of the review committee present,
 - iii) list of procedures followed during the review, for example, whether the review was conducted as an open or a closed meeting according to Wisconsin Statutes 19.81-19.98.
 - iv) subjects considered under III, C, 4, b, (2), (c) - (f) and III, C, 4, e, (3) - (6) of these rules,
 - v) statement of the decision made,
 - vi) standards-based reasons supporting the decision made, and
 - vii) by attachment, the notice of the review.
 - (b) The Record of Review is kept on file in the department office for reference.
 - (2) Report of Decision
 - (a) Whenever a decision is made by the department, this decision shall be reported as a single decision indicating the will of the department. This Report of Decision shall be signed by the department chair or the department's designee, copied to the faculty member, and placed in the portfolio.
 - (b) Affirmative decisions:
 - i) During the faculty member's first review, i.e., fall of the second year on campus (See consultation/review schedule chart of these

- rules.), the department shall make two decisions, one for reappointment and a second to determine the length of contract to be offered, i.e., a contract for one year or a contract for two years. In the case of faculty members who were granted three years of credited experience at the time of the initial appointment, the department shall make only the reappointment decision in the second year on campus because the mandatory tenure decision would occur in the fall of the third year on campus.
- ii) During all subsequent reviews, contracts for two years shall be concomitant with an affirmative decision except for faculty members who were granted one year of experience at the time of the initial appointment. For these faculty members, the fifth year on campus would be the mandatory tenure decision; therefore, an affirmative decision in the fourth year on campus shall be concomitant with a one year contract.
 - iii) Within 14 calendar days of the review, the department shall deliver to the faculty member a copy of its Report of Decision containing the statement of the decision made and the standards-based reasons supporting the decision (UWS 3.07, (1), (a)). The standards-based reasons cited in the Report of Decision (III, C, 4, f, (2) of these rules) must be consistent with the reasons listed in the Record of Review (III, C, 4, f, (1), (a), vi) of these rules).
 - iv) Within 14 calendar days of the review, the department shall deliver the portfolio to the dean for review.
 - v) In its report of an affirmative decision, the department shall inform the faculty member of the right to rebut any part of the report (III, D of these rules) and of subsequent reviews by the dean and/or constituency standards committee, the Vice Chancellor for Academic Affairs, and the Chancellor, as required by the review schedule. *Refer to the review schedule in Appendix C of these rules.*
- (c) Negative decisions:
- i) Within 14 calendar days, the department chair shall deliver to the faculty member a copy of the Report of Decision containing the statement of the decision made and the standards-based reasons supporting the decision (UWS 3.07, (1), (a)). The standards-based reasons cited in the Report of Decision (III, C, 4, f, (2) of these rules) must be consistent with the reasons listed in the Record of Review (III, C, 4, f, (1), (a), vi) of these rules). Along with the Report of Decision, the department chair shall inform the faculty member in writing of the right to request a reconsideration (UWS 3.07, (1), (b) or UWS 3.08, (3) and III, C, 4, g, (2), (a) of these rules) and the right to request an appeal (UWS 3.08; III, C, 4, g, (2), (b); and III, E of these rules).
 - ii) If the faculty member chooses to request a reconsideration, then the faculty member must file a written request for the reconsideration

with the department chair. The request for a reconsideration must be filed within 10 calendar days of receipt of the notice from the department chair.

- iii) Following the reconsideration, if the faculty member chooses to file an appeal, then the request for an appeal must be filed in writing with Chair of the Faculty Senate. Appeals of department decisions must be filed within 20 calendar days of receipt of the notice that the reconsideration decision affirmed the negative or nonrenewal decision of the department (UWS 3.08, (1)).
 - iv) The faculty member may request that an appeal panel be drawn from the Faculty Appeals and Grievance Committee (UWS 3.08, (1) and III, E, 1 of these rules) to appeal the decision of the department or the Chancellor (III, E, 1 of these rules).
 - v) The department chair shall hold the portfolio and all relevant documents including the report of decision, requests for a reconsideration and/or an appeal, and, if submitted, rebuttals until conclusion of the reconsideration. Following the reconsideration, the department chair shall forward the portfolio and all relevant documents including the reports of decision, requests for a reconsideration and/or an appeal, and rebuttals produced during the review sequence to the appropriate review agent, e.g., the chair of the Faculty Senate if a valid appeal has been filed (III, E, 1, b of these rules) or the dean.
- (d) For reappointment, tenure, and/or tenure and promotion, the faculty member may withdraw his or her reconsideration at any time prior to its completion. Such withdrawal terminates consideration of the faculty member's current application for reappointment, tenure and/or promotion.
 - (e) Upon receipt of the written request to withdraw from a reconsideration or an appeal, the department chair shall
 - i) send copies of the written request to the dean, the constituency standards committee, and the Chancellor, and
 - ii) forward the portfolio to the Chancellor who shall secure copies of all relevant documents including the reports of decision, requests for a reconsideration and/or an appeal, request to withdraw from a reconsideration and/or appeal, reports of recommended action, and rebuttals produced during the review sequence for possible use as required by law and return the originals to the faculty member.
 - (f) When the department makes a negative decision on applications for reappointment or tenure or tenure and promotion, if the faculty member
 - i) does not request a reconsideration, then the department chair shall forward the portfolio to the Chancellor who shall secure copies of all relevant documents including the portfolio, report of decision, and rebuttal produced during the review sequence for possible use as required by law and return the originals to the faculty member, or

- ii) does request a reconsideration, then upon completion of the reconsideration, the department chair shall forward the portfolio and all relevant documents including the reports of decision, request for a reconsideration, and rebuttals produced during the review sequence to the appropriate review agent, i.e., the chair of the Faculty Senate if a valid appeal has been filed (III, E, 1, b of these rules) or the dean.
 - (g) When the department makes a negative decision on applications for promotion only, if the faculty member
 - i) does not request a reconsideration, but submits a written request that the portfolio be forwarded to the dean for review, then the department chair shall forward the portfolio, including the Report of Decision, to the dean, or
 - ii) does not request a reconsideration, then the department chair shall return the portfolio to the faculty member, or
 - iii) does request a reconsideration, then, upon completion of the reconsideration, the department chair shall forward the portfolio and all relevant documents including the reports of decision, request for a reconsideration, and rebuttals produced during the review sequence to the appropriate review agent, i.e., the chair of the Faculty Senate if a valid appeal has been filed (III, E, 1, b of these rules) or the dean.
- g. Faculty member's rights following a department review
 - (1) Consultation following affirmative decision for reappointment
 - (a) The tenured faculty of each department shall establish procedures for advising faculty whose application for reappointment was approved by the department.
 - (b) During the consultation, tenured faculty member(s) shall
 - i) discuss the faculty member's performance evaluation and
 - ii) identify and discuss specific areas of concern that may influence the Document of Intent for the next review period (III, C, 3, b and III, C, 4, a of these rules).
 - (c) Documentation of the consultation session. Each consultation session must be documented with
 - i) Date
 - ii) Participants
 - iii) Record of the topics discussed including the areas of concern
 - iv) Signatures of faculty member and the department representative(s) which acknowledge that the consultation session occurred and that the record is an accurate account of the topics discussed.
 - v) The record of the consultation shall be placed in the faculty member's departmental personnel file.
 - (2) Procedures following a negative decision for reappointment, tenure, or tenure and promotion
 - (a) Reconsideration of a negative decision

- i) The purpose of the reconsideration process is to provide an opportunity for the faculty member to address the reasons for the negative decision and to ensure that all relevant material is considered.
 - ii) Within 10 calendar days of receiving a negative Report of Decision, the faculty member may file a written request for a reconsideration with the department chair (UWS 3.07, (1), (b) and III, C, 4, f, (2), (c), ii) of these rules.
 - iii) If the faculty member does request a reconsideration, the department shall conduct the reconsideration within 14 calendar days of receipt of the written request and with at least 3 calendar days' notice to the faculty member or on a date mutually agreed upon by the faculty member and the department.
 - iv) The faculty members participating in the reconsideration session shall be the same faculty members who participated in the initial review session.
 - v) At the reconsideration, the faculty member may be assisted by a person of his or her choice.
 - vi) Within 20 calendar days of the reconsideration, a Reconsideration Report of Decision, including the standards-based reasons for the decision, shall be provided to the faculty member. Copies of the report also shall be filed in the department office and placed in the faculty member's portfolio, which is then forwarded to the appropriate review agent, i.e., the chair of the Faculty Senate if a valid appeal has been filed (III, E, 1, b of these rules) or the dean if the reconsideration decision is affirmative.
- (b) The faculty member shall have the right to request an appeal panel from the Faculty Appeals and Grievance Committee. If the faculty member requests an appeal panel, the department decisions shall be submitted to this panel for consideration (III, E, 2, a of these rules).
 - (c) In case of negative decision(s) for reappointment, following completion of a reconsideration, if the faculty member
 - i) does not request an appeal, the department chair shall forward the portfolio and all relevant documents including the reports of decision, and rebuttals produced during the review sequence to dean.
 - ii) does request an appeal, the department chair shall forward the portfolio and all relevant documents including the reports of decision, requests for a reconsideration and/or an appeal, and rebuttals produced during the review sequence to the chair of the Faculty Senate who shall deliver the documents to the chair of the appeals panel (III, E, 2, c, (1) of these rules).
 - (d) In case of negative decision(s) for tenure or tenure and promotion, following completion of a requested reconsideration, if the faculty member

- i) does not request an appeal, the department chair shall forward the portfolio and all relevant documents including the reports of decision, and rebuttal produced during the review sequence to the dean.
 - ii) does request an appeal, the department chair shall forward the portfolio and all relevant documents including the reports of decision, requests for a reconsideration and/or an appeal, reports of recommended action, and rebuttals produced during the review sequence to the chair of the Faculty Senate who shall deliver the documents to the chair of the appeals panel (III, E, 2, c, (1) of these rules).
 - (e) In case of negative decision(s) for promotion only, if the faculty member
 - i) does not request a reconsideration, but submits a written request that the portfolio be forwarded to the dean for review, then the department chair shall forward the portfolio and all relevant documents including the report of decision, standards-based reasons for the decisions, and rebuttals to the dean, or
 - ii) does not request a reconsideration or forwarding the portfolio for further consideration, then the department chair shall return the portfolio to the faculty member, or
 - iii) does request a reconsideration, then, upon completion of the reconsideration, the department chair shall forward the portfolio and all relevant documents including the request for a reconsideration, reports of decision, standards-based reasons for the decisions, and rebuttals produced during the review sequence to the dean.
5. Dean's responsibilities
- a. The dean shall review and evaluate the faculty member's portfolio. Based on this review, the dean shall prepare a Report of Recommended Action consistent with department standards and in fulfillment of the Document of Intent as weighted by agreement between the faculty member and the department as recorded in the Document of Intent.
 - b. When reviewing the faculty member's portfolio, the dean may request further explanation or clarification from the department or faculty member and review the department's decision or decisions in cases of reconsideration for
 - (1) conformity with department, constituency, and university standards and procedures, and
 - (2) consistency with the data in the portfolio.
 - c. The dean shall provide a substantive written report of the standards-based reasons supporting the recommended action on the application for reappointment or tenure and/or promotion. The dean shall copy this Report of Recommended Action to the faculty member and the department.
 - d. The dean shall assemble the following reports in the portfolio and forward it to the chair of the constituency standards committee:
 - (1) the department's Report of Decision (III, C, 4, f, (2) of these rules),

- (2) the department's Reconsideration Report of Decision (III, C, 4, g, (2), (a), vi) of these rules),
 - (3) the dean's Report of Recommended Action (III, C, 5, a - c of these rules), and
 - (4) any rebuttals submitted by the faculty member (III, D of these rules).
 - e. Negative Recommended Actions
 - (1) If any or all of the reports included in the portfolio are negative, then
 - (a) The dean shall inform the faculty member in writing that he or she has the right to
 - i) submit a written rebuttal (III, D of these rules) to any or all Reports of Decisions and Reports of Recommended Action. Such rebuttals shall be placed in the portfolio behind the Report of Decision or Reports of Recommended Action being rebutted.
 - ii) request that a panel from the Faculty Appeals and Grievance Committee (UWS 3.08 (1); III, E, 2, a and b of these rules) be assembled to hear an appeal of the decision of the department or of the Chancellor.
 - (b) The faculty member may withdraw an appeal at any time prior to its completion. Such withdrawal terminates consideration of the faculty member's current application for reappointment, tenure and/or promotion. Upon receipt of the written request to withdraw, the dean shall return the portfolio to the faculty member, and send copies of the written request to withdraw to the department, the constituency standards committee, the Vice Chancellor for Academic Affairs, and the Chancellor.
6. Constituency standards committee's responsibilities:
- a. A review shall be conducted by the constituency standards committee which shall be constituted according to III, A, 3, a of these rules.
 - b. The constituency standards committee shall review and evaluate the faculty member's portfolio. Based on this review, the constituency standards committee shall prepare a standards-based Report of Recommended Action consistent with department and constituency standards and in fulfillment of the Document of Intent as weighted by agreement between the faculty member and the department as recorded in the Document of Intent.
 - c. When reviewing the faculty member's portfolio, the constituency standards committee may request further explanation from the department, dean, or faculty member and review the department's decision and dean's recommended action for
 - (1) conformity with department and constituency standards and procedures, and
 - (2) consistency with the data in the portfolio.
 - d. The constituency standards committee shall provide a standards-based written Report of Recommended Action.
 - e. The chair of the constituency standards committee shall place a copy of the Report of Recommended Action in the portfolio and give a copy to the faculty member and the department..

- f. If the Report of Recommended Action is negative, then the chair of the constituency standards committee shall inform the faculty member of the right to submit a written rebuttal (III, D of these rules) to any or all Reports of Decision or Reports of Recommended Action. Such rebuttals shall be placed in the portfolio behind the appropriate report being rebutted. All rebuttals must be placed in the portfolio prior to its being delivered to the Chancellor for review and decision.
 - g. The constituency standards committee record of review of a faculty member shall include
 - (1) date and time of the review,
 - (2) members of the review committee present, the count of which must constitute a quorum (III, A, 3, a, (1), (c) of these rules).
 - (3) a list of procedures followed during the review, for example, whether the review was conducted as an open or a closed meeting according to Wisconsin Statutes 19.81-19.98,
 - (4) subjects considered under III, C, 4, b, (2), (c) - (f) and III, C, 4, e, (3) - (6) of these rules,
 - (5) statement of the recommended action, and
 - (6) standards-based reasons supporting the recommended action.
 - h. The chair of the constituency standards committee shall deliver the faculty member's portfolio to the Vice Chancellor for Academic Affairs.
 - i. The constituency standards committee record of review shall be stored in the office of the dean of the constituency.
7. Vice Chancellor for Academic Affairs' responsibilities
- a. The Vice Chancellor for Academic Affairs shall review the faculty member's portfolio to ascertain that the reports of decision and recommended action show
 - (1) conformity with department, constituency, and university standards and procedures,
 - (2) consistency with the data in the portfolio, and
 - (3) conformity with the missions and goals of department, constituency, and university.
 - b. When reviewing the faculty member's portfolio, the Vice Chancellor for Academic Affairs may request further explanation or clarification from the faculty member, the appropriate department(s), the appropriate dean(s), or appropriate constituency standards committee.
 - c. The Vice Chancellor for Academic Affairs shall provide a substantive written statement of the standards-based reasons supporting or refuting the department's decision(s) and the constituency standards committee's, and/or the dean's recommended actions. This Report of Recommended Action shall be added to the portfolio and copied to the faculty member, the department, dean, the constituency standards committee chair, and for reference.
 - d. The Vice Chancellor for Academic Affairs shall deliver the portfolio to the Chancellor for review and decision. The Vice Chancellor for Academic Affairs shall inform the faculty member in writing that he or she has the right to
 - (1) submit a written rebuttal (III, D of these rules) to any or all recommended actions. Such rebuttals shall be placed in the portfolio behind the Report of

- Recommended Action being rebutted. All rebuttals must be placed in the portfolio prior to delivering it to the Chancellor for review and decision, and request that a panel from the Faculty Appeals and Grievance Committee (UWS 3.08 (1) and III, E, 2, a and b of these rules) be assembled to hear an appeal of the department's or Chancellor's decision.
- (2)
 - (a) The faculty member may withdraw an appeal at any time prior to its completion. Such withdrawal terminates consideration of the faculty member's current application for reappointment, tenure and/or promotion.
 - (b) Upon receipt of the written request to withdraw, the dean shall return the portfolio to the faculty member, and send the department a copy of the written request.
 - (3) the portfolio shall remain in the Vice Chancellor for Academic Affairs' office until
 - (a) the opportunity for appeal has been exhausted per III, E of these rules, or
 - (b) the Faculty Senate Chair requests the portfolio from the Vice Chancellor for Academic Affairs and delivers it to the chair of the Faculty Appeals and Grievance Committee appeal panel.
8. Chancellor's responsibilities
- a. The Chancellor shall provide standards-based written notification to the faculty member, the department, the constituency standards committee, and the dean of the Chancellor's decision to recommend
 - (1) reappointment or non-renewal of probationary faculty members; or
 - (2) tenure and/or promotion and the Board of Regents' decision for tenure and/or promotion or denial of tenure and/or promotion.
 - b. The Chancellor shall follow the notice periods listed in UWS 3.09.
 - (1) When the appointment expires at the end of an academic year, the probationary faculty member must be notified no later than March 1st of the first academic year, and not later than December 15 of the second consecutive academic year of service.
 - (2) After two or more years of continuous service at an institution of the University of Wisconsin System, such notice shall be given at least 12 months before the expiration of the appointment.
 - c. When the Faculty Appeals and Grievance Committee appeal panel submits its Report of Findings and Recommended Action in an appeal of the department's decision, the Chancellor rules on the recommended action.
 - (1) The report of the Chancellor's decision, if negative, shall include explicit statements of the particular standards not met and the faculty member's right to request a reconsideration and an appeal of the decision.
 - (2) The report of the Chancellor's decision shall be given to the faculty member, the department, the dean, constituency standards committee chair, the Vice Chancellor for Academic Affairs, and any committee or panel involved in a previous appeal of the case.
 - (3) "The decision of the Chancellor will be final on such matters." (UWS 3.08, (3)).

- d. Except in cases of negative decisions for reappointment or tenure, the Chancellor shall
 - (1) place copies of all decisions in the faculty member's personnel file and
 - (2) return the portfolio to the faculty member upon completion of all personnel actions.
 - e. The Chancellor shall provide a written Report of Recommended Action to the Board of Regents for all faculty recommended for tenure and/or promotion.
 - f. In case of negative decisions for reappointment or tenure, the Chancellor shall secure copies of all relevant documents including the portfolio, reports of decision, requests for a reconsideration and/or an appeal, reports of recommended action, and rebuttals produced during the review sequence for possible use in an appeal of the Chancellor's decision or as required by law.
9. Review of probationary faculty members holding positions in more than one academic department.
- a. At the time of the initial appointment or reassignment to faculty status in more than one department, the departments, dean(s), and Vice Chancellor for Academic Affairs shall negotiate the terms of the joint appointment including
 - (1) assignment of a home department, and
 - (2) method that shall be used to resolve disagreements regarding reappointment, tenure, and/or promotion decisions.
 - b. The Vice Chancellor for Academic Affairs shall report the negotiated terms of joint appointment to the Chancellor.
 - (1) If the Chancellor does not approve the terms of appointment, then the Chancellor shall request that the faculty member, departments, dean(s) and Vice Chancellor for Academic Affairs renegotiate the terms of appointment.
 - (2) If the Chancellor approves all aspects of the terms of joint appointment, including the method for resolving disagreements regarding reappointment, tenure, and/or promotion decisions, then the Chancellor shall record the terms of the joint appointment in the faculty member's appointment or reassignment letter (III, B, 10 of these rules).
 - c. The academic departments and respective college dean(s) in which a probationary or a tenured faculty member holds an appointment shall review the faculty member's performance for reappointment, tenure and/or promotion.

D. Rebuttals:

- 1. A faculty member may submit a written rebuttal to any or all Reports of Decision (III, C, 4, f, (2); III, C, 4, g, (2), (a), vi) of these rules) or Reports of Recommended Action (III, C, 5, a - c ; III, C, 6, b - d; and III, C, 7, c of these rules).
- 2. Such rebuttals shall be placed in the portfolio behind the Report of Recommended Action or Report of Decision being rebutted.
- 3. All rebuttals must be placed in the portfolio prior to its being delivered to the Chancellor for review and decision.

4. In addition, the faculty member may request that an appeal panel be designated at any time during a given academic year's review sequence. The faculty member shall be allowed to request only one panel during any given academic year's review sequence.

E. Appeals

1. Appellant's responsibilities:
 - a. Submit a valid appeal to the chair of the Faculty Senate.
 - b. To be valid, the appeal must
 - (1) be in writing,
 - (2) specify the decision(s) which is being appealed (III, C, 4, f, (2); III, C, 4, g, (2), (a), vi) of these rules),
 - (3) state the grounds of the appeal by reference to some part of UWS 3.08, (1) and by reference to the relevant records of review and reports of decision, and reconsideration, (III, C, 4, f, (2); III, C, 4, g, (2), (a), vi) of these rules), and
 - (4) be delivered to the chair of the Faculty Senate prior to the time that materials are to be delivered to the next level in the review process (See timeline, III, I of these rules).
 - c. The appellant may submit evidence or argument to the Faculty Appeals and Grievance Committee appeal panel.
 - d. The appellant may be assisted by a person of his or her choice.
 - e. The burden of proof is on the appellant.
 - f. A faculty member may withdraw the appeal at any time. Upon receipt of a written request to withdraw an appeal, the chair of the appeal panel shall forward a copy of the request and the portfolio to the dean. Such withdrawal terminates consideration of the faculty member's application for reappointment, tenure and/or promotion.
2. Faculty Appeals and Grievance Committee appeal panel's composition and responsibilities
 - a. A Faculty Appeals and Grievance Committee appeal panel hears an appeal when a faculty member files a valid appeal (III, E, 1, b of these rules) of negative reappointment, promotion, or mandatory tenure and/or promotion decision(s) (III, C, 4, f, (2); III, C, 4, g, (2), (a), vi) of these rules).
 - b. Composition
 - (1) Upon receiving a valid appeal (III, E, 1, b of these rules), the Faculty Senate Chair shall assemble a five-member appeal panel from the Faculty Appeals and Grievance Committee to review the appellant's portfolio and all relevant materials.
 - (2) An appeal panel shall not include a member of the appellant's department(s) or constituency standards committee.
 - (3) The panel shall elect a chair by simple majority vote.
 - c. Proceedings
 - (1) The Faculty Senate Chair shall deliver the appellant's portfolio and other relevant documents including reports of decision, requests for a reconsideration and/or an appeal, reports of recommended action, and

rebuttals produced during the review sequence to the chair of the appeal panel.

- (2) The appeal panel shall schedule the review of the decision(s) being appealed and give the appellant notice that the
 - (a) review shall be in accordance with UWS 3.08,
 - (b) appellant may submit evidence or argument to the panel, and
 - (c) appellant may be assisted by a person of his or her choice, and
 - (d) burden of proof is on the appellant.
 - (3) The review of the decision(s) being appealed shall be conducted in accordance with UWS 3.08.
 - (4) Material, information, and evidence to be considered by the appeal panel
 - (a) The appeal panel shall review the decision(s) of the department (III, C, 4, f (1) and (2) or III, C, 4, g, (2), (a), vi) of these rules) and/or the Chancellor (III, C, 8, a of these rules) for evidence that any negative decision was based in any significant degree upon impermissible factors, as defined in UWS 3.08, with material prejudice to the faculty member.
 - (b) The appeal panel may hear any witnesses and consider any evidence relevant to issues addressed in UWS 3.08 offered by either the appellant or the respondent(s). The panel may request additional relevant evidence or testimony for its consideration.
 - (5) The findings and recommended action of the appeal panel shall be determined by simple majority vote of the panel.
 - (6) The appeal panel shall issue a written Report of Findings and Recommended Action within 20 calendar days of receipt of the portfolio. This time limit may be extended by mutual agreement of the appeal panel and the appellant.
 - (7) The appeal panel shall retain jurisdiction during the pendency of any reconsideration (III, E, 2, e, (1) and (2) of these rules).
 - (8) Following any reconsideration initiated under III, E, 2, e, (1) and (2) of these rules, the appeal panel shall review the report of the reconsideration process. The panel shall issue a second report stating either
 - (a) the panel supports the reconsideration decision, or
 - (b) the panel finds that such reconsideration decision is based in significant degree upon impermissible factors (UWS 3.08).
- d. Record of Proceedings
- (1) A Record of Proceedings shall be made throughout the appeal process. The chair of the appeal panel shall maintain the integrity of this record.
 - (2) The record of proceedings shall contain the following items
 - (a) date and time of meetings, correspondence, or other relevant communication,
 - (b) members of the appeal panel present,
 - (c) list of motions made and voted upon during the appeal, including any vote to go into closed sessions according the Wisconsin Statutes 19.81-19.98.
 - (d) documentation of testimony or evidence presented,

- (e) statement of the findings and recommended action made, and
 - (f) standards-based reasons supporting the findings and recommended action made.
- e. Types of Recommended Actions
- (1) Affirmative recommended actions involving promotion or reappointment: The report of the appeal panel shall include an explanation of how the decision(s) was/were based in any significant degree upon impermissible factors, as defined in UWS 3.08, with material prejudice to the faculty member; and *either*
 - (a) shall include, with or without instructions, a remand to the deciding body at whichever level the appealed decision was based in any significant degree upon impermissible factors. In such case, the chair of the appeal panel shall return the portfolio and all relevant documents including the reports of decision, requests for a reconsideration and/or an appeal, reports of recommended action, and rebuttals produced during the review sequence along with the panel's Report of Findings and Recommended Action to the appropriate deciding body which shall reconsider under UWS 3.08, (3) and report its consequent decision to the appeal panel.
 - (b) or shall include a statement explaining why such remand would serve or has served no useful purpose. In such case, the recommended action by the appeal panel shall be considered to be an affirmative recommended action for reappointment or promotion. Depending on the decision appealed, the chair of the appeal panel shall forward the portfolio and all relevant documents including the reports of decision, requests for a reconsideration and/or an appeal, reports of recommended action, and rebuttals produced during the review sequence along with the panel's Report of Findings and Recommended Action(s) to the agent that would be in line to make the next recommendation or decision in the review sequence.
 - (2) Affirmative recommended actions involving mandatory tenure: The report of the appeal panel shall include an explanation of how a decision for tenure was based in any significant degree upon impermissible factors, as defined in UWS 3.08, with material prejudice to the faculty member. And such report *either*
 - (a) shall include, with or without instructions, a remand to the deciding body at whichever level the tenure denial was based in any significant degree upon impermissible factors. In such case, the appropriate deciding body shall reconsider under UWS 3.08, (3) and report its consequent decision to the appeal panel
 - (b) or all of the following
 - i) a statement that such remand would serve or has served no useful purpose, and
 - ii) direction to the Faculty Senate Executive Committee to appoint an *ad hoc* credential review committee, sometimes referred to as a

- “Notestein committee” (Wisconsin Statutes 36.13 (2) (b))—except that in the case of an appeal of the Chancellor’s decision, the Faculty Appeals and Grievances Committee panel shall continue in the place of and fulfilling the role of an *ad hoc* credential review committee, deliberating and reporting by the procedures specified in III, E, 3, d-h of these rules,
- iii) a list of credential materials the *ad hoc* credential review committee is to consider, and
 - iv) notice to the appellant that the appellant may submit a written request to the Faculty Senate Chair to terminate the process at any time.
- (3) Negative decisions involving reappointment, tenure and/or promotion: The committee shall make a written report of its findings and decision. Such report shall include a statement that the appealed decision was not based in any significant degree on any impermissible factors as defined in UWS 3.08 with material prejudice to the faculty member. The chair of the appeal panel shall forward the portfolio and all relevant documents including the reports of decision, requests for a reconsideration and/or an appeal, reports of recommended action, and rebuttals produced during the review sequence to the Chancellor who shall secure copies of all documents for possible use as required by law.
- f. Report and disposition of the Report of Findings and Decision, records, and documents
- (1) The appeal panel chair shall forward the Record of Proceedings to the Vice Chancellor for Academic Affairs to be placed in the faculty member’s personnel file. At the end of five years, the Vice Chancellor for Academic Affairs shall send the personnel file to the University Archives for permanent storage.
 - (2) The appeal panel chair shall send copies of its Report of Findings and Decision to the appellant, department(s), dean, constituency standards committee, Faculty Senate Chair, and Vice Chancellor for Academic Affairs for reference. The appeal panel chair also shall place one copy of the Report of Findings and Recommended Action in the appellant’s portfolio.
 - (3) In cases of an appeal of a tenure decision, if the appeal panel directs that an *ad hoc* credential review committee be formed, the appeal panel chair shall forward all materials to the Faculty Senate Chair, including any materials to be considered by the *ad hoc* credential review committee (III, E, 2, e, (2), (b), iii) and III, E, 3 of these rules).
 - (4) If the Faculty Senate Chair, Faculty Senate Secretary, or any member of the Faculty Senate Executive Committee participated in any level of the review process, then she or he shall not participate in identifying, appointing, or administering the *ad hoc* credential review committee.
 - (5) When the appeal panel makes an affirmative Report of Findings and Decision in a promotion or reappointment case and does not remand the case to the

deciding or recommending body at whichever level the appealed decision or recommended action was made, the appeal panel chair shall place a copy of the Report of Findings and Decision in the portfolio and forward the portfolio to the appropriate review agent, i.e., the dean or the chair of the constituency standards committee, or the Vice Chancellor for Academic Affairs for review and decision. *Refer to the review schedule in Appendix C of these rules.*

- (6) When the appeal panel makes a negative Report of Findings and Decision
 - (a) The appeal panel chair forwards copies of the report of the appeal panel findings and Report of Findings and Decision to the appellant, department(s), dean, Faculty Senate Chair, and the Vice Chancellor for Academic Affairs.
 - (b) If the appellant submits a written withdrawal of the appeal, the appeal panel chair shall return the portfolio and attached materials to the appellant and forward copies of the written request to withdraw to the
 - i) department,
 - ii) Faculty Senate Chair, and
 - iii) Vice Chancellor for Academic Affairs
 - (c) In a reappointment or mandatory tenure decision, since there are no further appeals possible, the appeal panel chair shall deliver the portfolio to the office of the Vice Chancellor for Academic Affairs where it shall be retained with the faculty member's personnel file. At the end of five years, the Vice Chancellor for Academic Affairs shall send the personnel file and portfolio to the University Archives for permanent storage.
 - (d) Upon written request to the appeal panel chair, an appellant whose appeal of a non-renewal decision is denied by the appeal panel shall be allowed to copy all documents, recordings, or other transcripts of oral testimony or argument heard by the appeal panel.
 - (e) In a promotion decision affecting a tenured faculty member, since there are no further appeals possible, the appeal panel chair shall return the portfolio to the appellant.

3. *Ad hoc* credential review committee's composition and responsibilities

- a. This section complies with Wisconsin Statutes 36.13, (2), (b), when the Faculty Appeal and Grievance Committee appeal panel
 - (1) finds that a denial of tenure was based in a significant degree upon impermissible factors as defined in UWS 3.08 with material prejudice to the faculty member, and
 - (2) directs the Faculty Senate Executive Committee to appoint an *ad hoc* credential review committee (III, E, 2, e, (2), (b), ii) of these rules).
- b. The Faculty Senate Executive Committee administers proper operation of the *ad hoc* credential review committee and retains jurisdiction over all conduct, proceedings, and materials until the committee submits its report to the Chancellor.
- c. Composition

- (1) At the direction of the Faculty Appeal and Grievance Committee appeal panel, the Faculty Senate Executive Committee shall select the *ad hoc* credential review committee.
 - (2) The *ad hoc* credential review committee shall consist of five members from the appellant's discipline or from substantially allied disciplines.
 - (a) Three members shall be tenured faculty members employed at UW-Whitewater, but no member shall be from the appellant's department(s) or its equivalent.
 - (b) Two members shall be tenured faculty members employed at other accredited universities, and must have academic credentials and qualifications that reside within the appellant's discipline.
 - (3) The Faculty Senate Executive Committee shall name a committee chair from among the UW-Whitewater membership.
 - (4) The Faculty Senate Executive Committee shall have 30 calendar days from the receipt of the appeal panel's direction to form the *ad hoc* credential review committee.
- d. Proceedings
- (1) All members of the *ad hoc* credential review committee shall review the documentary evidence as specified in Wisconsin Statutes 36.13, (2), (b).
 - (2) All members of the *ad hoc* credential review committee shall discuss their review of the faculty member's performance as represented by the portfolio contents via synchronous electronic exchange or a face-to-face meeting at least one time during their deliberations.
 - (3) The *ad hoc* credential review committee shall determine if the faculty member qualifies for tenure under all applicable UW-Whitewater department standards and Board of Regents Policy 74-13, Student Evaluation of Instruction.
 - (4) The *ad hoc* credential review committee shall not base its decisions upon impermissible factors as defined by UWS 3.08.
 - (5) The *ad hoc* credential review committee shall complete its work within 30 calendar days from the date of publication (Wisconsin Statutes 19.81-19.98) of the *ad hoc* credential review committee's membership.
 - (6) A Record of Proceedings shall be made throughout the appeal process. The chair of the appeal panel shall maintain the integrity of this record.
- e. Record of Proceedings: The Record of Proceedings shall contain the following items
- (1) date and time of meetings, correspondence, or other relevant communication,
 - (2) members of the appeal panel present,
 - (3) list of motions made and voted upon during the appeal, including any votes to go into closed sessions according the Wisconsin Statutes 19.81-19.98.
 - (4) documentation of testimony or evidence presented,
 - (5) written Report of Findings and Decision, and
 - (6) written, standards-based reasons supporting the findings and decision.
- f. Types of decision

- (1) Affirmative decision supporting the award of tenure: If the *ad hoc* credential review committee finds that the faculty member does meet the qualifications for tenure, then in its Report of Findings and Decision, the *ad hoc* credential review committee shall include an explicit, standards-based rationale for its findings
 - (2) Negative decision supporting the denial of tenure: If the *ad hoc* credential review committee finds that the faculty member does not meet the qualifications for tenure, then in its Report of Findings and Decision, the *ad hoc* credential review committee shall include an explicit, standards-based rationale for its findings, specific instances in which the faculty member's performance as documented in the credentials had not met one or more applicable standard.
- g. Report and disposition of findings, decision, records, and documents
- (1) The *ad hoc* credential review committee shall submit a written Report of Findings and Decision to the
 - (a) Chancellor,
 - (b) appellant,
 - (c) appellant's academic department(s),
 - (d) chair of the constituency standards committee,
 - (e) dean,
 - (f) Faculty Senate Chair, and
 - (g) chair of the Faculty Appeals and Grievance Committee appeal panel.
 - (2) The *ad hoc* credential review committee shall submit all materials to the office of the Vice Chancellor for Academic Affairs. The Vice Chancellor for Academic Affairs shall place the Report of Findings and Decision of the *ad hoc* credential review committee in the appellant's official personnel file.
- h. Actions based on the findings and decision of the *ad hoc* credential review committee
- (1) If the *ad hoc* credential review committee makes an affirmative decision, the Chancellor subsequently may recommend to the Board of Regents that a tenured appointment be granted without a concurring recommended action from the appellant's academic department(s) or functional equivalent. The Chancellor's decision is final (UWS 3.08, (3)). Such action is in accord with Wisconsin Statutes 36.13 (2) (b).
 - (2) If the *ad hoc* credential review committee makes a negative decision,
 - (a) the appellant is, upon written application to the chair of the *ad hoc* credential review committee, allowed to copy all documents, transcripts and audio recordings possessed by the *ad hoc* credential review committee.
 - (b) the Chancellor may not recommend that the Board of Regents grant tenure.
- i. The campus administration shall reimburse the Faculty Senate account for the compensation of legitimate travel expenses incurred by the *ad hoc* credential review

committee members who come from other institutions. Compensation shall be limited to transportation, lodging, and meals.

F. The Portfolio

1. Disposition of the Portfolio: In so far as the portfolio is a synthesis of a faculty member's professional performance, it belongs to the faculty member. Once the faculty member has submitted the portfolio to the department for review, the only materials that shall be added to the portfolio are those specified in these rules (III, C, 5, d; III, C, 6, f; III, D; and III, F, 4). Documents shall not be removed from the portfolio without the consent of the faculty member. Likewise, the faculty member may not add or remove documents specified in these rules without the explicit consent of the Vice Chancellor for Academic Affairs. In case of negative decisions for reappointment or tenure, the Chancellor shall secure copies of all relevant documents including the portfolio, reports of decision, requests for a reconsideration and/or an appeal, reports of recommended action, and rebuttals produced during the review sequence for possible use as required by law.
2. General Guidelines for Preparation of the Portfolio
 - a. Use Times, 12 point typeface for body of text.
 - b. Develop a table of contents for each year under consideration and label each item for easy location and identification.
 - c. Include a written narrative for each year. Use a maximum of three pages for this narrative. The narrative should consider the faculty member's
 - (1) critical evaluation of his/her performance in teaching, research and creative activity, and professional and public service,
 - (2) description of his/her performance as it relates to the university principles in teaching, research and creative activity, and professional and public service,
 - (3) description of his/her performance as it relates to his/her departmental and constituency standards in teaching, research and creative activity, and professional and public service
 - (4) description of his/her performance as it relates to the Document of Intent or annual face-to-face goals.
3. Include only accomplishments during the time period covered by the Document of Intent.
4. For each year period presented in the portfolio, the following basic documentation should be included:
 - a. Updated table of contents with blanks for signatures from the faculty member and all reviewing bodies attesting to the integrity of the portfolio's contents as listed in the table of contents.
 - b. Updated vita
 - c. Document of Intent
 - d. Faculty member's narrative
 - e. Performance Evaluation Form prepared by candidate, using standard classification of performance data
 - f. Department evaluation

- g. Reports of Decision(s)
- h. Reports of Recommended Action
- i. Representative evidence of teaching/job performance, research/creative activities, and professional and public service activities. The evidence included in the portfolio shall be *representative*, and thus, limited to one or two examples in each category for each year of review. However, the faculty member should have complete documentation available upon request.
- j. Any documents produced through an appeal process or other reviews should be included in the portfolio

G. Standard Classification of Performance Data

1. Guidelines for using the standard classification of performance data
 - a. When preparing the portfolio, the faculty member is expected to use the standard classification scheme to determine where various activities should be listed. The extent of the list is not intended to suggest that any one faculty member should have an example of each type of listed activity; the intent is to indicate where to place the wide variety of teaching, scholarly, and professional and public service enterprises in which the faculty engage.
 - b. Changes in the standard classification
 - (1) Departments and units responsible for performance evaluations may add items of performance to a category, but may not remove an item from the standard classification.
 - (2) Departments and units responsible for performance evaluations may not move items among categories for the standard classification.
 - (3) The Faculty Senate is responsible for revisions of the standard classification. At the time the Faculty Senate approves revisions of the standard classification, it also shall define the effective date of the revisions to insure reasonable and just lead time.
 - (4) In the narrative statement, the faculty member should discuss the activities included in an order that suits the coherence and enhances the meaning of the narrative, not the order in which the activities are listed in this classification scheme. This narrative should establish the context of the faculty member's position and the relevance and importance of the activities in fulfilling the responsibilities associated with the position.
 - c. Since the major purpose of the portfolio is to chronicle the development of a faculty member throughout his or her professional career, the relative emphasis given to the different categories may change over time which would be reflected in the order in which the activities are considered in the narrative statement.
 - d. The standard classification is used for all performance reviews, i.e. for reappointment, tenure and/or promotion decisions.
2. Teaching Activities
 - a. Instructional Methodology
 - (1) Course syllabi
 - (2) Design and development of innovative teaching methods or media

- (3) Student assignments, presentations, projects
 - (a) Methods of assessing and evaluating student progress
 - (b) Edited video tapes of classroom instruction
- b. Evaluation
 - (1) Peer observation and review (See Appendix B, part C of these rules.)
 - (a) Presentation of material during peer observation sessions
 - (b) Student participation during peer observation sessions
 - (c) Communication with students during peer observation sessions
 - (d) Student evaluation of course and instructional approach (See Appendix B, parts A and B of these rules.)
 - (e) Exit evaluations by students upon completion of the program
- c. Service to Students
 - (1) Advising and mentoring students
 - (2) Student evaluation of advising and mentoring
 - (3) Supervision of student research projects and independent studies
 - (4) Supervision and consultation on graduate projects, theses, and independent studies
 - (5) Assistance with job or graduate school placement
 - (6) Writing letters of recommendation for credential files, graduate school applications, internships, and scholarships
 - (7) Organizing student attendance and participation in student and/or professional conferences
 - (8) Using varied forms of electronic media to support instructor accessibility, e.g., e-mail, class lists, bulletin boards
- d. Enhancement of Teaching Skills
 - (1) Participation in programs and/or conferences for improving teaching
 - (2) Peer consultation or mentoring
 - (3) Team or collaborative teaching
 - (4) Faculty exchanges
 - (5) Observation of master teachers
 - (6) Changes in classroom approach that are connected to peer observations
 - (7) Changes in classroom approach that are based on student performance on assessments
 - (8) Changes in classroom approach that result from personal analysis of one's own teaching in the light of review of research, literature, or interactions with inservice personnel.
- e. Student Performance
 - (1) Student performance on assessments prepared by agents external to the immediate classroom
 - (2) Student performance on assessments prepared by the instructor
- f. Support for Department Goals
 - (1) Curriculum development
 - (2) Developing new programs and/or licensure authorizations
 - (3) Off-campus teaching

- (4) Participation in distance education
- (5) Preparing and delivering testimony in the State Legislature related to the goals of the college and department
- (6) Working with inservice professionals to provide on-site opportunities and exchanges for students as part of campus based classroom experiences
- g. Course Load
 - (1) Undergraduate and graduate courses taught
 - (2) Factors influencing the course load
 - (a) Class sizes
 - (b) Number of preparations per semester
 - (c) Number of times the faculty member has taught the course
 - (d) Number of new instructional materials introduced in the course, e.g., using a new textbook, reader, or format
 - (e) Collaborative or team teaching involved in the course load
 - (3) Types of courses taught: proficiency, common core, required for a major program, general education, elective, laboratory, studio, clinical or field program
- h. Honors and Awards
 - (1) Grants for the improvement of teaching
 - (2) Awards recognizing teaching excellence by any level from a student organization through an international professional organization
- 3. Job Performance of Faculty with Non-teaching Assignments
 - a. Skill and Knowledge
 - (1) Knowledge of job assignment
 - (2) Organization skills
 - (3) Communication skills
 - b. Management skills
 - (1) Responsible fiscal planning and budget management
 - (2) Curriculum and program scheduling
 - (3) Resource and technology planning
 - c. Professional Effort
 - (1) Participation in programs for professional improvement
 - (2) Efficiency of operation
 - (3) Support for the unit staff
 - (4) Participation in the development of effective and efficient operational practices
 - (5) Support of university goals and mission
 - (6) Support of unit/service area goals and mission
 - d. Leadership
 - (1) Work with faculty and professional staff in defining context relevant goals and long term plans
 - (2) Coordination and marshaling of resources to achieve goals
- 4. Research and Creative Activity
 - a. Published/Reviewed/Refereed/Invited Works

- (1) Articles
 - (a) Book or literature review
 - (b) Bibliography
 - (c) Essay or paper in an anthology
 - (d) Professional journal article
 - (e) Proceedings
 - (f) Public/Trade journal article
 - (g) Article translation
 - (2) Books
 - (a) Chapter in a book
 - (b) Book
 - (c) Monograph
 - (d) Book edited or translated
 - (e) Instructional materials, e.g., readers for courses, state curriculum guides, test banks, instructor's manuals
 - (3) Grant Proposals
 - (a) Grant proposals accepted for funding
 - (b) Grant proposals for which the funding decision is pending
 - (c) Grant proposals submitted for funding
 - (4) Performance and Artistic Works
 - (a) Short story, poem, dramatic work
 - (b) Musical composition or arrangement
 - (c) Choreography
 - (d) Exhibition of works of art, graphics, crafts, and design
 - (e) Performances and recitals, plays, and readings
 - (f) Master classes and workshops
 - (g) Direction of works in the performance arts
 - (h) Recorded works in the performance arts
 - (5) Electronic Media
 - (a) Computer software development
 - (b) Multimedia production
 - (c) Web based graphic design generating virtual reality options
 - (d) Broadcast, film, electronic media design and production
 - (6) Conferences
 - (a) Papers
 - (b) Presentations
 - (c) Panels
 - (d) Workshops
 - (e) Scholarly consultations or seminars related to one's area of expertise
 - b. Works Not Refereed or Not Adjudicated: Presentations, papers, panels, workshops, or performances at a professional meeting without a review policy
 - c. Honors and Awards: Awards recognizing outstanding research and creative activity by any level from a department through an international professional organization.
5. Professional and Public Service Activities

- a. Service to the Profession
 - (1) Editor of a professional journal
 - (2) Adjudicator of exhibit, performance, design, program, i.e., serving as a member of a program, agency, or school evaluation team for an accrediting agency
 - (3) Reviewer of conference proposals or journal manuscripts
 - (4) Reviewer of grant proposals for funding agency
 - (5) Reviewer of promotion or personnel files as a member of an *ad hoc* credential review committee
 - (6) Reviewer/mentor of research in progress.
 - (7) Discipline-related consultant
 - (8) Officer of or service to a professional association
 - (9) Attendance at professional meeting or conference
 - (10) Provider of non-credit continuing education
 - (11) Cooperative sharing of expertise with campus colleagues
 - (12) Presenter of inservice programs for faculty and staff
 - (13) Member of a state, regional, national, or international committee associated with one's discipline
 - (14) Officer in a state, regional, national, or international organization associated with one's discipline.
- b. Service to Department, Constituency, University, and/or System
 - (1) Member of a department, constituency, university, or system committee
 - (2) Officer of a department, constituency, or university committee
 - (3) Contributor to department, constituency, or university reports, i.e., audit, accreditation, self-study
 - (4) Assigned mentor or advisor to a probationary faculty member
 - (5) Advisor to a student group
 - (6) Participant in a campus activity requiring frequent, regular or extended investment of time and effort, e. g., serving as the Men's Faculty Athletic Representative for the NCAA
 - (7) Advisor, consultant, or judge for a student organized activity or event on campus, e. g., judging homecoming floats or candidates
 - (8) Organizer for a campus sponsored conference
 - (9) Support staff member for a campus sponsored conference
- c. Public Service
 - (1) Discipline-related presentation or service to a local, regional, or national agency or group
 - (2) Discipline-related service to community organizations
- d. Honors and Awards
 - (1) Department, constituency, or university service awards
 - (2) Service award from a discipline-related professional organization

H. University Minimum Requirements for Appointment, Reappointment, Tenure, and/or Promotion

1. Minimum Rank Requirements
 - a. Instructor: Minimum educational preparation code 4
 - b. Assistant Professor: There shall be no minimum time in rank for instructors who hold the terminal degree for promotion to assistant professor except for the restriction in III, B, 8, a, (3) of these rules.
 - (1) To be eligible for promotion to the rank of assistant professor, the faculty member must have
 - (a) an educational preparation code 3, or for practicing librarians, a master's degree in library science, and
 - (b) at least three years of full-time college or university teaching and/or appropriate experience before the effective date of the promotion to the rank of assistant professor if appointed or promoted to the rank of instructor at this university.
 - c. Associate Professor: To be eligible for promotion to the rank of associate professor, the faculty member must have
 - (1) an educational preparation code 1, or for practicing librarians, a master's degree in library science plus either an additional master's degree or a specialist's degree in library science,
 - (2) at least four years of full-time college or university teaching and/or appropriate experience, and
 - (3) a minimum of three academic years at UW-Whitewater before the effective date of the promotion to the rank of associate professor if the faculty member was appointed or promoted to the rank of assistant professor at this university. If a faculty member served at this university as a full time instructional academic staff member immediately prior to appointment as assistant professor in the same department, then for the purpose of a promotion decision, the service as full-time instructional academic staff may be considered to be service as an assistant professor.
 - d. Professor: To be eligible for promotion to the rank of professor, the faculty member must have
 - (1) an educational preparation code 1,
 - (2) at least ten years of full-time college or university teaching or other appropriate experience, and
 - (3) a minimum of three academic years in the rank of associate professor if the faculty member was appointed or promoted to associate professor on this campus before the effective date of the promotion to the rank of professor.
 - e. Exceptions: Exceptions to the above requirements may be made if a candidate's unusual qualifications are judged to possess exceptional merit. The burden of proof of such merit shall be on the applicant and the department originating the application. The constituency standards committee makes the final decision on making exceptions to the university minimum requirements policy.
2. Educational Preparation Code
 - a. Educational preparation codes and requirements

Educational	Formal
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<u>Preparation Code</u>	<u>Education Requirement</u>
1*	Ph.D. Ed.D. Earned doctorate equivalent to the Ph.D. or Ed.D. requiring the minimum equivalent of three full years of graduate study beyond the baccalaureate degree. A refereed† terminal degree in the area of specialization, e. g., M.F.A. in studio arts.
2	Earned degrees requiring a minimum of three full years of work beyond the baccalaureate degree All requirements for the doctorate met with the exception of the completion of the dissertation.
3	A master's degree plus one full year of graduate study as measured by the institution where graduate work is applicable in a degree program. Specialist degree or its equivalent Two-year master's degree
4	Master's degree
5	Baccalaureate degree
6	No baccalaureate degree

- b. Unresolved questions concerning the assignment of Educational Code shall be submitted to the University Standards Committee for decision.

* Only doctorates from accredited (Regional Accreditation Associations) colleges and universities will entitle a faculty member of Educational Code 1, but no one granted Educational Code 1 prior to May 1, 1996, shall lose educational Code 1 on this account.

†*Refereed* as determined by three bodies, for example, a professional organization, the university, and the area of specialization.

I. Review, Decision, and Recommendation Timeline

First Class Day of the Second Week of Classes	All faculty members scheduled for a review and decision granting reappointment, tenure, and/or promotion submit their portfolios to the departments (<i>See consultation/review schedule chart, Appendix C of these rules</i>). At last 20 days prior to the date of review, the departments must give these candidates Notice of Review (UWS 3.06(c)).
First Friday in October	All faculty members scheduled for a department consultation shall submit their portfolios to the departments, i.e., those faculty members who are in their third and fifth years on campus unless

three years of experience had been granted at the time of the initial appointment (*See consultation/review schedule chart, Appendix C of these rules*).

- First Friday in November Departments forward all reappointment portfolios and reports of decisions to the constituency dean(s). (*See consultation/review schedule chart, Appendix C of these rules*). The portfolio shall be forwarded to the constituency dean(s) only after the department holds a requested reconsideration. When the department completes a reconsideration its Reconsideration Report of Decision shall replace the original Report of Decision in the portfolio to be forwarded to the constituency dean(s) for review.
- December First The constituency dean(s) shall forward to the Vice Chancellor for Academic Affairs all portfolios, reports of decision, reports of recommended action, and rebuttals affecting faculty scheduled for second year reviews.
- The constituency dean(s) shall forward to the Constituency Standards Committee (CSC) all portfolios, reports of decision, reports of recommended action, and rebuttals affecting faculty scheduled for the fourth and sixth year reviews.
- December Fifteenth In accordance with UWS 3.09, (1), (a), the Vice Chancellor for Academic Affairs shall notify second year probationary faculty of reappointment decisions. The Vice Chancellor for Academic Affairs also shall inform the probationary faculty of the date of their next reappointment review and decision. This date will be determined by the department decision to offer a two year or a one year contract.
- Second Friday in January The CSC shall have completed preparation of Reports of Recommended Action for the reviewed faculty members. The CSC shall place the committee's Report of Recommended Action in each reviewed faculty member's portfolio. The CSC shall deliver a copy of the Report of Recommended Action to the faculty member and the department. When all reports of decision(s), reports of recommended action, and rebuttals are present in the portfolios, the chair of the CSC shall forward them to the Vice Chancellor for Academic Affairs.
- First Friday in February The Vice Chancellor for Academic Affairs shall review the portfolios, prepare a Report of Recommended Action, place a copy of the report in the portfolio, and send a copy of the report to the faculty member and the faculty member's department, CSC, and

dean(s). The Vice Chancellor for Academic Affairs forwards portfolios including all reports of decisions, recommended actions, and rebuttals to the Chancellor for review and decision.

Fourth Friday in February

The Chancellor shall prepare a written, standards-based summary of the portfolio review and decision. The Chancellor shall forward a copy of this summary to the faculty member, the department, the CSC, and the dean(s).

Timeline Revised July 23, 2003

Appendices

**Appendix A:
Definitions**

DEFINITIONS

- A. **Constituency:** Any of the five faculty constituencies: University Library and the colleges of Arts and Communication, Business and Economics, Education, and Letters and Sciences.
- B. **Dean:** The administrative head of a constituency. The Vice Chancellor for Academic Affairs performs the function of a dean for the faculty in the University Library and any other faculty whose tenure appointment does not reside in any other unit.
- C. **Department:** The organizational unit within the constituency that has the responsibility for making recommendations and decisions related to recruitment, reappointment, tenure, promotion, post-tenure review, and merit.
- D. **Document of Intent:** The faculty member writes a Document of Intent for each coming year of appointment. A Document of Intent indicates the proportion of effort that the faculty member intends to invest in the areas of teaching, administration, service, and research and creative activity during the next academic year. These documents describe those tasks, projects, or other performance indicators encompassed by this investment (III, G of these rules). The term *intent* is used in these rules to indicate that in some instances faculty will meet unexpected circumstances requiring modification of the initial intentions.
- E. **Portfolio:** The common university format as defined by the University Standards Committee and approved by Faculty Senate for submission of performance evaluation materials (III, F of these rules). The portfolio contains a copy of the department, constituency, and university standards.
- F. **Procedure:** A rule that governs how standards shall be applied in making recruitment, initial appointment, reappointment, tenure, promotion, merit, and post-tenure review decisions. For actions taken under UWS 3.08, procedure shall be deemed equivalent to “procedures required by rules of the faculty or board” as defined in UWS 3.08 (1), (c), 1.
- G. **Standard:** The level of performance to be met (See UWS 3.06 (1), (b)). For actions taken under UWS 3.08, standards shall be deemed equivalent to “qualifications” as used in UWS 3.08 (1), (c). Individual reviewers shall use department, constituency, and university standards to make decisions or recommendations for reappointment, tenure and/or promotion regardless of comparisons among candidates or individual preferences.

Appendix B:
Student and Peer Evaluation of Teaching

Rules and procedures for gathering information for use in the evaluation of teaching.

- A. Pursuant to III, C, and III, G, 2 of the University Faculty Personnel Rules, and in order that student assessments of teaching may be properly employed in the evaluation of probationary faculty, and in order that student assessment of teaching for that purpose shall not become a means for prescribing methods of instruction, no student assessment shall be employed in the evaluation of a probationary faculty member under III, C of the University Faculty Personnel Rules which has not been gathered in accordance with the following rules:
1. The means employed to elicit student assessments of formal instruction shall allow students to assess the overall performance of the faculty member as a teacher in a course in which the students have been enrolled.
 2. The means employed shall protect the anonymity of individual student respondents.
 3. The means employed shall give every student in a class a reasonable opportunity to participate, which condition shall be satisfied if the assessments are collected during a regularly scheduled meeting of the class, with or without prior announcement.
 4. The means employed shall insure that student assessments of teaching are based on a reasonable amount of experience with the formal instruction of the faculty member, which condition shall be satisfied if the assessments are collected after at least one-half of all scheduled class meetings have occurred and after at least one examination or other assignments has been graded and returned to the students.
 5. The means employed for gathering, analyzing, and reporting student assessments of formal instruction shall protect the accuracy and reliability of the assessments against bias, tampering, or misinterpretation.
 6. The means employed shall insure that students who assess a faculty member's formal instruction are told why the assessments are being gathered and are instructed to assess the faculty member's overall performance as a teacher in the class.
 7. Only student responses which assess the faculty member's overall performance as a teacher in a class shall be reported to evaluators of the faculty member, unless the faculty member reports them.
 8. A copy of the instrument used for gathering student assessments of teaching and the procedures governing their collection, analysis, and reporting shall be available for examination by any person in the departmental office.
- B. Departmental and college rules governing student assessments.
Additional rules and procedures governing student assessment of formal instruction, for use in the evaluation of probationary faculty in accordance with III, C of the University Faculty Personnel Rules, may be established by the faculty of a college, or in the absence of action by a college faculty or with its authorization, by a department, provided that such rules and procedures are not inconsistent with these rules, the University Faculty Personnel Rules, or UWS 3 or the Wisconsin Administrative Code.
- C. Other information about teaching
1. Pursuant to III, C of the University Faculty Personnel Rules, each department shall develop a plan which in addition to student evaluation will gather information about the teaching of probationary faculty members through the use of peer evaluations (such as but not limited to class visitation, inspection of syllabi and tests, and statements of objectives) and/or any other methods not prohibited by law or the UWS or UWW

- personnel rules. Such plan must be lodged with the dean of the respective department's college. Each probationary faculty member will receive a copy of this plan.
2. The information gathered by the department may be either information about the learning achieved by students in classes taught by the faculty member or information about the faculty member's teaching methods and behavior.
 3. Methods which a department may adopt for gathering information about the learning achieved by students taught by the faculty member include but are not limited to the following:
 - a. Comparing the success in advanced courses of students taught in elementary courses by the faculty member to the success in advanced courses of students taught in elementary courses by others.
 - b. Comparing the performance on a common test of students taught by the faculty member and students taught by others.
 4. Methods by which a department may gather information about a faculty member's teaching methods and behavior shall be comprehensive, not limited to a single visit to the faculty member's classroom or to a single aspect of teaching such as grades awarded, methods or examination, or the like.

Appendix C:
Review, Reappointment, and Tenure Schedule Grids

1. This table displays the impact of years of credited experience on the review and reappointment schedule, it lists only the department actions in each year. The remainder of the reappointment review structure during the decision years includes reviews and written, standards-based recommendations by the constituency dean, the constituency standards committee, and the vice chancellor for academic affairs. Each of these recommendations, any rebuttals, the department decision(s), and appeal panel record (if appeal filed) become a part of the portfolio for the year in question. Similarly, the record of consultation *without decision* and relevant materials for the years in which consultation is held within the department become a part of the portfolio for the year in which the consultation occurs.

Format for Review, Reappointment, and Tenure Schedule Including a Maximum of Three Years of Experience Credited

Review Year	1 st	2 nd	3 rd	4 th	5 th	6 th
0 years credited experience	Department <i>consultation</i> following first semester on campus	Department <i>decision</i> ; fall of second year on campus	Department <i>consultation</i> ; fall of third year on campus	Department <i>decision</i> ; fall of fourth year on campus	Department <i>consultation</i> ; fall of fifth year on campus	Mandatory tenure <i>decision</i> ; fall of sixth year on campus
1 year credited experience	Credited	Department <i>consultation</i> ; following first semester on campus	Department <i>decision</i> ; fall of second year on campus	Department <i>consultation</i> ; fall of third year on campus	Department <i>decision</i> ; fall of fourth year on campus	Mandatory tenure <i>decision</i> ; fall of fifth year on campus
2 years credited experience	Credited	Credited	Department <i>consultation</i> ; following first semester on campus	Department <i>decision</i> ; fall of second year on campus	Department <i>consultation</i> ; fall of third year on campus	Mandatory tenure <i>decision</i> ; fall of fourth year on campus
3 years credited experience	Credited	Credited	Credited	Department <i>consultation</i> ; following first semester on campus	Department <i>decision</i> ; fall of second year on campus	Mandatory tenure <i>decision</i> ; fall of third year on campus

2. This table indicates the actions taken by the different agents in the review process when the decisions are positive. For faculty members with credited experience who are scheduled for a decision in the year a before the mandatory tenure decision, the actions and agents in the review process would be those listed for the 4th year in this table.

Mandatory Six Year Tenure/Promotion Decision and Recommendation Schedule, All Decisions and Recommendations Positive
 No Years of Experience Credited

Review Agent/Yr.	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year	6 th Year	7 th Year
Department	No action, two year contract ¹	Decision	No action, two year contract, but consultation within department ³	Decision	No action, two year contract, but consultation within department ³	Decision, positive	No action
Dean	No action, two year contract ¹	Recommendation ²	No action, two year contract ¹	Recommendation ²	No action, two year contract ¹	Recommendation ²	No action
Constituency Standards Committee	No action, two year contract ¹	No action	No action, two year contract ¹	Recommendation ²	No action, two year contract ¹	Recommendation ²	No action
Provost	No action, two year contract ¹	Recommendation ²	No action, two year contract ¹	Recommendation ²	No action, two year contract ¹	Recommendation ²	No action
Appeal Panel from Faculty Appeals and Grievance Committee	No action, two year contract ¹	No action	No action	No action	No action	No action	No action
Chancellor	No action, two year contract ¹	Decision	No action, two year contract ¹	Decision	No action, two year contract ¹	Decision, positive	No action
Bd. of Regents	No action	No action	No action	No action	No action	Decision, positive	No action

¹A faculty member may be dismissed for just cause prior to the end of a term of appointment UWS 4.01.

²Rebuttals may be filed by the faculty member being reviewed following recommendations. Such rebuttals shall become a part of the portfolio.

³Record of consultation shall be inserted in the portfolio.

3. This table indicates the actions taken by the different agents in the review process for cases in which a mandatory tenure review results in a negative decision. When faculty members have two or three years of credited experience, the mandatory tenure decision would occur in the third, fourth, or fifth year on campus, thus the process in the third, fourth, and fifth years would follow the sixth year structure shown in this table. Negative mandatory tenure decisions would follow the seventh year structure shown in this table which would occur in the fourth, fifth, and sixth year which corresponds to the respective mandatory tenure decision year.

Mandatory Tenure or Tenure/Promotion Decision and Recommendation Schedule, Negative Decision in Mandatory Tenure Decision Year

No Years of Experience Credited

Review Agent/Yr.	1 st Year	2 nd Year	3 rd Year	4 th Year	5 th Year	6 th Year	7 th Year
Department						Decision, negative following reconsideration (UWS 3.07, (1), (b))	If appeal panel returns materials with instruction, review and make decision
Dean						Recommendation ¹	No action
Constituency Standards Committee						Recommendation ¹	No action
Provost						Recommendation ¹	No action
Appeal Panel from Faculty Appeals and Grievance Committee						If an appeal is filed, Chair of Faculty Senate receives valid appeal and Faculty Senate Executive Board empanels five member appeal panel from the Faculty Appeals and Grievance Committee. Panel begins hearing appeal in Spring term.	Complete hearing appeal; may return materials to department with instructions or may request that a Notestein committee be empaneled.
Chancellor						Decision ²	Decision ²
Bd. of Regents						No action	Decision/No action pending Chancellor's decision ²

¹ Rebuttals may be filed by the faculty member being reviewed following recommendations. Such rebuttals shall become a part of the portfolio.

² Since both the department and chancellor's decisions must be positive to award tenure (UWS 3.06, 1, (a)), the negative decision from the department in the sixth year automatically leads to non-renewal, thus terminates employment. Because this non-renewal decision occurs after the second year, the faculty member shall be offered a one year contract for the seventh year (UWS 3.06, 1, (a) and UWS 3.09, 1, (c)). Appeals may be processed during the seventh year. Without a positive recommendation from the university appeal panel with instruction to the department to review the sixth year materials again or to submit the sixth year materials to a Notestein committee, the sixth year negative department decision would be sustained. "The decision of the chancellor will be final on such matters" (UWS 3.08, (3)).

CHAPTER III - RULES GOVERNING FACULTY APPOINTMENTS UNDER UWS 3,
WISCONSIN ADMINISTRATIVE CODE

(Approved by Board of Regents on October 5, 1979 and amended February 5, 1982)

CHAPTER III – RULES GOVERNING FACULTY APPOINTMENTS UNDER UWS
3, WISCONSIN ADMINISTRATIVE CODE

(APPROVED BY Board of Regents on October 5, 1979 and amended February 5, 1982)

1. Recruitment and initial appointment.

a. When an academic department is authorized to recruit a faculty member, the department shall:

1. define the duties and responsibilities of the position,
2. establish the minimum qualifications of the appointee,
3. propose the rank or ranks and salary range within which the appointment is to be made,
4. comply with university policies and recruitment methods,
5. select a candidate to be offered the position, and
6. assist in drafting the letter of appointment.

b. In addition to the items listed in UWS 3.03 of the Wisconsin Administrative Code, an appointment letter offering a probationary appointment shall include:

1. a statement of the maximum probationary period,
2. if the maximum probationary period has been reduced under III, (1), (c), 2 of these rules, a statement of how much prior service has been credited and a statement that acceptance of the appointment as offered constitutes acceptance of the computation of prior service and the maximum probationary period,
3. the approximate date of the first departmental review of the faculty member
4. and, by attachment, the criteria which will be employed in the first review of the faculty member, with a notice that other criteria may be established, in accordance with these rules and UWS 3.06, (1), (b) of the Wisconsin Administrative Code, for subsequent reviews.

c. In order that the university may comply with both state law and the accepted standards of academic practice defined by the Association of American Colleges

and the American Association of University Professors, the maximum probationary period of a faculty member shall be determined as follows:

1. The maximum probationary period of a faculty member without prior service as defined in III, (1), (c), 2 of these rules shall be 7 years in a full time appointment and 10 years in an appointment which is at least half time but not full time.

2. For a faculty member who has reported and been credited with prior full time service as a teacher or investigator in any institution of higher education, the maximum probationary period shall be reduced as follows:

a) if the faculty member's position is to be full time, the maximum probationary period shall be reduced by 1 year for each year of credited full time prior service, but need not be reduced more than 3 years;

b) if the faculty member's position is to be at least half time but not full time, the maximum probationary period shall be reduced by 1 year for each year of credited full time prior service, but need not be reduced more than 4 years.

d. An initial appointment may be a tenure appointment.

e. The offer of a concurrent faculty appointment to a limited or academic staff appointee may be proposed by the appointing authority, the appointee, or an academic department either during negotiation of the limited or academic staff appointment or at any time thereafter. The decision whether to recommend such an appointment shall be made in the same manner as a decision to offer any other initial appointment. Probationary service in such a concurrent appointment shall be counted from the time when the appointee begins to serve in the faculty appointment at least half time, if it is a full time appointment, or to the full extent of the appointment, if it is at least half time but not full time.

f. Initial faculty appointments shall be made only upon the affirmative recommendation of the appropriate academic department and the chancellor. If the faculty of a college so directs, the affirmative recommendation of the college shall also be required for initial appointments which are tenure appointments. The decision for the college about tenure appointments shall be made by a committee of tenure faculty elected by the faculty of the college, or by the dean of the college, or by such a committee with the advice of the dean, or by the dean with the advice of such a committee, as the faculty of the college shall choose.

2. Renewal of probationary appointments and recommendations of tenure.

a. Decisionmakers

1. Except as provided in UWS 3.10 of the Wisconsin Administrative Code and in III, (6) of these rules, faculty appointments shall be renewed only on the affirmative recommendation of the same decisionmakers required for the recommendation of initial faculty appointments by UWS 3.06, (1), (a) of the Wisconsin Administrative Code and III, (1), (f) of these rules.
2. Except as provided in UWS 3.08, (3) of the Wisconsin Administrative Code and III (6) of these rules, a negative decision by any decisionmaker terminates the consideration of a proposed reappointment.

b. Types of decisions.

1. Decision whether to renew a probationary appointment. A decision to renew a probationary appointment is a decision to reappoint for a specific period which is within the maximum probationary period of the faculty member. It does not confer tenure. A decision not to renew a probationary appointment is a nonrenewal decision.
2. Mandatory tenure decision. When a probationary appointment has been renewed through the end of the maximum probationary period of the faculty member, a decision whether to recommend tenure must be made during the review of the faculty member which immediately precedes the deadline for notice of reappointment/nonreappointment for the period following the maximum probationary period. If a mandatory tenure decision is negative, it is a nonrenewal decision.
3. Optional tenure decision. A department may choose to decide whether to recommend tenure at any other time. This is an optional tenure decision. If it does so recommend, a decision whether to recommend tenure by a college tenure committee or the chancellor which results from its decision is also an optional tenure decision. If negative, an optional tenure decision is not a nonrenewal decision. It has no effect on an existing probationary appointment, does not affect nor is it affected by a prior, simultaneous, or subsequent decision to renew a probationary appointment, and is not inconsistent with a prior or subsequent decision to recommend tenure. A faculty member has, in respect to it, no right to request reasons or reconsideration, or to appeal under UWS 3 of the Wisconsin Administrative Code or III of these rules.

c. Departmental review.

1. A departmental review shall be conducted by the departmental reappointment committee which shall have at least 3 members and shall be composed of the entire tenure faculty of the department, or tenure faculty of the department elected by tenure faculty of the department, or tenure

faculty of the department elected by the faculty of the department, as the faculty of the department shall choose.

2. If a department does not have sufficient tenure faculty available to review a faculty member to make a quorum of the reappointment committee, the dean of the college shall appoint sufficient tenure faculty of related disciplines to the departmental reappointment committee to bring the number of persons to conduct the review to a quorum. Such appointed members shall participate only in the review or reviews which they are appointed to conduct and any reconsideration under UWS 3.07, (1), (b) or UWS 3.08, (3) of the Wisconsin Administrative Code and III, (4), (c) of these rules

3. A quorum of a departmental reappointment committee shall be 3, or more than one-half the regular membership, whichever is greater.

d. Notice of review.

The faculty member being reviewed shall receive at least 20 days notice of a departmental review and at least 7 days notice of a review by a college, and a copy of the notice shall be posted in a public place regularly used for the posting of notices by the department or college, as the case may be, at least 7 days before the review. The notice shall include:

1. the time and place of the review,
2. the period of service to be evaluated,
3. identification of the definitions of functions, standards of evaluation, and criteria for decision which will be used in the review,
4. the decision to be made,
5. that the faculty member may present information orally or in writing,
6. that any other person may present information in writing or, with the consent of the committee, orally, and
7. that the review will be conducted in accordance with UWS 3.06 of the Wisconsin Administrative Code, these rules, and applicable state law governing meetings of public bodies.

e. Evaluation required.

No decision about renewal of appointment shall be made until the decisionmaker has evaluated the performance by the faculty member of the functions of teaching, research, and professional and public service and contribution to the university. In any review for a tenure decision, the period of service to be evaluated shall be the

entire period of service in the university and all service prior to appointment in the university. For reviews not involving a tenure decision, the period of service to be evaluated for a first review shall be the period since appointment and, for a subsequent review, the period since the last previous evaluation by the decisionmaker. However, no department shall evaluate the service of a faculty member in another department of the university, and no college shall evaluate the service of a faculty member in another college of the university. For procedures for the review of faculty holding positions in more than one department, see III, (6) of these rules.

f. Review procedures.

1. Development of definitions of functions for evaluation, standards for evaluation, weighing of functions in overall evaluation, and written criteria for reappointment decisions.
 - a) The faculty or Faculty Senate may provide for development of definitions of the activities, skills, and qualifications embraced in each of the functions to be evaluated, definitions of standards of evaluation, weighing of functions in overall evaluation, and written criteria for reappointment decisions. In doing so, the faculty or Faculty Senate may establish or authorize distinctions between classes of faculty, or between groups of faculty holding different classes of positions, provided that the bases for such distinctions are reasonable and appropriate to the missions and needs of the university and its colleges and departments.
 - b) Effective one year after the effective date of these rules, the standards of evaluation and written criteria for decision employed in any review of a probationary faculty member by a department or the chancellor shall have been established and published in the minutes of the body establishing them prior to the beginning of the period of university service being evaluated at the review in which they are employed, and the standards and criteria employed by a college shall have been established and published at least one year before the review in which they are employed.
2. In evaluating a faculty member's performance, decision-makers shall consider:
 - a) student assessments of the faculty member's teaching, gathered in accordance with rules and procedures established by the Faculty Senate,
 - b) any information submitted by the faculty member, orally or in writing, and
 - c) any other information, including information personally known to a decisionmaker, which is relevant to the evaluation and of reasonable probative value, provided that information not personally known to a decisionmaker must be in writing and signed unless the decisionmaker consents to its oral presentation, in which case it must be summarized with the name of the person presenting it in the record of the review.
3. A college shall consider all evaluations of the faculty member by the department and the chancellor in all previous reviews of the faculty member.

4. When a decisionmaker is a committee, each member may evaluate a faculty member independently or several or all members may evaluate a faculty member jointly, as they choose.
 5. The evaluation of a faculty member's performance of teaching, research, professional and public service and contribution to the university is necessary both to the decision whether to recommend reappointment and to the counseling of a probationary faculty member about how performance of these functions might be improved. Therefore, the evaluation must be recorded with an explanation which sets forth both the more and less satisfactory aspects of performance and ways in which performance may be improved. Further, decisionmakers must make their evaluations comprehensive, and subsequent decisionmakers must consider each evaluation as a whole and as evidence of the extent and rate of progress of the faculty member, and not respond to an evaluation solely in terms of a single positive or negative comment.
 6. The record of evaluation, including an explanation of each rating of each function, shall be included in the record of review by attachment.
 7. When a decisionmaker is a committee, an affirmative decision requires the affirmative votes of a majority of the members participating in the review. An abstention shall be counted and recorded as a negative vote.
 8. A review of a faculty member shall be conducted in accordance with applicable state laws governing meetings of public bodies.
- g. Record of review. A decisionmaker shall make a record of the review of a faculty member, which shall include:
1. the name(s) of the person(s) conducting the review,
 2. identification of the definitions of functions, standards of evaluation, and criteria for decision which will be used in the review,
 3. a summary of any information presented orally by any person other than a decisionmaker, with the name of the person presenting it,
 4. any decision made about the relevance of information presented,
 5. the decision whether to recommend reappointment and the number of votes for and against it,
 6. the reasons for any nonrenewal decision, which shall refer to specific criteria for decision and, if relevant, to the evaluation of specific functions and the explanations of them, and,
 7. by attachment:

- a) the notice of the review,
- b) any information submitted in writing, and
- c) the record of evaluation.

h. Report of decision. Each decisionmaker shall prepare a report of the decision made which shall be signed by the decisionmaker or the chair of the decisionmaking committee.

1. If the decision is affirmative, a copy of this report shall be delivered to the faculty member within 7 days of the review, with a notice of any additional reviews and decisions which are required by III, (2), (a) of these rules to make the decision effective, except that the chancellor may employ a reappointment letter to notify a faculty member of the decision made by the chancellor.

2. If the decision was an optional tenure decision and it was negative, a copy of the report of the decision shall be delivered to the faculty member within 7 days, with a notice that the decision is not a nonrenewal decision and that the faculty member has, in respect to it, no right to ask reasons or reconsideration, or to appeal under UWS 3 of the Wisconsin Administrative Code or III of these rules.

3. If the decision was a nonrenewal decision, a copy of the report of the decision shall be delivered to the faculty member within 20 days of the review, with a copy of UWS 3.07 and 3.08 of the Wisconsin Administrative Code and III, (4) and (5) of these rules, and with a notice of nonreappointment.

i. Procedures following a review. The chancellor may devise instructions for the administrative processing of records of reviews and reports of decisions, consistent with UWS 3 of the Wisconsin Administrative Code and these rules, and with state laws governing preservation of and access to public records and confidentiality of personnel records, including:

1. provisions for administrative review of records and reports prior to delivery of a copy of the report of decision to the faculty member, in order to discover whether these documents are complete and correct and to secure their completion or correction,

2. provisions for administrative review of records of reviews which result in nonrenewal decisions to discover whether any nonrenewal decision is based in any significant degree on one of the factors listed in UWS 3.08, (1), (a), (b), and (c) of the Wisconsin Administrative Code, with material prejudice to the faculty member,

3. provisions for the delivery of these documents from one decisionmaker to another when an affirmative decision is made and for the secure custody of them as confidential personnel records,
4. provisions which regulate access to these documents and provide for their disposition when they cease to be administratively useful or necessary, and
5. provision for the chancellor to request that a decisionmaker review a faculty member anew, and make a new decision, when the chancellor has reason to believe that the decision would be found invalid if appealed under the provisions of UWS 3.08 of the Wisconsin Administrative Code.

3. Counseling of probationary faculty member after a reappointment decision.

The faculty or Faculty Senate may establish, with the approval of the chancellor, means for the counseling of a probationary faculty member whose probationary appointment has been renewed, in order that the faculty member may receive sufficient information about the evaluations of the faculty member's performance and the explanations of them to improve that performance further, but there shall be no disclosure to the faculty member of the source of any information used in evaluation, except student assessments of teaching, or of the identity of any individual evaluator.

4. Rights of a faculty member following a nonrenewal decision.

a. When a faculty member has a right which must be exercised within a limited period after delivery to the faculty member of a document, the period for exercise of the option shall be extended by 5 days if delivery of the document is by first class mail and publication.

b. Having received a copy of a report of a nonrenewal decision, a probationary faculty member may, within 10 days of delivery of the notice, request in writing the reasons for the nonrenewal decision. This request shall be made to the decisionmaker. Upon receipt of such a timely request, the decisionmaker shall copy, from the record of the review which resulted in the nonrenewal decision, the reasons for the decision, and shall deliver them to the faculty member.

1. Having received the reasons for a nonrenewal decision, a probationary faculty member may, within 10 days of the delivery of the reasons, request in writing that the decisionmaker reconsider.

2. The reconsideration shall be conducted in the same manner as a review by the decisionmaker, except that:

a. the reconsideration shall be conducted within 14 days of receipt of the timely written request and with at least 3 days

- notice of the faculty member, or on a date agreed to by both the faculty member and the decisionmaker;
- b. the faculty member's response to the reasons for the nonrenewal decision shall be the first order of business at the review;
 - c. the faculty member may be assisted by a person of his/her choice;
 - d. the record of the review already conducted shall be attached to the record of the reconsideration; and
 - e. if the nonrenewal decision is affirmed upon reconsideration, the reasons for the decision shall be included in the report of the decision.

3. Procedures following the reconsideration shall be the same if it were an original review, except that, if the decisionmaker affirms the nonrenewal decision, the faculty member shall receive, within 20 days of the decision, a copy of the report of the decision and a copy of the record of the first review and the record of the reconsideration.

4. If the nonrenewal decision is reversed upon reconsideration, a copy of the report of the decision upon reconsideration shall be attached to the copy of the reasons for the original nonrenewal decision in the personnel file of the faculty member.

5. Appeal of a nonrenewal decision.

a. The faculty or Faculty Senate shall establish a University Review Committee of tenure faculty to hear appeals of nonrenewal decisions under UWS 3.08 of the Wisconsin Administrative Code and these rules.

b. Upon receipt of a report of affirmation of a nonrenewal decision upon reconsideration, a probationary faculty member may, within 20 days after delivery of the report, appeal the nonrenewal decision to the University Review Committee. An appeal must:

1. be in writing,
2. specify the decisionmaker whose decision is appealed,
3. state the grounds of the appeal by reference to some part of UWS 3.08, (1) of the Wisconsin Administrative Code and by reference to the record of the review and/or reconsideration, and
4. be delivered to the decisionmaker.

c. Upon receipt of a timely appeal of a nonrenewal decision, the decisionmaker shall deliver the appeal and the record of the appealed review to the University Review Committee.

d. The University Review Committee shall schedule the review of nonrenewal decision and give the faculty member notice of it in accordance with UWS 3.08 of the Wisconsin Administrative Code.

e. The review of the nonrenewal decision shall be conducted in accordance with UWS 3.08 of the Wisconsin Administrative Code, and the faculty member shall receive a copy of the University Review Committee's report.

f. If the University Review Committee directs a reconsideration by the decisionmaker, the decisionmaker shall deliver the record of the reconsideration and report of decision upon reconsideration to the University Review Committee.

- g. The record of the review of the nonrenewal decision and the report of the University Review Committee shall be filed with the appointment records of the faculty member.
- h. A faculty member whose appeal of a nonrenewal decision is denied by the University Review Committee, upon written application to the chair of the University Review Committee shall be allowed to copy all documents and the sound recording or other transcript of oral testimony or argument heard by the committee.
- i. If the nonrenewal decision also involves the denial of tenure, and if the appeal of the nonrenewal decision is supported by the University Review Committee, then the appellant may choose to continue the appeals process under the rules stated below in (7) The Appeal of a Decision to Deny Tenure.

6. Review of a probationary faculty member holding positions in more than one academic department.

- a. For every probationary faculty member who, on the effective date of these rules, holds positions in more than one academic department, the chancellor, in consultation with the departments and the dean or deans involved, and with the faculty member, shall determine how cases in which the departments disagree about the reappointment of the faculty member of colleges disagree about recommending tenure appointment of the faculty member shall be resolved.
- b.** When an initial appointment letter offers an appointment involving service in more than one academic department, or when a probationary faculty member is offered re-assignment to more than one department, the appointment letter or offer of re-assignment shall state how such disagreements will be resolved. This matter shall be decided by the chancellor after consultation with the departments and the dean or deans involved.

7. The Appeal of a Decision to Deny Tenure (Procedures required by Wisconsin Statutes, 36.13 (2) (b), and as adopted by Faculty Senate May 12, 1993.)

- a. The Chancellor may recommend the grant of tenure to the Board of Regents without the positive decision by the appellants academic department or functional equivalent if the following conditions are met.
 - 1. The University Review Committee has found that the decision of the academic department or its functional equivalent was based upon impermissible factors as defined by Wisconsin Administrative Code, UWS 3.08.
 - 2. The Ad-hoc University of Wisconsin-Whitewater Tenure Appeals Committee decides, according to its assigned responsibilities, that the appellant satisfies all relevant UW-Whitewater criteria for tenure.
- b. Composition and Formation of the Ad-hoc Tenure Appeals Committee

1. The Committee shall, with the advice of the appropriate college Dean, be selected by the Faculty Senate Executive Committee, upon the receipt of a written request from the appellant. The request must be filed no later than ten calendar days following the publication of the University Review Committee decision.
2. A request to form a Tenure Appeals Committee is permitted only if the University Review Committee had elected not to remand the case back to the academic department or functional equivalent under UWS 3.08 (c), or if, after a remand to the academic department or functional equivalent, the University Review Committee finds that the academic department or functional equivalent continues to base its decision upon impermissible factors defined under UWS 3.08.
3. The Committee shall consist of five members from the appellant's discipline or from substantially allied disciplines. Three members shall be tenured faculty members employed at UW-Whitewater. The remaining two members shall be tenured faculty members employed at other accredited universities, and must have academic credentials and qualifications that reside within the appellant's discipline.
4. No member of the appellant's department or its functional equivalent may serve on the Committee.
5. The Faculty Senate Executive Committee shall name a committee chair from among the UW-Whitewater membership.
6. The Faculty Senate Executive Committee shall have twenty calendar days from the receipt of the appellant's request to form the Committee.

c. Functions of the Tenure Appeals Committee

1. The Committee shall review the documentary evidence used in the tenure decision and in the reconsideration of the decision by the appellant's academic department or functional equivalent.
2. In its review of the evidence, the Committee shall not base its decisions upon "impermissible factors," as defined by UWS 3.08."
3. The Committee shall provide answers to the following questions.
 - a. Do the academic qualifications and credentials satisfy all relevant credential requirements at UW-Whitewater?
 - b. Does the appellant's professional performance satisfy the performance standards for tenure as defined by the UW-Whitewater Faculty Personnel Rules?

4. The Tenure Appeals Committee shall reports its findings and conclusions.

If the answer to either question, a. or b., is negative, the Committee shall report to the Chancellor, to the appellant, to the appellant's academic department or functional equivalent, and to the University Review Committee that the appellant is not qualified for tenure. The Committee report shall include rationale for the findings and conclusions of the Committee.

An affirmative answer to both questions constitutes a positive Committee recommendation that tenure be granted. The Committee shall make its report of findings and conclusions to the Chancellor. The Chancellor may subsequently recommend to the Board of Regents that a tenured appointment be granted without a concurring recommendation from the appellant's academic department or functional equivalent.

5. The report of the Tenure Appeals Committee shall be included in the appellant's official personnel file.

6. If a negative decision is made by the Tenure Appeals Committee, the appellant is, upon written application to the Chair of the Committee, allowed to copy all documents, transcripts and audio recordings possessed by the Committee.

7. The Committee shall complete its work within thirty calendar days from the date of publication of the Committee membership.

d. Responsibilities of the Chancellor

1. Upon receipt of the report of a positive decision by the Tenure Appeals Committee, the Chancellor may recommend to the Board of Regents that tenure be granted. If the Chancellor declines to recommend a tenured appointment, the Chancellor shall report that decision to the appellant, to the Tenure Appeals Committee, to the University Review Committee and to the appellant's academic department or functional equivalent. Upon the request of the appellant, the Chancellor must provide reasons for his decision to deny tenure.

2. Upon receipt of the report of a negative decision by the Tenure Appeals Committee, the Chancellor may not recommend that the Board of Regents grant tenure.

3. The decision of the Chancellor on all appeals shall be final.

4. The Campus Administration shall be responsible for the compensation of legitimate travel expenses incurred by members of the Tenure Appeals

Committee who come from other institutions. Compensation shall be limited to transport, lodging and meals.

e. Jurisdiction

Responsibility for the proper operation and conduct of the Tenure Appeals Committee rests with the Faculty Senate Executive Committee which retains jurisdiction until the Tenure Appeals Committee recommendations are submitted to the Chancellor.

8. Annual Review

It shall be the responsibility of each academic department, subject to such rules, policies, and procedures as shall be established by the faculty of the college or by the Faculty Senate, to provide for the annual review of the performance of every faculty member in the department.

Actions of the Faculty Senate Implementing Chapter III of the Faculty Personnel Rules

I. Definitions of Functions to be Evaluated.

The following definitions of functions to be evaluated in the review of probationary faculty are established pursuant to III, (2), (f), 1, a, of the University Faculty Personnel Rules:

A. Teaching. The function of teaching includes formal instruction and other instructional activities.

1. Formal instruction includes all activities directly related to the offering of instruction for credit, of which the following are examples but not an inclusive list: establishing the objectives of a course, assisting students in a course to solve individual learning problems, testing and evaluating student learning in a course, and acquiring and maintaining knowledge and skills employed in these activities. In Learning Resources it also includes: acquiring, organizing, locating, and delivering information for use by instructors offering, or students receiving, formal instruction, and for use in research; informal instruction of students, faculty, and others in the techniques of finding information; and participation in the management of Learning Resources. It also includes the acquisition and maintenance of knowledge and skills used in these activities.

2. Other instructional activities would include all other work that faculty engage in to enhance and improve their teaching. It would include, but is not limited to: student contact that is related to the instructional activity outside of class, professional development activities, participation in

Teaching Enhancement Center programs, and work in or participation in professional organizations with a focus on improved instruction.

B. Research. ("Discipline," as used in this definition of research, means "discipline, art, or profession.") Research is creative activity evidenced by contributions to the knowledge, works, techniques, or principles, or by demonstrations of one's mastery of the techniques or principles, of one's discipline, in media appropriate to it, which are or were available to critical evaluation by one's peers within the discipline. Such contributions or demonstrations may be in the process of completion, provided they are so far advanced as to be capable of being evaluated. The fact that such contributions or demonstrations have been made in connection with the attainment of education or training, or as a public or professional service, shall not bar their being evaluated as research. Contributions or demonstrations which are the work of more than one person may be considered in the evaluation of the research of one of the individuals participating in their production if those performing the evaluation are able to identify the significant results of the participation of the individual being evaluated.

C. Professional and Public Service and Contribution to the University.

1. Professional and public service consists of contributions to one's discipline, art, or profession, or to society, provided that such contributions are made as a practitioner of one's discipline, art, or profession or as a representative of the University or University System. Mere membership in an organization of practitioners of a discipline, art, or profession does not in and of itself constitute professional or public service. Voluntarily developing formal instruction to meet the expressed needs of persons who would not otherwise be students at the University and offering formal instruction at unusual times or off-campus to meet expressed needs of a group of prospective students constitute public service. Performing applied research to meet an expressed need of a disciplinary organization or a portion of society also constitutes public service. In such cases, the formal instruction offered or research performed shall be evaluated as teaching or research, as the case may be, and its having been developed, offered under unusual circumstances, and performed in response to an expressed need shall be evaluated as professional or public service.

2. Contribution to the University includes contributions to the governance, administration, operation, reputation, or advantage of the University or University System not defined as teaching, research, or professional or public service. Examples of University service include election or appointment to University, college, and department committees and other managerial responsibilities; advising and counseling students or prospective students; and evaluating students in respect to their overall performance (as opposed to that in a particular course).

I. Criteria for Evaluation.

The following criteria for evaluation of probationary faculty are established pursuant to III, (2), (f), 1, a, of the University Faculty Personnel Rules:

A. Performance ratings defined

Performance in each of the three evaluation categories of Teaching, Research, and Professional and Public Service/Contributions to the University is accorded one of four ratings: 1, 2, 3 or 4.

A rating of 1 in a category means that performance in that category is judged by the department to be far enough above the average standard of performance in that department as to be worthy of special recognition.

A rating of 2 in a category means that performance in that category is judged by the department to be at or above the average standard of performance in that department.

A rating of 3 in a category means that performance in that category is judged by the department to be below the average standard of performance in that department, but contained in that judgment is the recognition that there is potential for future improvement to a rating of 2.

A rating of 4 in a category means that performance in that category is judged by the department to be below the average standard of performance in that department, with little expectation of early improvement to a rating of two or better.

B. Teaching: Does this faculty member's teaching (as defined in I, A, above) merit a rating of 1, 2, 3 or 4? In addressing this question, the department or the appropriate committee might take into account such circumstances as these:

1. The department has established specific, measurable objectives for a basic course taught by many or most members of the department. This faculty member's students achieve those objectives to a greater degree

than (or to a lesser degree than, or to about the same degree as) students on the average.

2. The faculty member possesses unusual and useful qualifications, compared to other departmental faculty, to teach, or is unusually effective as a teacher for, an identifiable group of students who have distinctive needs (e.g., graduate students, majors, poorly prepared students, older students, students with disabilities, members of minority groups, women, students pursuing a particular emphasis within a major.)

3. The faculty member possesses unusual qualifications for, or is especially effective in, teaching a particular course or course sequence of importance to the department, other departments, or the University is general.

4. The faculty member's background, education, approach to the discipline, or other personal quality significantly affecting the faculty member's impact on students and colleagues, broadens and enriches the department's teaching in a unique way.

5. The faculty member is unusually effective in "other instructional activity." (see I, A, 2 above)

6. Student assessments of the faculty member's formal instruction justify a particular rating. These are only examples, not an exhaustive list of grounds for a particular rating.

In any case, the methods of gathering information about teaching and the grounds for the evaluation must be clearly stated and documented and the rating justified in sufficient detail to enable reviewers and decision-makers at higher levels to understand its basis and test its justification.

C. Research: Has the faculty member engaged in research (as defined in I, B, above) during the review period? If not, the faculty member must be rated 4 in this category. Otherwise research accomplished is rated according to the definitions above (paragraph A).

In arriving at and justifying the rating, the department or appropriate committee may take into account the average quantity and quality of research conducted by faculty in the department or in corresponding departments at University Cluster and similar institutions. The methods of gathering information about research and the grounds for the evaluation must be clearly stated and documented and the rating justified in sufficient detail to enable reviewers and decision-makers at higher levels to understand its basis and test its justification.

D. Professional and Public Service and Contributions to the University: Has the faculty member engaged in services (as defined in I, C, above) during the review period? If not, the faculty member must be rated 4 in this category. Otherwise service accomplished is rated according to the definitions above (paragraph A).

In arriving at and justifying the rating, the department or the appropriate committee might bear the following in mind:

1. No faculty member need be expected to perform, in any one review period, significant service to the profession, the public, the University, the constituency, and the department; however, it is expected that every faculty member will perform at least some service in any one period.
2. The faculty member should be evaluated on the total effect of his/her service at all levels.
3. In arriving at and justifying the rating, the department or appropriate committee may take into account the average quantity and importance of service undertaken by faculty in the department, the constituency, the University, or other University Cluster of similar institutions.

The grounds for the evaluation must be clearly stated and documented and the rating justified in sufficient detail to enable reviewers and decision-makers at higher levels to understand its basis and test its justification.

E. Criteria for Probationary Reappointment:

1. A probationary faculty member receiving ratings of 1, 2, and 3 must, subject to the limitations of E, 3 and 4 below, be recommended for renewal. A probationary faculty member receiving one or more ratings of 4 must be recommended for nonrenewal.
2. During the first year of probationary service at this university the department may choose not to rate the faculty member in the category of research or in that of service or in both. A rating must, however, be given for teaching.
3. A probationary faculty member who has received three ratings of 3 in the teaching category, or who has received two ratings of 3 in the teaching category in consecutive review periods, may be recommended for nonrenewal. (Note that extenuation may be offered under III. A. 4 or III. B. 4 below.)
4. There are no other grounds related to job performance for nonrenewal of a probationary faculty member. ("Job performance" means performance of the functions defined in I.A, B, and C above.)

F. Criteria for reappointment with tenure: To be recommended for tenure, a faculty member must receive ratings of 1 or 2 in all three functions in the last review period.

G. Implementation of UWS 3.04: Permissible Delays in the Completion of Probationary Service and the Tenure Decision

1. Approved leaves of absence, sabbatical leaves and teacher improvement assignments are allowed to interrupt, but not to shorten the probationary period.

In addition, any one or more of the following special circumstances, when recognized as impediments to the progress toward tenure of a probationary faculty member, may serve as a sufficient reason for UW-Whitewater to grant an interruption in the normal passage of the probationary period.

- a) Responsibilities with respect to childbirth or adoption;
 - b) Responsibilities with respect to elder or dependent care obligations;
 - c) Disability or chronic illness; and
 - d) Circumstances beyond the control of the faculty member, when those circumstances impede the faculty member's progress toward achieving tenure.
2. Procedures for Requesting an Interruption in the Probationary Period for Special Circumstances.
- a) The request must be initiated by the faculty member, be for no more than one year, and be submitted to the faculty member's department or program supervisor.
 - b) The request must be documented and supported by credible justification.
 - c) Within twenty days of the submission of the request, the department or program supervisor shall submit the department or program recommendation to the dean. Within fourteen days the dean shall submit his or her recommendation, along with the department or program recommendation, to the provost.
 - d) Within fourteen days of the submission of the request, the provost shall decide whether or not to grant the request.
 - e) A negative decision must be based upon clear and convincing reasons, and those reasons shall be communicated in writing to the faculty member by the provost.
3. The tenure decision will be delayed by one semester for an interruption of one semester or less, and will be delayed for one year for an interruption that is longer than one semester.
4. Appeal of a Negative Decision
- a) Upon receiving notice from the provost of a denial of the request for an interruption in the progress of the probationary period, the faculty member may, within ten days, appeal to the Faculty Appeals and Grievance Committee for a hearing.
 - b) Following consideration of the appeal, the Faculty Appeals and Grievance Committee shall make its report and recommendation to the Chancellor. The Faculty Appeals and Grievance Committee has thirty days from receipt of the appeal to hold its hearing and report to the Chancellor.
 - c) The decision of the Chancellor is final.
5. Limitations.
- a) Favorable action upon more than one request is permitted, provided that the aggregate grant of time is no more than one year.

Exceptions to this rule are permitted, but must have the concurrence of department or program personnel committee, department or program supervisor, dean, and provost.

b) Any performance data gathered during the interruption of the probationary period shall be used, only at the discretion of the faculty member, in reappointment and tenure decisions.

c) If any faculty member has been in probationary status for more than seven years, the faculty member shall be evaluated as if he or she had been on probationary status for 7 years.

d) No application for an interruption of the probationary period due to special circumstances will be accepted during the twenty day interval preceding a scheduled reappointment review.

II. Criteria for Decisions.

The following written criteria for decisions about renewal of appointments of probationary faculty are established pursuant to III, (2), (f), a, of the University Faculty Personnel Rules:

A. Criteria for Renewal of Probationary Appointment

1. Does the evaluation of the faculty member's overall performance meet the criteria identified in II, E. above? If answer is "No," see#4.
2. Has the faculty member attained the education and training appropriately expected of tenure faculty in the discipline, or is the faculty member progressing toward its attainment at a rate which justifies the expectation that it will be attained before a mandatory tenure decision is made? If answer is "No," see#4.
3. Do the staffing plans of the University, the College, and the Department provide for the employment, during the period for which re-appointment is being considered, of a faculty member with the disciplinary specialization of the candidate? If answer is "No," see#4.
4. In the absence of affirmative answers to all three of these questions, are there compelling reasons for the re-appointment of the faculty member? An affirmative answer must be justified. A "No" answer to#1, or#2, or#3, along with a "No" answer to#4 precludes a decision to renew a probationary appointment.

B. Criteria for Recommendation of Tenure

1. Does the evaluation of the faculty member's overall performance meet the criteria identified in II,F. above? If answer is "No," see#4
2. Has the faculty member attained the education and training appropriately expected of tenure faculty in the discipline? If answer is "No," see#4.

3. Do the staffing plans of the University, the College, and the Department provide for the tenure appointment of a faculty member with the disciplinary specialization of the candidate? If answer is "No," see#4.
4. If the answer to#1,#2, or#3 is "No," are there compelling reasons for the tenure appointment of the candidate? A "No" answer to#1,#2, or#2, along with a "No" answer to#4, precludes a decision to recommend tenure. A "Yes" answer to#4 must be justified.

III. College and Departmental Standards and Criteria.

Pursuant to III, (2), (f), 1, a, of the University Faculty Personnel Rules, the tenure faculty of a college may establish higher standards for evaluation, and additional criteria for decisions about the renewal of appointments, of faculty holding positions in the college, and the tenure faculty of a department may do so for faculty holding positions in the department. In so doing, the tenure faculty of a college or department may establish or authorize distinctions between classes of faculty, or between groups of faculty holding different classes of positions, provided that the bases for such distinctions are reasonable and appropriate to the missions and needs of the college or department. Provided that, within 30 days after exercising its authority under this paragraph, the tenure faculty of a college or department shall report its action to the Faculty Senate, which may within 90 days after the report rescind the action taken. (College and departmental standards and criteria adopted under this authority are subject to III, (2), (f), 1, b, of the Faculty Personnel Rules.)

IV. Rules and Procedures for Gathering Information for Use in the Evaluation of Teaching.

A. Student Assessments of Teaching

Pursuant to III, (2), (f), 2, a, of the University Faculty Personnel Rules, and in order that student assessments of teaching may be properly employed in the evaluation of probationary faculty, and in order that student assessment of teaching for that purpose shall not become a means for prescribing methods of instruction, no student assessment shall be employed in the evaluation of a probationary faculty member under III, (2), (f), of the University Faculty Personnel Rules which has not been gathered in accordance with the following rules:

1. The means employed to elicit student assessments of formal instruction shall allow students to assess the overall performance of the faculty member as a teacher in a course in which the students have been enrolled.
2. The means employed shall protect the anonymity of individual student respondents.

3. The means employed shall give every student in a class a reasonable opportunity to participate, which condition shall be satisfied if the assessments are collected during a regularly scheduled meeting of the class, with or without prior announcement.
4. The means employed shall insure that student assessments of teaching are based on a reasonable amount of experience with the formal instruction of the faculty member, which condition shall be satisfied if the assessments are collected after at least one-half of all scheduled class meetings have occurred and after at least one examination or other assignments has been graded and returned to the students.
5. The means employed for gathering, analyzing, and reporting student assessments of formal instruction shall protect the accuracy and reliability of the assessments against bias, tampering, or misinterpretation.
6. The means employed shall insure that students who assess a faculty member's formal instruction are told why the assessments are being gathered and are instructed to assess the faculty member's overall performance as a teacher in the class.
7. Only student responses which assess the faculty member's overall performance as a teacher in a class shall be reported to evaluators of the faculty member, unless the faculty member reports them.
8. A copy of the instrument used for gathering student assessments of teaching and the procedures governing their collection, analysis, and reporting shall be available for examination by any person in the departmental office.

B. Departmental and College Rules Governing Student Assessments.

Additional rules and procedures governing student assessment of formal instruction, for use in the evaluation of probationary faculty in accordance with III, (2), (f), of the University Faculty Personnel Rules, may be established by the faculty of a college, or in the absence of action by a college faculty or with its authorization, by a department, provided that such rules and procedures are not inconsistent with these rules, the University Faculty Personnel Rules, or UWS 3 of the Wisconsin Administrative Code.

C. Other Information About Teaching.

1. Pursuant to III, (2), (f), 2, b of the University Faculty Personnel Rules, each department shall develop a plan which in addition to student evaluation will gather information about the teaching of probationary faculty members through the use of peer evaluations (such as but not limited to class visitation, inspection of syllabi and tests, and statements of objectives) and/or any other methods not prohibited by law or the UWS or UWW personnel rules. Such plan must be lodged with the dean of the

respective department's college. Each probationary faculty member will receive a copy of this plan.

2. The information gathered by the department may be either information about the learning achieved by students in classes taught by the faculty member or information about the faculty member's teaching methods and behavior.

3. Methods which a department may adopt for gathering information about the learning achieved by students taught by the faculty member include but are not limited to the following:

a) comparing the success in advanced courses of students taught in elementary courses by the faculty member to the success in advanced courses of students taught in elementary courses by others.

b) comparing the performance on a common test of students taught by the faculty member and students taught by others.

4. Methods by which a department may gather information about a faculty member's teaching methods and behavior shall be comprehensive, not limited to a single visit to the faculty member's classroom or to a single aspect of teaching such as grades awarded, methods of examination, or the like.

V. Counseling of a Probationary Faculty Member after a Decision to Reappoint.

A. Pursuant to III, (3) of the University Faculty Personnel Rules, following delivery to a probationary faculty member of a notice that the renewal of the faculty member's probationary appointment has been recommended by the department and the chancellor, a member of the departmental agency who participated in the review and has been assigned this duty by the agency shall counsel the faculty member about the evaluation of the faculty member's performance, including aspects of the performance which ought to be maintained, those which can be improved, and ways in which the faculty member may improve or get assistance in improving his or her performance. The counselor may employ student assessments other than those which assess the effectiveness of the faculty member's teaching overall.

A written summary of the conclusions shall be prepared by the counselor and signed by both the counselor and the probationary faculty member. The signatures shall signify only that the consultation has occurred and that the list of subjects discussed is accurate. The summary statement shall be retained by the department office. A copy of the summary shall be given to the probationary faculty member.

B. It is understood that a final rating of 1 or 2 indicates that any shortcomings that resulted in a previous rating of 3 have been remedied.

C. Nothing the counselor says in the counseling session shall constitute an assurance that the faculty member will be again reappointed or obtain tenure by accepting the counselor's recommendations or by improving his or her

performance in specified ways or to a specified extent. The counselor shall, at the outset, inform the faculty member of this rule.

VI. Appeal of Nonrenewal for Probationary or Tenure Faculty Member

See Faculty Personnel Rules (Handbook, Section VI-F) Chapter III (4), (5), and (6). Also see Handbook, Section VIII-B for Faculty Appeals Committee and Faculty Disciplinary Hearing Committee.

UW-Whitewater Personnel Rules (previous version)
Promotions Policy

SOURCE: Provost and Vice Chancellor for Academic Affairs

The following information is provided for faculty members regarding promotions, along with pertinent dates and procedures.

I. Due Dates For Promotion Material on promotions.

- | | | |
|--|---|--|
| Fourth Friday in September
(September 27) | - | Faculty member submits Promotion Data Form to Department Chairperson. Departments are encouraged to establish a deadline for submission of all materials to the department. |
| First Friday in October
(October 4) | - | Department forwards faculty and chairperson recommendations to College/Constituency Promotions Committee. |
| Third Friday in October
(October 18) | - | Constituency Committee forwards material and recommendations to Dean. |
| First Friday in November
(November 1) | - | Dean forwards material and recommendations to the University Promotions Committee. |
| First Friday in December
(December 6) | - | University Promotions Committee notifies Constituency of names not recommended or changes in rank order including justification for ranking changes or non-recommendations. University Promotions Committee forwards recommendations to Provost. |
| Fourth Friday in December
(December 27) | - | Constituency Committees responds to changes made by University Promotions Committee and forwards comments to Provost. |
| Fourth Friday in January
(January 24) | - | Provost sends recommendations to Chancellor. |
| Third Friday in February
(February 21) | - | Chancellor decides candidates to be forwarded for Board consideration. |
| First Friday in March
(March 7) | - | Submission for budget preparation |

II. University Minimum Qualifications For Promotion Consideration

- A. Minimum qualifications for promotion consideration include the following educational code and professional service requirements for the various ranks as follows:

EDUCATIONAL PREPARATION CODE

<u>Educational Code</u>	<u>Formal Education Requirement</u>
1**	1.1) Ph.D. 1.2) Ed.D. 1.3) Earned doctor's degree equivalent to the Ph.D. or Ed.D. requiring the minimum equivalent of three full years of graduate study beyond the baccalaureate. 1.4) A refereed* terminal degree in area of specialization.
2	2.1) Earned degrees requiring a minimum of three full years work beyond the baccalaureate degree. 2.2) All requirements for the doctorate met with the exception of the completion of the dissertation.
3	3.1) A master's degree plus one full year of graduate study as measured by the institution where graduate work is applicable in a degree program. 3.2) Specialist degree or its equivalent. 3.3) Two-year master's degree.
4	4.1) Master's degree.
5	5.1) Bachelor's degree.
6	6.1) No bachelor's degree.

* Definition: "Refereed" as determined by three bodies; for instance, a professional organization, the university, and the area of specialization.

** Only doctorates from accredited (Regional Accreditation Associations) colleges and universities will entitle a faculty member to Educational Code 1 but no one shall be moved from educational code 1 on this account. (The four faculty members holding doctorates from non-accredited universities for which they were granted an educational code of 1 have been grand-parented in compliance with this policy statement.) No one being treated as code 1 with a refereed degree shall be removed from that status, future code 1 assignments to refereed degrees should be carefully investigated.

- B. The following guidelines established minimum terms for promotion for one rank to the next higher. These minimums should not be construed as norms, nor as automatically guaranteeing promotion after they have been met; rather they state the minimum requirements in order for a faculty member to be eligible for consideration for promotion. Above all else, promotion in rank is a matter of merit as determined by one's peers.

- (1) Instructor
1.1) Minimum educational preparation code 4.

- (2) Assistant Professor
 - 2.1) Minimum educational preparation of code 3 or for practicing librarians a Master's in Library Science.
 - 2.2) A faculty member appointed or promoted to the rank of instructor, at this University, must serve in this rank for a minimum period of three academic years before the effective date of the promotion to the rank of assistant professor.
 - 2.3) There shall be no minimum time in rank for instructors who hold the terminal degree for promotion to assistant professor.
- (3) Associate Professor
 - 3.1) Minimum education preparation code 1 or for practicing librarians a Master's in Library Science plus either an additional Master's Degree or a Specialist's Degree in Library Science.
 - 3.2) A faculty member appointed or promoted to the rank of associate professor must have a minimum of six years of full-time college-university teaching and/or appropriate experience.
 - 3.3) A faculty member appointed or promoted to the rank of assistant professor, at this University, must serve in this rank for a minimum period of three academic years before the effective date of the promotion to the rank of associate professor; however, if a faculty member served at this university as fulltime teaching academic staff member immediately prior to appointment as assistant professor in the same department, the service as fulltime teaching academic staff shall be considered service as assistant professor.
- (4) Professor
 - 4.1) Minimum educational preparation code 1.
 - 4.2) To be eligible for the rank of professor the faculty member shall have a minimum of ten years of full-time college-university teaching and/or other appropriate experience.
 - 4.3) To be eligible for the rank of professor, a faculty member appointed or promoted to the rank of associate professor, at this University, must serve in this rank for a minimum period of three academic years before the effective date of the promotion to the rank of professor.

EXCEPTIONS

Exceptions to the above requirements may be made if a candidate's unusual qualifications are judged to possess exceptional merit. The burden of such merit shall be on the applicant and/or the department originating the application.

III. Promotion Procedures

A. General Information

The following principles underlie the promotions process:

1. Ordinarily the department or appropriate committee of the department shall initiate the process by nominating faculty members who meet minimum requirements to prepare Data for Promotion forms for review by the department. However, any individual, including faculty on leave, who meets University minimum qualifications for promotion consideration or who wishes to be considered an exception to them may apply for promotion.
 2. An applicant's colleagues in his/her department, i.e., those who are closest to him/her in work and activity, bear first and foremost the responsibility of evaluating him/her for promotion. Their recommendation is not to be set aside lightly.
 3. There shall be substantive review of applications at each level.
 4. Whatever review level first recommends against promotion must give general substantive reasons in writing for its recommendations. These reasons should furnish guidance for the applicant to improve and maximize his/her qualifications for future promotion.
 5. Each applicant must be evaluated at the departmental level. Beyond that, only applicants with favorable recommendation from the Faculty Promotions Committee of the previous level will be considered.
- B. Functions to be Evaluated:
- Each candidate shall be evaluated at each level in respect to performance of the functions of teaching, research, and professional and public service and contribution to the university, as defined in university and University of Wisconsin System regulations governing re-appointment and tenure, except that research performed to meet requirements of a degree shall not be considered for promotion.
- C. Candidate's Procedures
1. Each candidate shall complete the Data for Promotion form, consisting of a professional history up to attainment of the present rank at this university and a description of achievements in each functional area at the present rank. With the form the candidate shall submit documentation of achievements reported, reports of student evaluation of instruction, and a copy of any instrument used in the collection of student evaluations.
 2. Candidates who are members of a Department Promotions Committee or of a College or Division Promotions Committee shall disqualify themselves from participation in any committee work which deals with promotions.
 3. Members of the University Promotions Committee must resign before they may apply for promotion.
 4. Each candidate shall present information about student evaluations of his/her teaching. In addition to student evaluations, each candidate for promotion will submit a department statement as to his/her teaching effectiveness.
 5. At a date to be set by the department, but no earlier than the fourth Friday in September, the candidate will forward his/her completed Data for Promotion Form to the chairperson of the department responsible for his/her evaluation. The evaluating

department shall be the department which has been designated as the candidate's prime department for personnel purposes. When the assignment to another department or area equals or exceeds 25%, the department or area of that assignment shall be consulted by the prime department.

6. The Dean of the College shall make a designation of a prime department for personnel purposes for all persons holding faculty assignments in two or more departments of the college. If such assignments are in two or more colleges, the responsibility for making a designation of a prime department will be vested in the Vice Chancellor. Before making the designation of a prime department, the Dean or Vice Chancellor shall consult the faculty member and departments involved.

D. Department's Procedures

1. The department chairperson will forward all the completed Data for Promotion Forms to the Department Promotions Committee, who will evaluate the candidates.
 - a. The Department or its Promotions Committee will evaluate the Data for Promotion Forms of all faculty who have submitted forms after invitation by the department and such forms as may have been indicated by faculty members.
 - b. The Department Promotions Committee may set minimum qualifications for promotion consideration higher than the minimums for the University as long as potential candidates have been notified of these criteria well in advance of the call for promotions, with sufficient response time for faculty within the department allowed for. The Department Promotions Committee will, though, consider exceptions to the University minimum qualifications they set.
 - c. For each rank an ordered listing (in descending order) of the names of those candidates the Department Promotions Committee recommends for promotion shall be determined. Recommendations for promotion should not be automatic and only the most highly qualified candidates should be recommended for promotion. These ordered listings shall be signed by the chairperson of the Committee. Ties in the ordered listings will not be accepted by the University Promotions Committee.
 - d. Any application which is not recommended or forwarded for promotion by the Departmental Promotions Committee shall be returned to the applicant with written explanatory statements to furnish guidance to enable the applicant to improve and maximize his/her qualifications for promotion in the future.
 - e. The Department Promotions Committee will accumulate and forward to the department chairperson a file for each candidate recommended for promotion. This file will include the following:
 - i. Data for Promotion Form
 - ii. A copy of the signed ordered listing for the candidate's proposed rank.
 - iii A statement in answer to the following questions: Is

candidate's degree considered terminal in your department? If candidate's degree is not considered terminal in your department, please explain the adequacy of applicant's present educational qualifications for promotion.

- iv. If appropriate, statements signed by the chairperson of the Department Promotions Committee setting forth any extenuating circumstances which justify or clarify their ordered listing.
 - v. A list of qualifications for promotion consideration set by the Department Promotions Committee which are higher than the University minimums.
 - vi. If the candidate does not meet the University minimum qualifications or the minimum qualifications set by the Department Promotions Committee or the College or Division Promotions Committee, justification for recommending the candidate must be included.
 - vii. Statements signed by the chairperson of the Department Promotions Committee indicating the nature and degree of both student and colleague input in the evaluation.
2. The department chairperson shall add to each candidate's file a statement endorsing or dissenting from the Department Promotions Committee. This statement will be signed by the chairperson and if it is a dissenting statement, will include reasons for dissenting.
 3. The department shall forward the file for each candidate recommended for promotion by the Department Promotions Committee to the chairperson of the appropriate College or Division Promotions Committee by the first Friday in October, 1996.

E. College or Division Procedures

1. College or Division Promotions Committee procedures.
 - a. All candidates who meet College/Division requirements or who have obtained prior waivers of the College/Division requirements and who meet University requirements and have been recommended by the appropriate department or area must be evaluated by the College or Division Promotions Committee.
 - b. The College or Division Promotions Committee may set minimum qualifications for promotion consideration higher than the minimum for the University as long as potential candidates have been notified of these criteria well in advance of the call for promotions, with sufficient response time for faculty within the College or Division allowed for. The College or Division Promotions Committee will, though, consider exceptions to the University minimum qualifications for promotion consideration and to any minimum qualifications they set.
 - c. The College or Division Promotions Committee will include in materials considered for each applicant faculty ratings and evaluations from departments.
 - d. For each rank an ordered listing (in descending order) of the names of those candidates the College or Division

Promotions Committee recommends for promotion shall be determined. Recommendations for promotion should not be automatic and only the most highly qualified candidates should be recommended for promotion. These ordered listings shall be signed by the chairperson of the Committee. Ties in the ordered listings will not be accepted by the University Promotions Committee.

- e. The file of any candidate who is not recommended or forwarded for promotion by the College or Division Promotions Committee shall be returned to the candidate with written explanatory statements to furnish guidance to enable the applicant to improve and maximize his/her qualifications for promotion in the future.
 - f. Changes in ranking made by departments must be explained to the department by the College or Division Promotions Committee. For example, if a number one candidate on a department list is rated below the department's number two candidate by the College or Division Promotions Committee, reasons should be given to the department.
 - g. The College or Division Promotions Committee shall add the following to the file of each candidate they recommend for promotion:
 - i. A copy of the College or Division Promotions Committee's signed order listing for the candidate's proposed rank.
 - ii. If appropriate, statements signed by the chairperson of the College or Division Promotions Committee setting forth circumstances which justify or clarify the committee's ordered listing.
 - iii. A list of any minimum qualifications for promotion consideration set by the College or Division Promotions Committee which are higher than the University minimums.
 - iv. If the candidate does not meet the University minimum qualifications or the minimum qualifications set by the College or Division Promotions Committee, then justification for recommending the candidate must be included.
 - h. By the third Friday in November, the College or Division Promotions Committee will forward the file of each candidate they recommend for promotion to the appropriate dean or executive director.
2. The dean or executive director shall add to each candidate's file a statement endorsing or dissenting from the College or Division Promotions Committee. This statement will be signed by the dean or executive director and if it is a dissenting statement, will include reasons for dissenting. The dean or executive director shall discuss with the appropriate Promotions Committee the reason for any dissenting statement that may be included in his/her report before forwarding the candidate's file to the University Promotions Committee.
 3. The dean or executive director shall forward the promotion file which includes the Data for Promotion Form for each candidate to

the chairperson of the University Promotions Committee by the first Friday in December. Only one copy of supplementary materials referred to in III., B., 1. should be forwarded with the file.

F. University Promotions Committee's Procedures

1. All candidates who were recommended for promotion by the College or Division Promotions Committees must be evaluated by the University Promotions Committee.
2. The University minimum qualifications for promotion consideration shall be the minimums used by the University Promotions Committee.
3. The University Promotions Committee will include in materials considered for each applicant faculty ratings and evaluations from departments and colleges or divisions.
4. Evaluation procedures:
 - a. Each member of the University Promotions Committee will study and evaluate the candidates' file.
 - b. The University Promotions Committee will then meet to discuss the qualifications of each candidate.
 - c. Each University Promotions Committee member will then determine an ordered listing of the candidates for each rank. The top candidate will be assigned the number 1, the next candidate will be assigned the number 1, the next candidate will be assigned the number 2, etc. If University Promotions Committee member's ordered listing deviates from a College or Division Committee's ordered listing of any two candidates, then that member must be prepared to explain that deviation in writing.
 - d. The ordered listings from the University Promotions Committee members will be used to determine a score for each candidate. This score will be the median of the rankings given the candidate by the University Promotions Committee members. In case of ties, the sum of the ranks will be used to break the ties.
 - e. The University Promotions Committee will then meet to determine which candidates to recommend for promotion. To be recommended for promotion a candidate must receive a favorable vote from a majority of the University Promotions Committee. For each rank an ordered listing (based on the scores determined in d) of the names of those candidates the University Promotions Committee recommends for promotion shall be constructed.
5. By the third Friday in February, reasons for a recommendation against promotion of any candidate and written statements explaining any deviations from a College or Division Promotions Committee's ordered listing of any two candidates will be conveyed by the University Promotions Committee to the College or Division Promotions Committee which recommended the candidate. The College or Division Promotions Committee must respond back to the University Promotions Committee by the fourth Friday in February.
6. By the second Friday in March, the University Promotions

Committee shall forward to each candidate who is not recommended for promotion by the University Promotions Committee written explanatory statements to furnish guidance to enable the applicant to improve and maximize his/her qualifications for promotion in the future. The files of candidates not recommended shall be returned to the candidate.

7. The University Promotions Committee shall add a copy of the University Promotions Committee's ordered listing for that candidate's proposed rank to the file of each candidate recommended for promotion. These files will then be forwarded to the Provost and Vice Chancellor for Academic Affairs by the second Friday in March.

G. Provost and Vice Chancellor for Academic Affairs and Chancellor's Procedures

1. The Provost and Vice Chancellor for Academic Affairs will review the file of each candidate recommended for promotion by the University Promotions Committee, and will make recommendations to the Chancellor.
2. During the latter part of April, and after reviewing the candidate's files the Chancellor shall determine which candidates the University will recommend be promoted. This list of recommended candidates will be forwarded to the Board of Regents for final approval.
3. The files of all candidates forwarded for promotion by the University Promotions Committee will be stored in the office of the Provost and Vice Chancellor for Academic Affairs but individual candidates may consult their own file at their convenience and may make copies of contents within the file.

DATA FOR PROMOTION

Prepare proposal with the following materials given in numbered order. Account for each item, indicating NONE when applicable. Except for those items indicated herein, do not attach supporting evidence to this form. Forward it in a separate file.

DATA FOR PROMOTION for _____, _____, to _____.
(name) (department) (rank sought)

Part I: Professional History

Education:

<u>Degree</u>	<u>Field</u>	<u>Institution</u>	<u>Date</u>
---------------	--------------	--------------------	-------------

Professional experience prior to attainment of present rank at UW-W:

<u>Academic</u>			
Rank/Title		Institution	From-To

<u>Non-academic</u>			
Position and duties		Employer	From-To

Effective date of attainment of present rank at UW-W: _____.

Part II Achievements in Present Rank. (Distinguish between those elsewhere and those at UW-W.)

Teaching:

Formal Instruction for Credit. List all courses taught.

Other Instructional Activity Related to Instruction for Credit.
Describe activities such as course or curricular revision, improvement of teaching methods, participation in organizations and activities concerned with teaching, and other activities embraced by the definition of "teaching."

Other Teaching Duties and Activities. Describe duties and activities, especially activities to improve performance, embraced in the definition of "teaching" but not included above--e.g., duties and activities in Library and Learning Resources, or in an administrative position.

Research:

List activities by year; cite products such as publications, performances, grants, etc.

Professional and Public Service Contribution to the University:

Professional and Public Service. List activities by year.

Contribution to the University. List activities by year. Distinguish between departmental, college, and university committees, and between elective and appointive committees. Indicate chair-ships held and

describe unusual activities or achievements.

(signature of candidate)

(date)

REVISED

Approval of Appointments to
Natural Areas Preservation Council

EDUCATION COMMITTEE

Resolution I.1.g.:

That, upon recommendation of the President of the University of Wisconsin System, the Board of Regents approves the appointments of three University of Wisconsin System representatives to the Natural Areas Preservation Council.

04/02/04

I.1.g.



State of Wisconsin

Natural Areas Preservation Council

BOX 7921 · MADISON · WISCONSIN · 53707

February 17, 2004

Dr. Cora B. Marrett
Senior Vice President for Academic Affairs
University of Wisconsin System
1620 Van Hise Hall
1220 Linden Drive
Madison, WI 53706

Dear Dr. Marrett:

The Natural Areas Preservation Council is a legislatively mandated advisory board to the Wisconsin Department of Natural Resources' State Natural Areas Program per §15.347 *Wis. Stats.* The Board of Regents appoints four representatives from the University of Wisconsin System to the 11-member council for three-year terms. The status of the four representatives is as follows:

- The term of Dr. Ronald Hennings of the Wisconsin Geological and Natural History Survey ended when he retired in 2003. Dr. Hennings has advanced the name of his colleague, Dr. John Attig of the WGNHS, as his replacement. Dr. Attig has agreed to an appointment.
- The term of Dr. Joy Zedler of the University of Wisconsin-Madison expired in December 2003. Dr. Zedler has agreed to serve another term.
- Dr. Timothy Ehlinger of the University of Wisconsin-Milwaukee has continued to serve on the council, though his appointment expired in December 2001 and was not renewed due to an administrative oversight. Dr. Ehlinger has agreed to serve another term.
- The fourth UW System appointment will remain vacant until the council can forward a qualified candidate's name to the Board of Regents.

The council respectfully requests that the Board of Regents consider at its earliest convenience the appointment of Dr. John Attig and the reappointment of Dr. Joy Zedler to the Natural Areas Preservation Council for terms beginning January 1, 2004 and ending December 31, 2006. It also requests that the Board consider the reappointment of Dr. Timothy Ehlinger to the NAPC for a term ending December 31, 2004.

Please convey the Board's decision, and direct any questions you have, to Mr. Thomas Meyer of the State Natural Areas Program staff at the address above, by phone at (608)266-0394, or by email at thomas.meyer@dnr.state.wi.us.

Sincerely,

Signe L. Holtz
Secretary

Authorization to Expand
University of Wisconsin-Extension
Board of Visitors

EDUCATION COMMITTEE

Resolution I.1.h.:

That, upon recommendation of the Chancellor of the University of Wisconsin-Extension and the President of the University of Wisconsin System, the Board of Regents authorizes the expansion of the UW-Extension Board of Visitors to twenty-one members.

AUTHORIZATION TO EXPAND THE UW-EXTENSION BOARD OF VISITORS

EXECUTIVE SUMMARY

BACKGROUND

Regent Resolution 1698 authorizes the establishment of Boards of Visitors at each of the UW System's institutions, as deemed appropriate by the Chancellor. Regent policy also states that, "In general, the number of members of an institutional board of visitors shall not exceed 15. Where special circumstances warrant, permission of the Board of Regents must be requested to exceed this number" (Policy Document 78-6).

DISCUSSION

The Chancellor of the University of Wisconsin-Extension would like to expand the size of Extension's Board of Visitors from fifteen members to twenty-one members, thus requiring Board of Regents action as required by Regent policy. The President of the University of Wisconsin System supports the expansion, given Extension's statewide reach and constituencies.

REQUESTED ACTION

Approval of Resolution I.1.h., authorizing the University of Wisconsin-Extension to expand its Board of Visitors to twenty-one members.

RELATED REGENT POLICIES

Regent Policy 78-6, Boards of Visitors Reorganization.

Regent Resolution #1697, 4/14/78; amended by Regent Resolution #3853, adopted 7/10/87.

Report of the Special Committee on the Role and Status of the Board of Visitors, Exhibit A, Board of Regent Minutes, July 10, 1987.

I.2. Business and Finance Committee

Thursday, April 1, 2004
Pyle Center, Room 225
702 Langdon St., Madison WI

10:00 a.m. Regent Study Groups

12:30 p.m. Box Lunch

1:00 p.m. • Report on Diversity: A Wisconsin Commitment, An American Imperative

2:00 p.m. Joint with Physical Planning and Funding, Room 325/326
• UW-Madison: East Campus Plan Update

2:15 p.m. Business and Finance Committee

a. Approval of Minutes of March 4, 2004 meeting of the Business and Finance Committee

b. UW-Madison Extramural Research Support

c. Trust Funds

(1) Acceptance of Bequests

[Resolution I.2.c.(1)]

d. Tuition Policy Revision

[Resolution I.2.d.]

e. Parity Pay Plan Request

[Resolution I.2.e.]

f. Operations Review and Audit Update

(1) Children's Centers

(2) Federal Student Right to Know

g. Implication of the Taxpayer Bill of Rights (TABOR) on the UW System

h. Report of the Vice President

i. Additional Items which may be presented to the Committee with its approval

UW-MADISON EXTRAMURAL RESEARCH SUPPORT

EXECUTIVE SUMMARY

BACKGROUND

Individual Regents and the Business and Finance Committee of the Board of Regents requested periodic analyses of extramural research support at the UW-Madison. A report on UW-Madison extramural research support was last presented to the Board at its April 2003 meeting.

This report provides information on 2002-03 federal and non-federal research awards to UW-Madison, analysis of UW-Madison's national and Big Ten rankings for research support, and an analysis of 2003-04 year-to-date awards. The report provides distributions of UW-Madison's 2002-03 research awards by funding source, school/college, divisional affiliation, category of principal investigator, and faculty ranking, as well as historical information for comparison.

REQUESTED ACTION

This item is for information only.

DISCUSSION AND RECOMMENDATIONS

2002-03 Extramural Research Awards

In 2002-03, approximately 76 percent of total UW-Madison extramural awards were for research. UW-Madison received \$583 million in total research awards—an increase of \$22 million (four percent) compared with 2001-02 awards: federal research awards (\$422 million) increased by \$7 million (two percent), and non-federal research awards (\$162 million) increased by \$15 million (ten percent).

The moderate rate of growth in 2002-03 research awards followed a combined two years during which research awards increased at an unprecedented rate. In 2000-01, total research awards increased by \$64 million (14 percent). In 2001-02, total research awards increased by \$52 million (ten percent).

Combining the past three years, between 1999-2000 and 2002-03, total annual research increased by \$138 million (31 percent): federal research awards increased by \$117 million (38 percent), and non-federal research awards increased by \$22 million (15 percent).

In 2002-03, five schools/colleges accounted for approximately 90 percent of research awards to the UW-Madison: Medical School, the Colleges of Letters and Science, Agricultural and Life Sciences, Engineering, and the Graduate School. The Medical School alone accounted for one-third of total research awards.

Six federal agencies accounted for over 90 percent of federal research awards to the UW-Madison: Department of Health and Human Services, National Science Foundation, Department of Energy, Department of Defense, Department of Agriculture, and Department of Education. The Department of Health and Human Services alone accounted for 54 percent of federal research awards; the Department of Health and Human Services, National Science Foundation, and Department of Defense together accounted for almost 80 percent of federal research awards.

It should be noted that the substantial growth in federal awards over the past three years is well distributed among federal agencies. For example, UW-Madison's primary awarding agencies—Health and Human Services and the National Science Foundation—accounted for approximately the same portion of total federal awards in 2002-03 as they did in 1999-2000.

Approximately 53 percent of UW-Madison faculty members obtained federal or non-federal research awards in 2002-03. It is important to note that this annual percentage does not fully reflect the portion of UW-Madison faculty members that is successful at obtaining extramural research funding. Because many federal research awards are made in a single year for a multi-year period, the number of faculty members receiving new awards in a given year can be substantially less than the number receiving sponsored research support in that year. In any given year, an estimated two-thirds of UW-Madison faculty members are principal investigators on projects for which extramural funds are expended.

In 2002-03, awards to individual faculty members accounted for 79 percent of UW-Madison research awards. Thirteen percent of research awards consisted of awards to academic staff members (including clinical faculty). Almost all research awards to academic staff were awards to individuals with scientist or clinical faculty titles. Finally, approximately eight percent of research awards in 2002-03 were awards to Deans, Directors, and Department Chairs.

Of total awards to individual faculty members, 78 percent were to full professors, 12 percent to associate professors, and ten percent to assistant professors. Of the total amount, 48 percent were to faculty affiliated with the Biological Sciences, 34 percent to the Physical Sciences, 17 percent to the Social Sciences, and one percent to the Arts and Humanities.

The most recent national data on federal research support indicate that in 2000-01 UW-Madison maintained a competitive share of the total federal budget for university research and development. In 2000-01, UW-Madison accounted for approximately 1.59 percent of total federal expenditures for university research and development. Over the previous ten-year period, UW-Madison share of federal research expenditures varied between a high of 1.80 percent (1992) and a low of 1.56 percent (1999) and followed a general, slight downward trend. In aggregate, all top research institutions have been subject to this trend: the top twenty research institutions in 2000-01 accounted for approximately three percent less in federal research expenditures than they did in 1991-92. UW-Madison's rank in terms of federal research expenditures was 11th place in 2000-01. Among public institutions in 2000-01, UW-Madison ranked sixth in federal expenditures for research and development.

If other sources of funding are included, UW-Madison's national ranking is significantly higher. In 2000-01, UW-Madison ranked third nationally for total research and development expenditures (compared with 11th for federal expenditures) among all institutions. Among public institutions in 2000-01, UW-Madison ranked second in total research and development expenditures. The difference between UW-Madison's rankings in federal and total research support illustrates its competitive ability to obtain external research funding from non-federal sources. Whereas some institutions rely primarily on federal support for their sponsored research programs, UW-Madison aggressively seeks private research support as well as federal funding.

Within the Big Ten, UW-Madison also compares favorably with respect to its share of the federal research budget and total research support. In 2000-01, UW-Madison ranked second in the Big Ten (behind Michigan) for federal research expenditures, and UW-Madison ranked first in the Big Ten for total research and development expenditures.

Current Year Extramural Research Awards

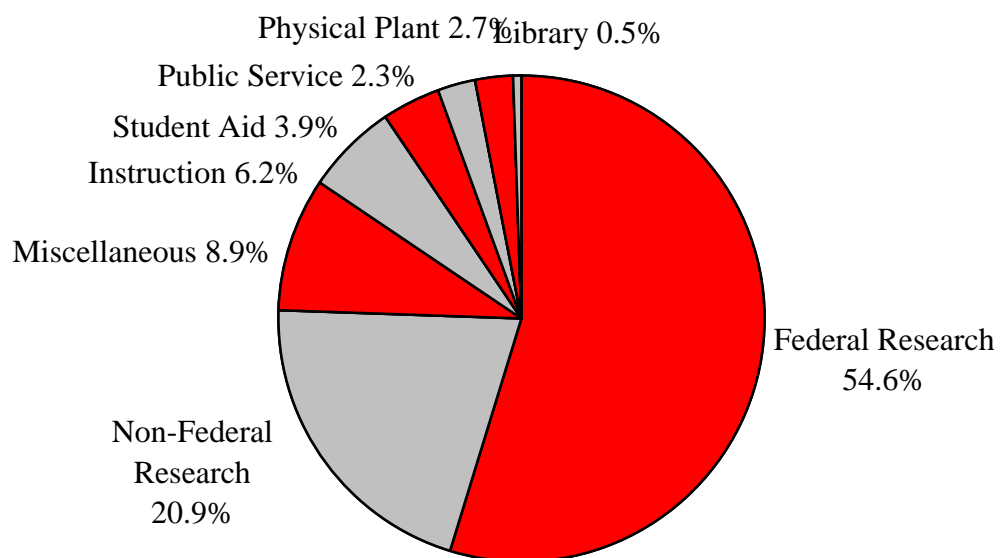
Compared with last year, total year-to-date extramural research awards through March have increased by approximately \$86 million (22 percent). Year-to-date federal research awards have increased by \$73 million (26 percent), while year-to-date non-federal research awards have increased by \$12 million (ten percent).

The extraordinary growth in year-to-date federal research awards is attributable to three principle factors: (1) approximately \$15 million of the increase is attributable to the Ice Cube project (\$10 million) and timing of the renewal of the Synchrotron Radiation Center base grant (\$5 million); (2) a material portion of the increase is attributable to a lag in federal awards last summer, which caused some awards to be processed at the beginning of this fiscal year instead of the end of last fiscal year, and; (3) continued growth in UW-Madison's competitive ability to obtain federal support. It should be noted that the year-to-date increase in federal research awards is well distributed among federal agencies and UW-Madison schools and colleges.

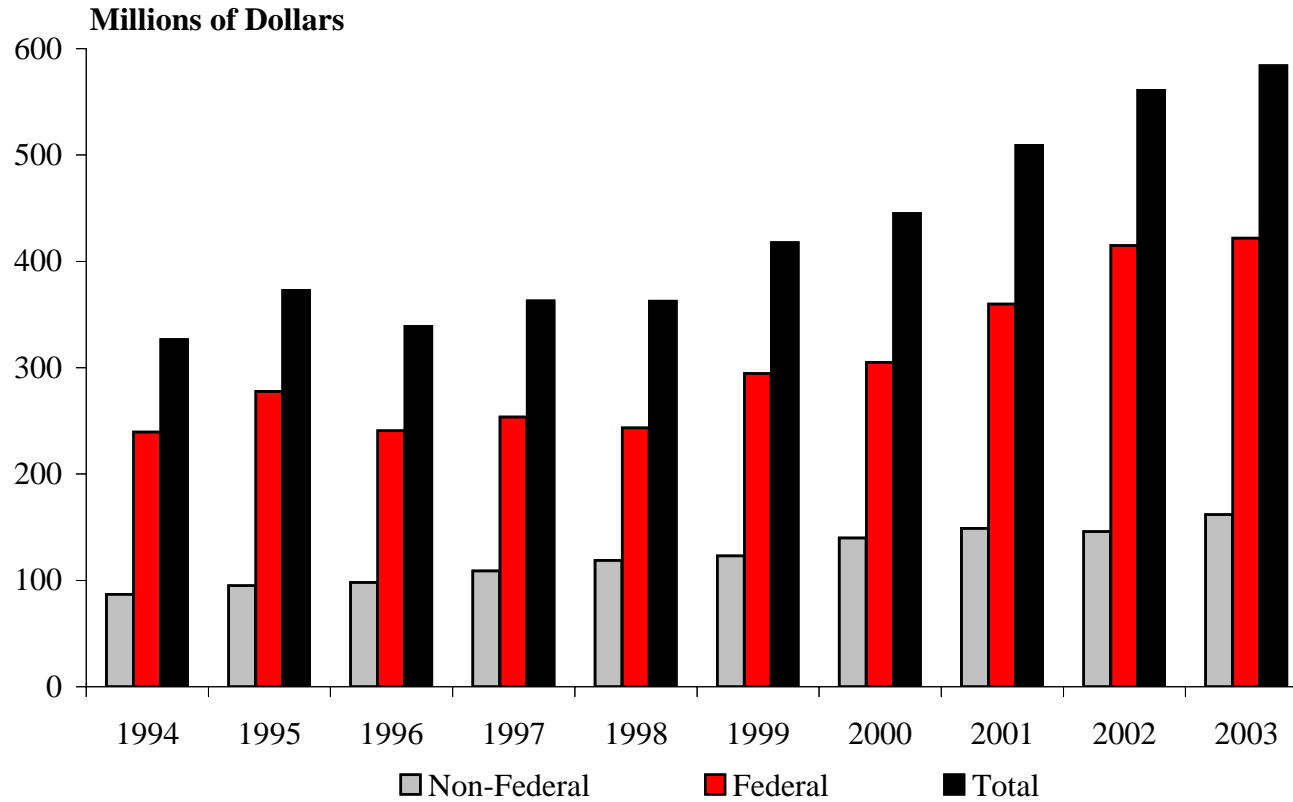
RELATED REGENT POLICIES

None.

**2002-03 UW-Madison Extramural Awards
By Activity
\$772,508,326**

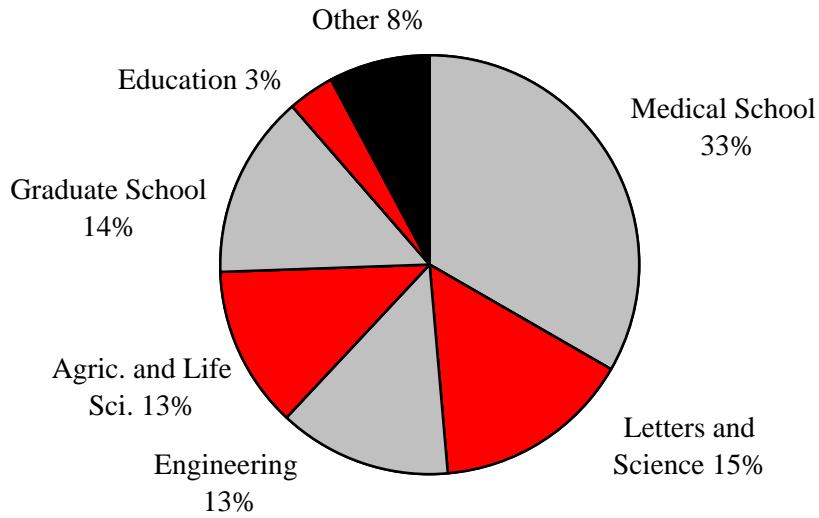


UW-Madison Research Awards 1993-94 to 2002-03

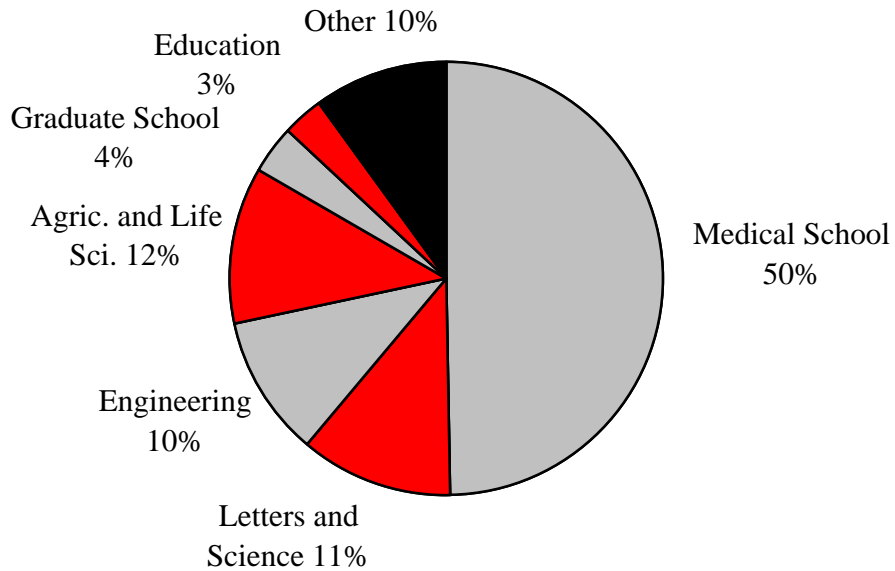


2002-03 UW-Madison Research Awards

Total Awards*
\$545,202,716



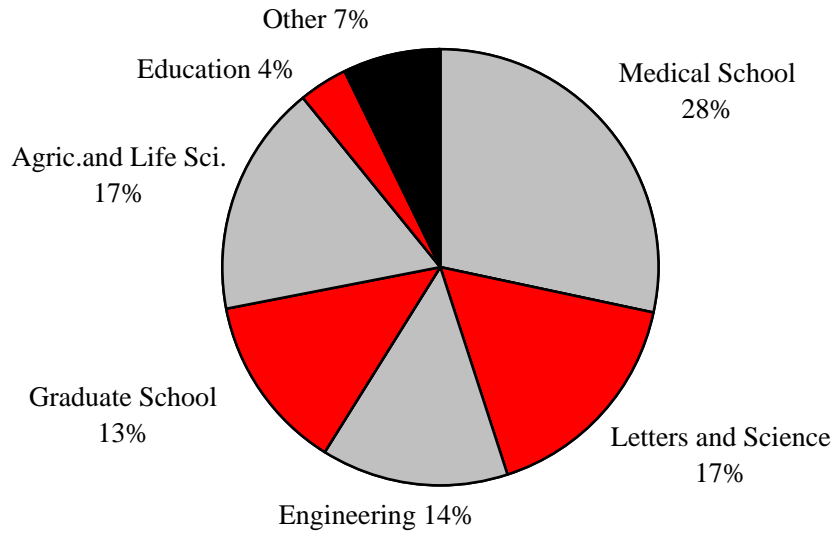
Non-Federal Awards*
\$123,354,653



2002-03 UW-Madison Research Awards

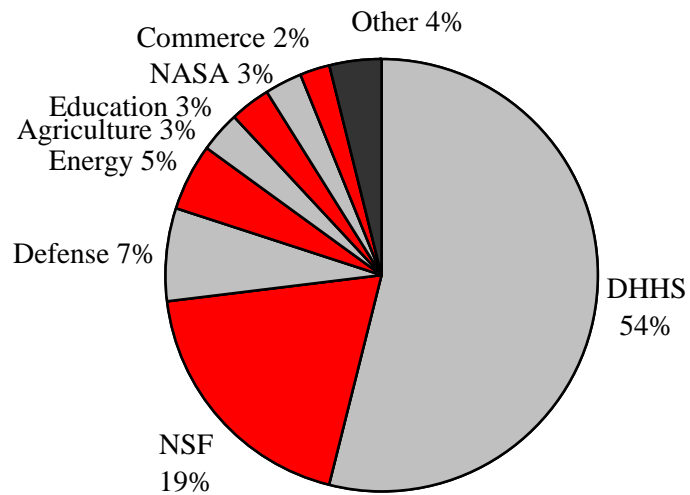
Federal Awards

\$421,848,063



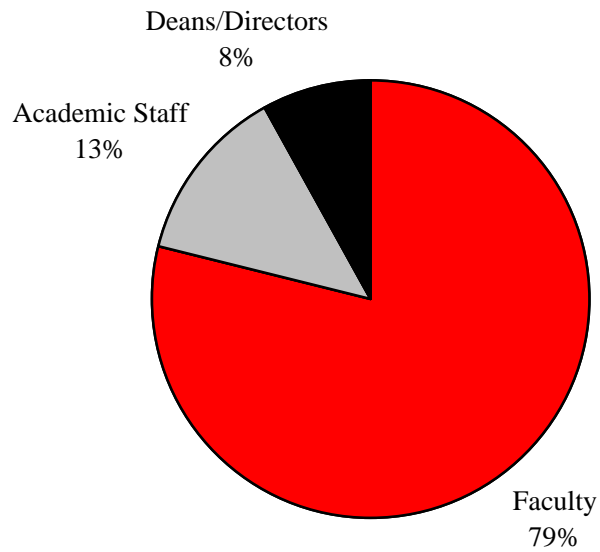
Federal Awards by Agency

\$421,848,063

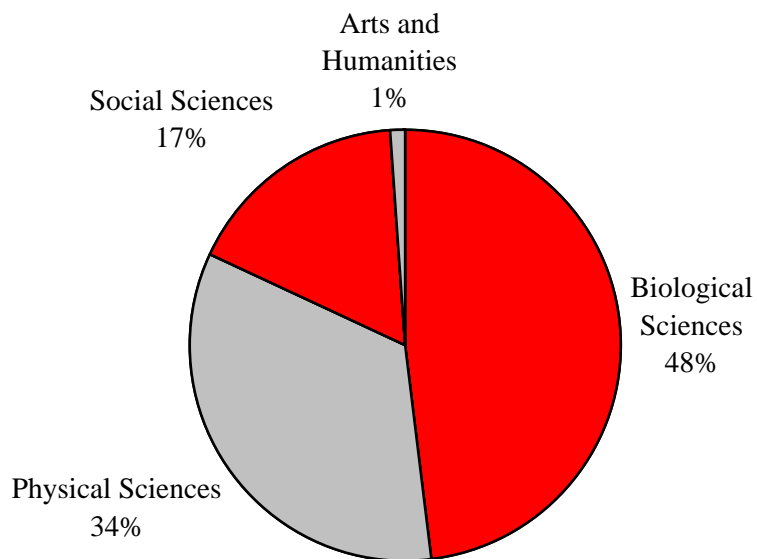


2002-03 UW-Madison Research Awards

Awards by Staff Type

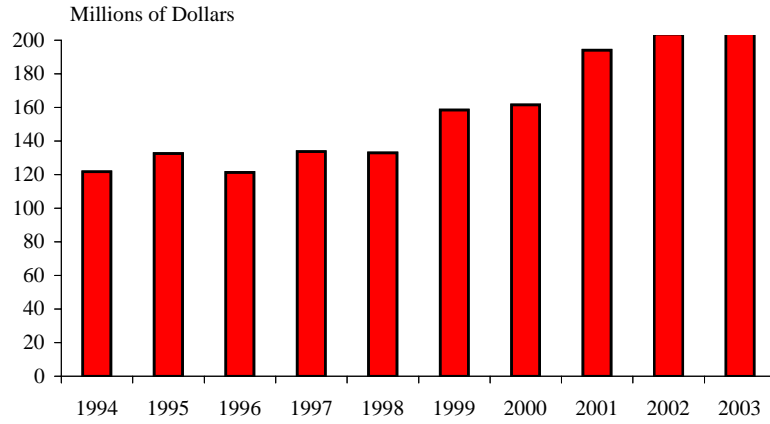


Faculty Awards by Divisional Affiliation

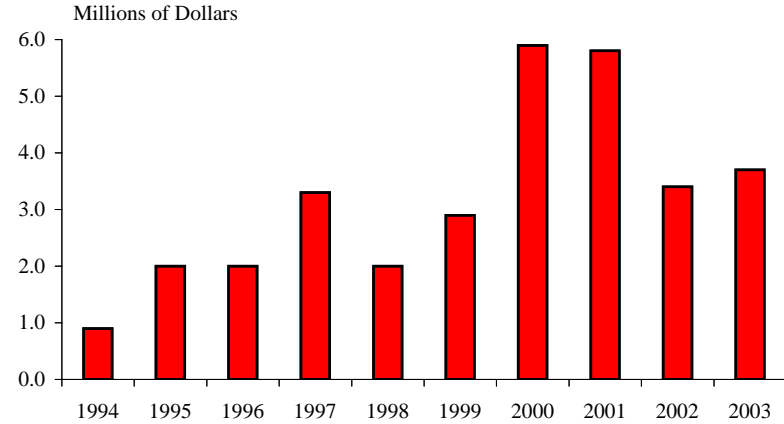


UW-Madison Research Awards by Divisional Affiliation

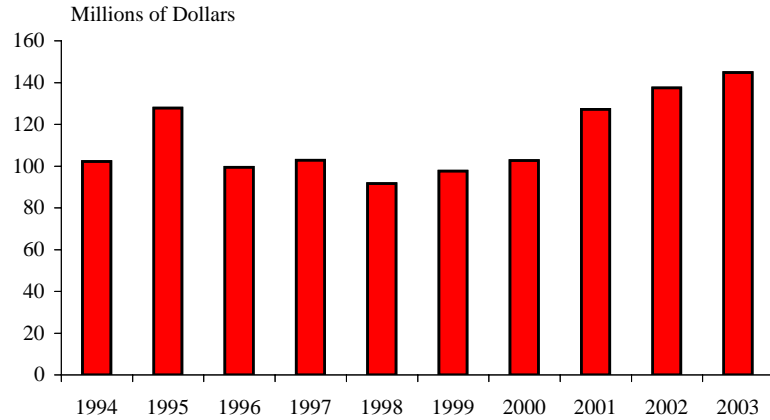
Biological Sciences



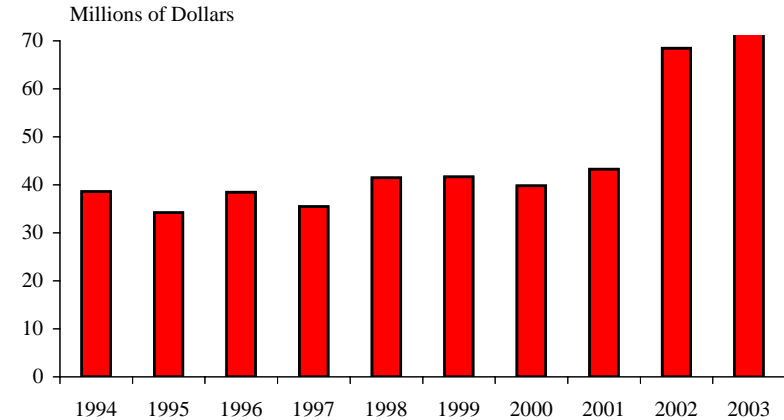
Arts and Humanities



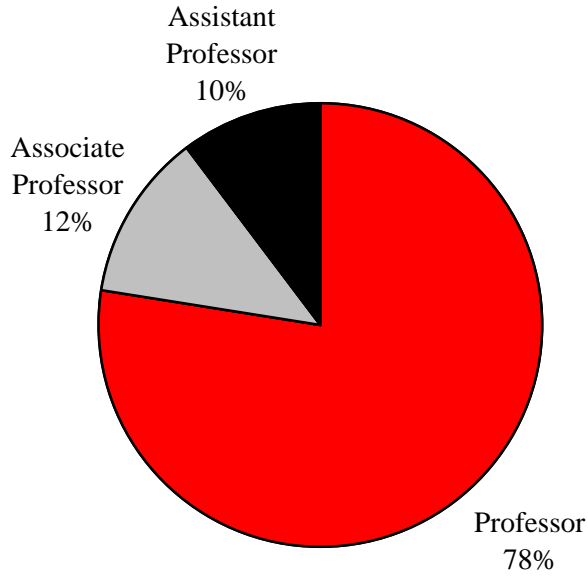
Physical Sciences



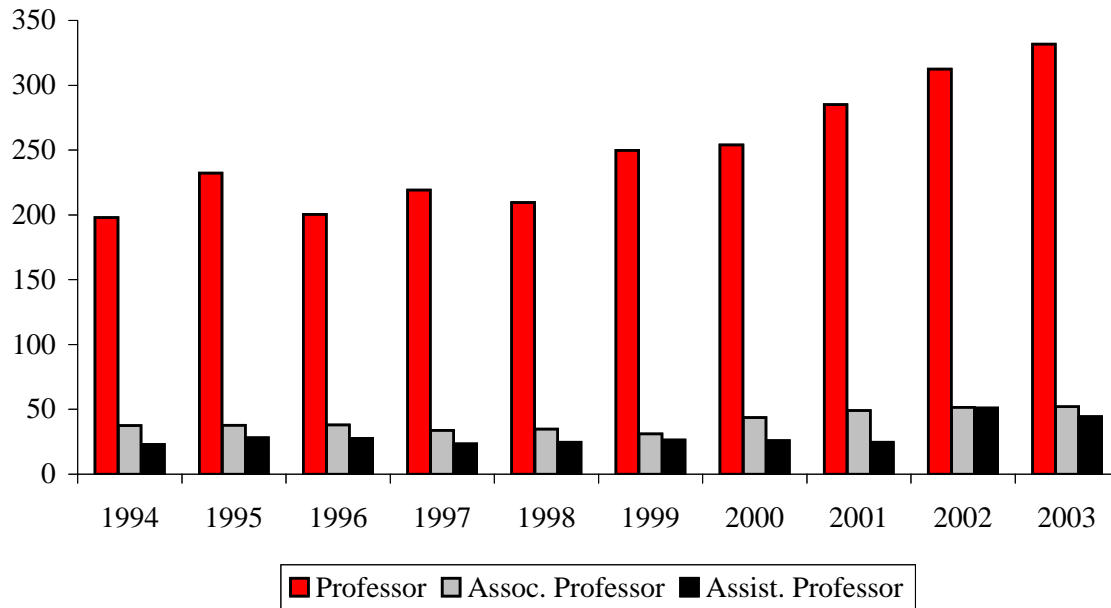
Social Sciences



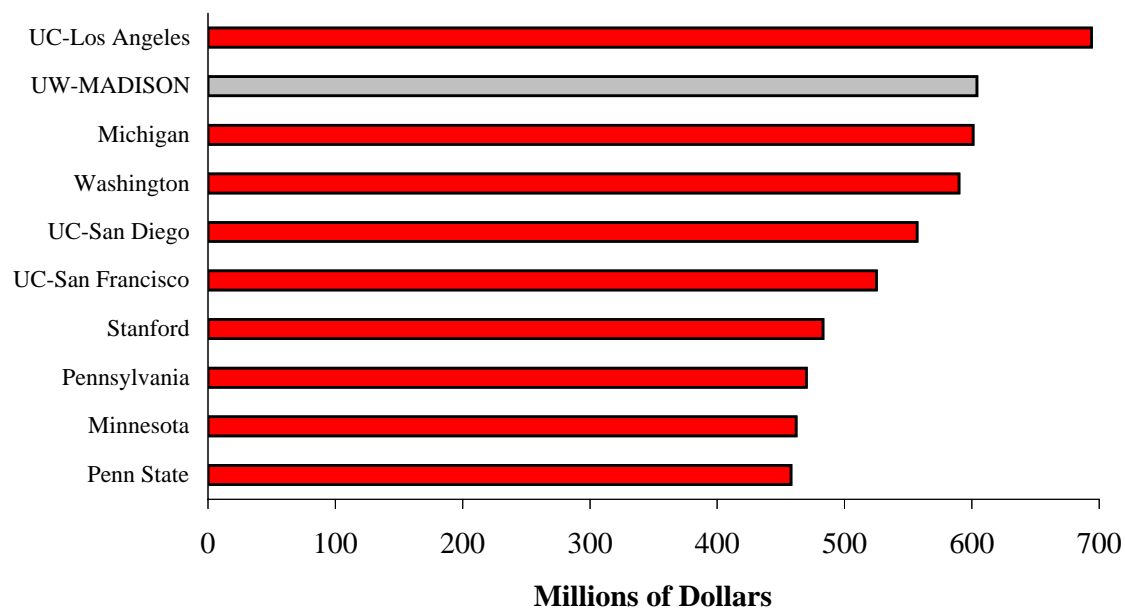
2002-03 UW-Madison Research Awards Faculty Awards by Rank



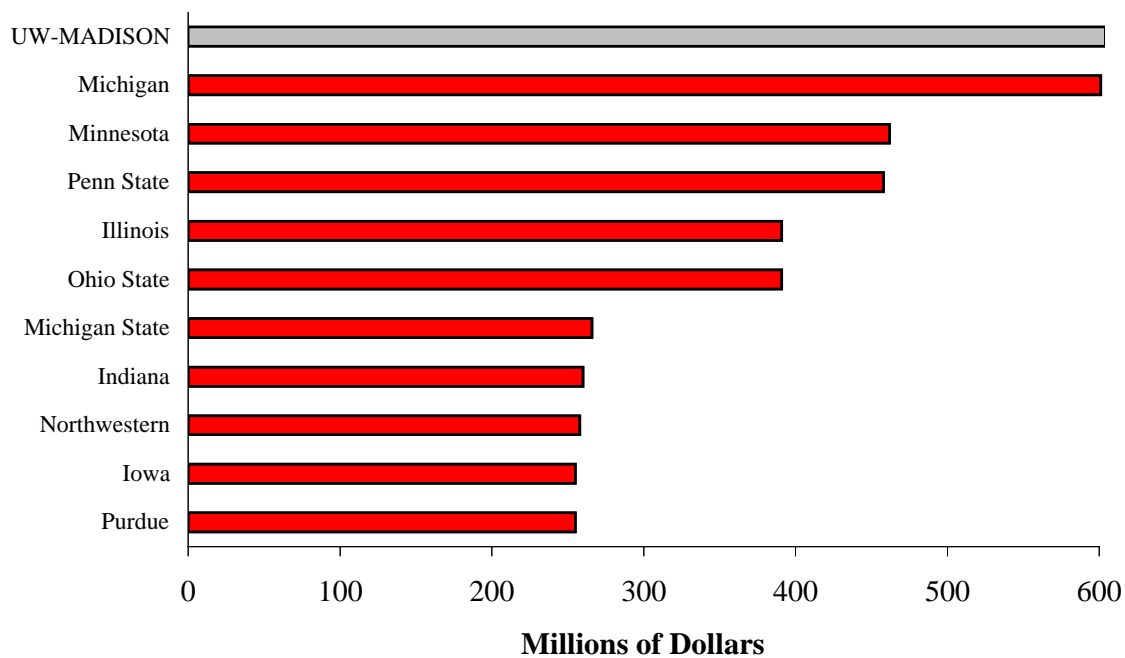
UW-Madison Faculty Research Awards 1993-94 to 2002-03



2000-01 Total R&D Expenditures Top Ten Institutions*

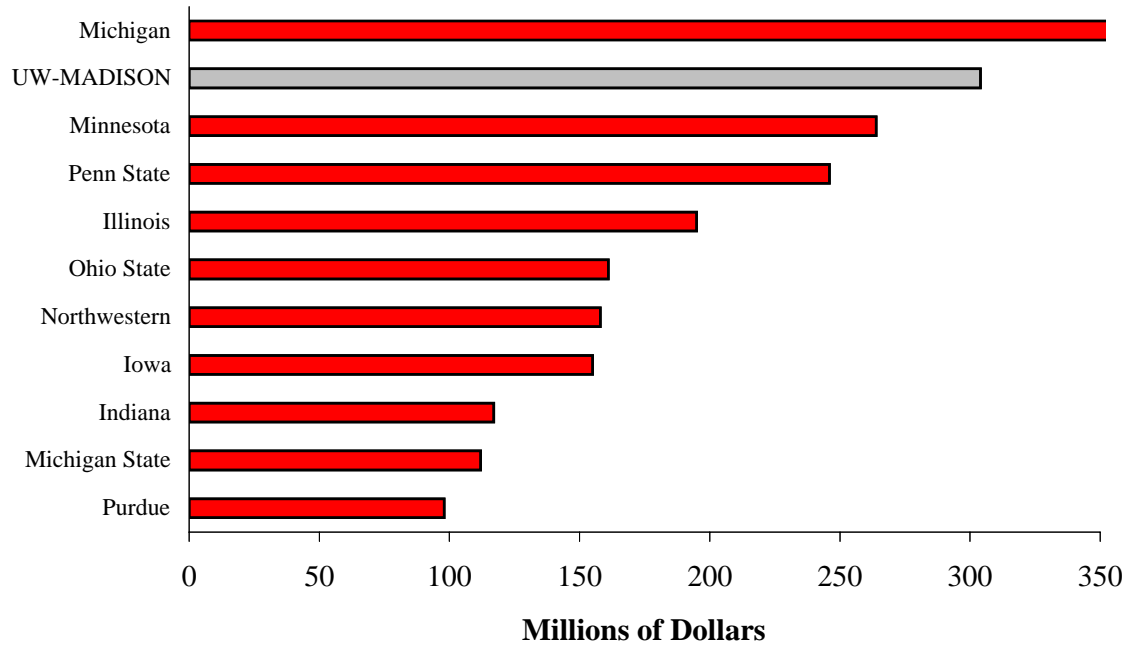


2000-01 Total R&D Expenditures Big Ten Institutions

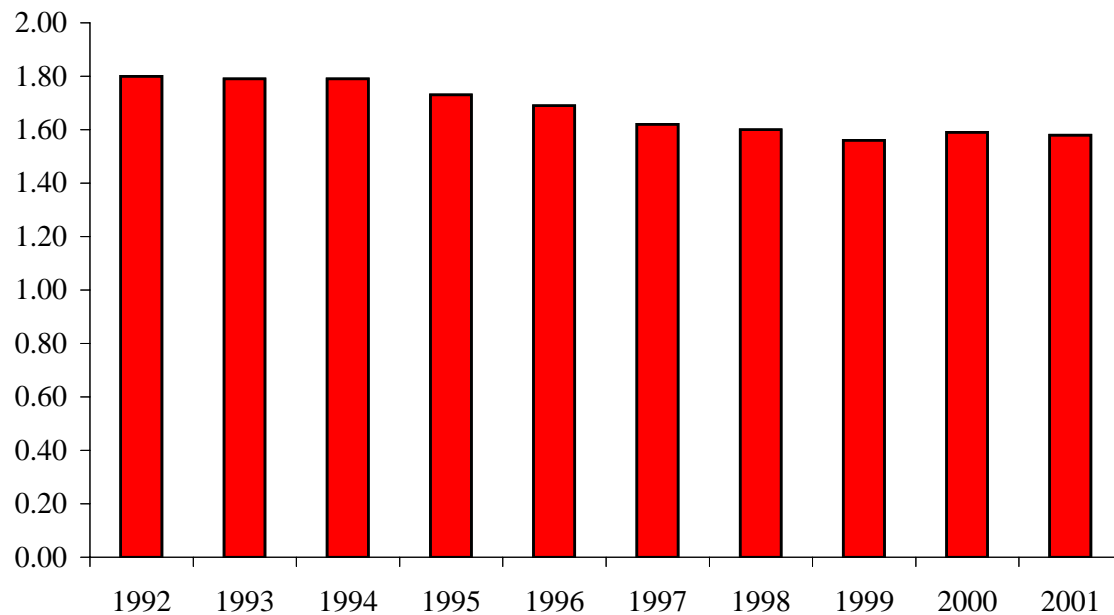


*Excludes Johns Hopkins Applied Physics Laboratory, which ranks first.

2000-01 Federal R&D Expenditures Big Ten Institutions



UW-Madison Percent of Federal R&D Expenditures 1991-92 to 2000-01



UW System Trust Funds
Acceptance of Bequests

BUSINESS AND FINANCE COMMITTEE

Resolution:

That, upon the recommendation of the President of the University of Wisconsin System and the Chancellors of the benefiting University of Wisconsin institutions, the bequests detailed on the attached list be accepted for the purposes designated by the donors, or where unrestricted by the donors, by the benefiting institution, and that the Trust Officer or Assistant Trust Officers be authorized to sign receipts and do all things necessary to effect the transfers for the benefit of the University of Wisconsin.

Let it be herewith further resolved, that the President and Board of Regents of the University of Wisconsin System, the Chancellors of the benefiting University of Wisconsin institutions, and the Deans and Chairs of the benefiting Colleges and Departments, express their sincere thanks and appreciation to the donors and their families for their generosity and their devotion to the values and ideals represented by the University of Wisconsin System. These gifts will be used to sustain and further the quality and scholarship of the University and its students.

**UW SYSTEM TRUST FUNDS
ACCEPTANCE OF BEQUESTS OVER \$50,000**

EXECUTIVE SUMMARY

BACKGROUND

Regent policy provides that individual bequests of \$50,000 or more will be brought to the Business and Finance Committee so that they can, via resolution, be formally accepted and recognized by the President, Board, and appropriate Chancellor if to a specific campus. The resolution of acceptance, recognition, and appreciation will then be conveyed, where possible, to the donor, the donor's family, and other interested parties.

REQUESTED ACTION

Resolution accepting and recognizing new bequests of \$50,000 or more.

DISCUSSION

Details of new bequests of \$50,000 or more that have been or will be received by UW System Trust Funds on behalf of the Board of Regents are given in the attachment to the resolution.

RELATED REGENT POLICIES

Resolution 8559, June 7, 2002 - Process for Presenting and Reporting Bequests.

1. Estate of Carol A. Bond

Ms. Bond's Will states the following: "I hereby bequeath to the University of Wisconsin-Madison School of Veterinary Medicine, for the purpose of establishing a memorial scholarship fund in my name, the followingAll monies distributed from the fund shall be described as having been made available by the Carol A. Bond Memorial Scholarship Fund. The scholarship awards should be based on financial need and exceptional academic performance The selection of the recipients for financial assistance and the amounts to be received by the recipients of the financial assistance shall be within the sole and absolute discretion of the Administration of the University of Wisconsin - Madison School of Veterinary Medicine."

Ms. Bond's decision to gift to the School of Veterinary Medicine apparently came about from her use of the Brentwood Animal Hospital in Oak Creek, Wisconsin. There, in 2002, she had asked Dr. Bret Osgood (Class of 1999) his suggestions for gifting in ways that would help animals. Dr. Osgood, among other suggestions apparently, gave Ms. Bond a contact at the School of Veterinary Medicine. Ms. Bond's Will also directed significant gifts to various Humane Societies and to the American Society for the Prevention of Cruelty to Animals.

(UW-Madison has received approximately \$54,000 from this estate.)

2. Estate of Geraldine N. Driscoll

The Will of Geraldine N. Driscoll states the following: "10% thereof shall be distributed to the University of Wisconsin Medical School of Madison, WI. to be added to its general scholarship fund."

Geraldine ("Gerry") Driscoll of Winnecone, Wisconsin was not herself a UW alumnus, but her husband, Dr. Loren J. Driscoll, was a graduate of the Medical School. The Driscoll's married in 1953 and moved to Winnecone in 1970, when Dr. Driscoll joined the McDonald Clinic. Gerry led a very active life, which included serving as president of the Waukesha County Medical Society Auxiliary and the Oconomowoc Memorial Hospital Auxiliary. She also had served as president of the Winnecone Civic League, was a member of the State Historical Society of Wisconsin where her work earned her a Certificate of Commendation and an Award of Merit from the American Association of State and Local History, and was a member and past president of the Winnecone Historical Society. Winnecone's Village President James Coughlin was quoted in an earlier newspaper article about Gerry: "She's been one of the outstanding citizens of Winnecone for the last 30 years."

(UW-Madison has received \$50,000 to date and expects a total of \$60,000-\$75,000.)

3. Theodore Herfurth and Genevieve G. Herfurth Trusts

The entire distribution to the UW from the Genevieve Herfurth Trust together with one-half of the distribution from the Theodore Herfurth Trust was directed to an existing fund, the "Genevieve Gorst Herfurth Fund for Scientific and Historical Research" (first established by the Herfurths in 1945 and augmented thereafter).

The other half of the bequest to the UW from the Theodore Herfurth Trust was directed for a new purpose. The Will establishing the Trust states the following: "The other half of the principal of this bequest shall be used for the establishment and maintenance of a revolving fund for

pecuniary assistance to needy and deserving students . . .”

The Will describes the revolving fund as a "loan fund," but uses the phrase "so far as reasonably possible" in regard to the program. Both US Bank, the former trustee of the Herfurth Trusts, and Beth Kubly, granddaughter and sole heir of Mr. Herfurth, have indicated that Mr. Herfurth's primary purpose was to provide financial assistance to needy students without depleting the principal of his gift. Ms. Kubly has expressed her desire that the funds be used to provide scholarships to needy students from an endowment fund, rather than loans, indicating that this use would allow for more stable and substantial support for needy students than would a loan program. The use of the funds for scholarships is consistent with Mr. Herfurth's intent and the wishes of his heir, and the language of the Will supports this use as the most reasonable means of effecting his primary intent. Ms. Kubly has provided the interesting biographical background on her grandfather that follows.

Theodore Herfurth was born in Madison on September 12, 1872. He was the tenth and last child, and only son, of Theodore Herfurth Sr. and Marie Siggelkow Herfurth. Both his mother's family and his father had immigrated to Wisconsin from northern Germany in the early 1850s.

Theodore Jr. was educated at public schools in Madison. During his junior year in high school, he suffered an attack of measles; unwitting exposure to bright light before he had adequately recovered damaged his eyes. Although Theodore entered the University of Wisconsin in the fall of 1890, his eyes pained him such that he could not keep up with his course reading. With great regret he was compelled to terminate his studies.

Theodore drifted into the insurance business that his father had founded in 1875. Young and untutored in the business when he started, he progressed well enough that, after a couple of years, Theodore Sr. took him in as a partner. Theodore Jr. focused on small businesses, as he felt there was less sales resistance. He often rode his horse, and later used a horse and buggy, to acquire clients in the smaller communities of Dane County. Within six years Theodore Herfurth and Son's premium income had doubled. After Theodore Sr. died in 1903, Theodore Jr. took over the business, which continued to grow under his direction. By 1926 Theodore Herfurth Inc. had the largest premium income of any Madison agency and was one of the largest agencies in the state. In 1925, Mr. Herfurth was an organizer and first president of the Madison Board of Underwriters.

After his father's death, Theodore Jr. also assumed the role of the "man of the family" and looked after his mother and his unmarried sisters. One sister, Elizabeth, is remembered as the prime mover behind the establishment of the Wisconsin Teachers' Insurance and Retirement Fund. Another sister, Ida, was the long-time secretary to the deans of the UW College of Agriculture.

In 1911, Mr. Herfurth married Genevieve Gorst, a 1910 graduate of the UW. The Gorst family, originally from Baraboo, had been living in Madison while Dr. Charles Gorst served as superintendent of what was then called the Mendota State Hospital for the Insane. The Herfurths had three daughters: Eleanor, Virginia, and Theodora.

Mr. Herfurth was long active in civic affairs. He helped organize the Madison Lions Club in 1922 and was its second president in 1923. Theodore was a member of the Parks and Pleasure Drive Association and Madison Masonic Lodge No. 5. He was also a member of the Madison Club, Maple Bluff Country Club, and the University Club.

In 1927, Mr. Herfurth created an award for senior men at the University. This was followed in 1943 by a similar award for senior women. The Theodore Herfurth Award for Initiative and Efficiency was designed to accord distinctive recognition to senior men and women who excel in scholarship, in degree of self support, in constructive extra-curricular activities, and in lucid and convincing oral expression. This award accompanied by a cash prize is still given annually. It is considered one of the most prestigious honors bestowed by the University.

Mr. Herfurth was also known to the University community for determining the author of the famous "sifting and winnowing" phrase inscribed on the bronze plaque mounted in front of Bascom Hall. Through original research, he determined that the author was Charles Kendall Adams, a former president of the University.

Theodore Herfurth Jr. died in February 1950 at the age of seventy-seven, leaving a thirty-two page Will disposing of his \$1,262,000 estate. After providing for three daughters, four sisters, two grandchildren, employees, and fraternal organizations, he willed that the residue of his estate go to the city of Madison for parks and recreational purposes and to the University of Wisconsin. President Fred recalled at the time of Theodore Herfurth's death that "his broad interest in the University, and his deep concern for the welfare of its students spanned nearly fifty years."

(UW-Madison has received \$2,634,951 in the "Genevieve Gorst Herfurth Fund for Scientific and Historical Research" and another \$2,505,525 in the new "Theodore Herfurth Scholarship Fund," for a total gift of over \$5.1 million.)

4. Jane Humke

The letter from the donor accompanying this gift includes the following directions: "I am pleased to forward the enclosed gift of \$50,000 to the University of Wisconsin System Trust Fund (Trust) for the purpose of establishing the '**E. Paul and Jane Humke International Mathematics Scholarship Fund**' (Fund) for the benefit of undergraduate mathematics students at the University of Wisconsin-Milwaukee. It is my intention that the Fund be perpetual with the principal invested accordingly, provided that \$10,000 of this gift shall be available for immediate expenditure."

"The Fund's primary purpose shall be to provide scholarships or other financial assistance to undergraduate students in good standing majoring in mathematics at the University of Wisconsin-Milwaukee (UWM) for the purpose of participating in the Budapest Semesters in Mathematics program or other comparable international study abroad program in mathematics."

"Additional contributions to the Fund, whether by gift, bequest or devise, may be accepted at any time with the approval of the Trust."

Both Jane Humke and her late husband E. Paul were 1936 graduates of the Milwaukee State Teachers College. E. Paul Humke, who majored in math, went on to become a very well-known math teacher in the Milwaukee area. Their son, Paul D. Humke, who worked with his mother on the gifting, received his B.S., M.S., and Ph.D. in mathematics, all from UW-Milwaukee; Paul is

now a professor of mathematics at St. Olaf College. Recognizing in particular the value of international study for students of math, the Humkes have made participation in programs such as the Budapest Semesters in Mathematics (recognized as the premier international program for undergraduates) part of the conditions for the use of this gift.

(UW-Milwaukee has received \$50,000 to date.)

BUSINESS AND FINANCE COMMITTEE

Resolution:

That, upon the recommendation of the President of the University of Wisconsin System, the Board of Regents approves a change to the current Board of Regents Tuition Policy Principles to specifically state that “nonresident tuition rates should be competitive with those charged at peer institutions and sensitive to institutional nonresident enrollment changes and objectives.”

TUITION POLICY REVISION

BACKGROUND

The Board of Regents has established tuition policy principles to guide the annual process of setting tuition for the UW System. The Board of Regents' Revenue and Other Opportunities Study Group has recommended, as part of the *Charting the Future* study, adding a principle to guide the setting of nonresident tuition. The proposed tuition policy change is now being forwarded to the Business and Finance committee for action.

REQUESTED ACTION

The Board is asked to approve a change to the current Board of Regents Tuition Policy Principles to specifically state that "nonresident tuition rates should be competitive with those charged at peer institutions and sensitive to institutional nonresident enrollment changes and objectives."

DISCUSSION AND RECOMMENDATIONS

Attracting nonresident students to UW institutions provides a multitude of benefits to both the UW System and the State of Wisconsin. Nonresident students benefit Wisconsin resident students educationally and socially by helping to build a geographically heterogeneous campus. They are important to local economies as well as the overall state economy and are vital in supporting Wisconsin's "brain gain" strategy. In addition, nonresident students pay tuition that far exceeds the cost of their education, allowing the UW System to use the "excess" resources to increase access for Wisconsin residents. Currently a nonresident undergraduate pays between 174 percent (UW Comprehensives) and 194 percent (UW-Madison) of the cost of his or her education.

Nonresident tuition has become an obstacle to attracting nonresident students to the UW System. Nonresident undergraduate tuition rates have increased dramatically in the past five years, with the largest increases occurring in 2001-02 and 2002-03 due to the mandatory tuition surcharges of five percent per year that were included in the Governor's 2001-03 biennial budget. Nonresident undergraduate students at UW-Madison have seen their tuition rates climb \$7,372 since 1998-99 with \$4,866 of that increase occurring over the last three years. When compared with their peer groups, both UW-Madison and UW-Milwaukee rank second in regard to nonresident tuition and the UW Comprehensives rank fourth. These large nonresident tuition increases have had a negative effect on nonresident enrollments, with a decrease of 360 nonresident students systemwide between 2001-02 and 2002-03. The revenue impact of this nonresident enrollment drop was between \$4 and \$5 million, at a time when campus budgets were already being cut.

The Board of Regents' Revenue and Other Opportunities Study Group has explored the issues surrounding nonresident tuition and recommends that the UW System Tuition Policy Principles be amended to recognize that nonresident tuition rates should be competitive with those charged at peer institutions and sensitive to institutional and nonresident enrollment changes and objectives. The committee's recommendation is attached.

RELATED REGENT POLICIES

Regent Policy #92-8: Tuition Policy Principles (October 1992; revised May 1996)

UNIVERSITY OF WISCONSIN SYSTEM

TUITION POLICY PRINCIPLES

Board of Regents GUIDING PRINCIPLES

1. Tuition and financial aid in the UW System should balance educational quality, access, and ability to pay.
2. As a matter of fiscal and educational policy, the state should, at a minimum, strive to maintain its current GPR funding share (65%) of regular budget requests for cost-to-continue, compensation and new initiatives, and fully fund tuition increases in state financial aid programs.
3. Nonresident students should pay a larger share of instructional costs than resident students, and at least the full cost of instruction when the market allows. ***Nonresident rates should be competitive with those charged at peer institutions and sensitive to institutional nonresident enrollment changes and objectives.***
4. Where general budget increases are not sufficient to maintain educational quality, supplemental tuition increases should assist in redressing the imbalance between needs and resources.
5. Tuition increases should be moderate and predictable, subject to the need to maintain quality.
6. GPR financial aid and graduate assistant support should “increase at a rate no less than that of tuition” while staying “commensurate with the increased student budget needs of students attending the UW System.” In addition, support should also reflect “increases in the number of aid eligible students.”
7. General tuition revenue (to cover regular budget increases under the standard 65% GPR and 35% Fees split) should continue to be pooled systemwide. Special fees may be earmarked for particular institutions and/or programs increasing those fees.
8. When considering tuition increases beyond the regular budget, evaluation of doctoral graduate tuition should consider impacts on multi-year grants and the need to self-fund waivers or remissions from base reallocation within departmental budgets.

BUSINESS AND FINANCE COMMITTEE

Resolution:

Whereas, in accordance with s. 230.12(3)(e) *Wis. Stats.*, a 2003-05 plan for university unclassified faculty and staff compensation and benefits adjustments has been approved by the Legislature's Joint Committee on Employment Relations; and,

Whereas, any modification to that approved pay plan must be adopted through the process outlined in s. 230.12(3)(e) *Wis. Stats.*; and,

Whereas, the Board of Regents adopted by resolution a 2003-05 pay plan request for faculty, academic staff, and university senior executives that despite identifying a need for a 4% pay increase each year of the biennium, recognized the financial difficulties of the State and UW System and requested compensation adjustments "up to" the needed amounts "to the full extent of funds available in the compensation reserve"; and,

Whereas, the 1% pay plan approved for faculty and academic staff in 2004-05 is now known to be less than the full extent of funds available; and,

Whereas, the Board of Regents adopted by resolution a 2003-05 request that "UW System faculty, academic staff, and university senior executives be asked to contribute to state group health insurance at the same levels that will be applied to all other state employees"; and,

Whereas, it is now known that health insurance premium contributions made by university unclassified staff are higher than the contribution rates applied to other state employees; and,

Whereas, the Board of Regents endorses state group health insurance for domestic partners of all state employees, funded from the compensation reserve in the same way as for all other state employees; and,

Whereas, the Board of Regents endorses the State of Wisconsin's recognition of Veteran's Day by adding a personal holiday to the paid leave credits granted to other state employees.

Now, therefore;

Upon the recommendation of the UW System President, and pursuant to s. 230.12(3)(e) *Wis. Stats.*, the Board of Regents directs the UW System President to notify the Governor and the Legislature that the UW System seeks to obtain a 2003-05 compensation and benefits adjustments plan for faculty, academic staff, non-represented graduate assistants, and university senior executives that is in substantial parity with other state employee groups. The Board directs the UW System President to transmit to the Director of the

Office of State Employment Relations, a request that the Director recommend to the Joint Committee on Employment Relations a university unclassified pay plan modification to obtain a general salary increase (1.35%) for faculty, academic staff, and university senior executives that is equivalent to the 1% plus \$0.10 per hour general wage adjustment approved for other state employees in 2004-05, that allows full-time faculty and academic staff to receive a lump sum payment of \$250 and non-represented graduate assistants to receive a \$125 lump sum payment, that allows academic staff salary ranges to be increased by up to 1.35% and that increases university senior executive salary group ranges 1 and 2 to competitive levels, and that allows faculty, academic staff, non-represented graduate assistants and university senior executives to contribute to state group health insurance at the same premium levels charged to other state employees.

Further, the Board of Regents requests the State of Wisconsin provide funding for state group health insurance for UW System faculty and academic staff domestic partners on the same basis as all other state employees.

Further, the Board of Regents amends Regent Policy 96-2 to provide full-time faculty, academic staff, and limited appointees with 3 and ½ days of paid leave each fiscal year and one additional day of paid leave each fiscal year in recognition of Veteran's Day as non cumulative personal holidays to be scheduled and taken as determined by the institution and to provide less than full-time unclassified staff a prorated share of all personal holidays based on the percent of appointment.

PARITY PAY PLAN REQUEST

EXECUTIVE SUMMARY

BACKGROUND

Board of Regents Resolution 8745 (adopted October 10, 2003) directed the UW System President to notify the Governor, Legislature, and the Director of the Office of State Employment Relations (OSER) of the needs for adjusting compensation and employee benefits for university senior executives, faculty, and academic staff for the 2003-05 biennium. The needs identified in the resolution included a request for a “salary increase up to four percent each year to the full extent of funds available in the compensation reserve” and a request that full-time faculty, academic staff, university senior executives, and non-represented graduate assistants be asked to contribute to state group health insurance premiums “at the same levels” applicable to other state employees. In effect, the Board acknowledged the fiscal climate and asked that the pay plan for university unclassified staff be on par with pay plans that were going to be adopted for other state employees. The pay plan recommendations were presented to the OSER Director as required by law.

Soon after the Board adopted its pay plan recommendations, the Legislature’s Joint Committee on Employment Relations (JCOER) received from the OSER Director her 2003-05 compensation and benefit adjustment plan recommendations for UW System senior executives, faculty, and academic staff. JCOER accepted the OSER Director’s recommendations on October 21, 2003. With JCOER approval, the UW System unclassified pay plan for 2003-05 was formally established. However, since the pay plan was approved, the OSER Director has received JCOER approval to provide additional salary adjustments to classified and certain unclassified employees and those employees have smaller health insurance premium contributions than the pay plan allows for university unclassified staff. In order to achieve a “parity” pay plan for faculty and academic staff, the Board must request that JCOER approve a modified pay plan for 2003-05.

REQUESTED ACTION

Approval of Resolution I.2.e.

The resolution directs the UW System President to transmit to the OSER Director, the Board of Regents recommendations regarding pay plan modifications to allow the university unclassified faculty and staff to receive a salary adjustment and benefits pay plan that is more in line with pay plans that have been and will be established for other state employees.

DISCUSSION AND RECOMMENDATIONS

The biennial pay plan for faculty, academic staff, non-represented graduate assistants and university senior executives contains the following provisions:

- No salary increase in the 2003-04 fiscal year;
- A funded increase of 1.0% in the 2004-05 fiscal year except that no funded increase is provided for university senior executives;
- The Board is authorized to adjust the academic staff salary range schedule by up to 1% for the 2004-05 fiscal year;
- No adjustment to the senior executive salary group ranges for vice presidents and non-doctoral institution provosts during the biennium (those ranges have not been adjusted since 2001-02);
- In calendar years 2004 and 2005, monthly contributions to state group health insurance by faculty and academic staff at the rate of \$62.50, \$125, or \$250 depending on the family plan selected, and \$25, \$50, or \$100 depending on the single plan selected;
- In calendar years 2004 and 2005, monthly contributions to state group health insurance by non-represented graduate assistants at the rate of \$31.25, \$62.50, or \$125 depending on the family plan selected, and \$12.50, \$25, or \$50 depending on the single plan selected.

In October 2003, the pay plan and health insurance premium contributions to be made by university faculty and academic staff were essentially the same as the plan the OSER Director had recommended for non-represented classified employees and certain unclassified employees, except the state senior executives and cabinet officials were eligible for a funded 1% pay plan adjustment in 2004-05. Two months later, at the recommendation of the OSER Director, JCOER approved some represented employee contracts and improvements to the non-represented employee pay plan. At that point, the university unclassified employees fell under a pay plan that was no longer on par with other state employees and appointed officials. The UW System had hoped that collective bargaining agreements would be completed for all bargaining units before considering a pay parity plan for faculty and academic staff. However, we are now nine months into the 2003-05 biennium and eleven of the nineteen contracts are still unresolved. In order to request a pay parity plan that can be implemented within the current faculty contract year and in order to process July 1, 2004 pay plan adjustments, it is necessary to proceed now, and trust that future collective bargaining agreements will not prompt a second pay plan modification.

The UW System President asked the Fringe Benefits Advisory Committee (FBAC) and the Compensation Advisory Committee to review the differences between the faculty and staff plan and pay plans covering other state employees. Other state employees (non-represented, certain unclassified and represented employees who have reached a collective bargaining agreement for 2003-05) are covered by pay plans that contain the following:

- Health insurance contribution rates in 2004 for single coverage are \$7.00 per month lower in Tier 1 plans and \$3.00 per month lower in Tier 2 plans;
- Health insurance contribution rates in 2004 for family coverage are \$17.50 per month lower in Tier 1 plans and \$7.50 per month lower in Tier 2 plans;
- Health insurance contribution rates in 2005 for Tier 1 plans are \$3 per month lower for single coverage and \$7.50 per month lower for family coverage;
- Health insurance contribution rates for represented graduate assistants at UW-Milwaukee are \$3.50 per month lower for single coverage and \$8.75 per month lower for family coverage in Tier 1 plans and \$1.50 per month lower for single coverage and \$3.75 per month lower for family coverage in a Tier 2 plan in 2004;
- Health insurance contribution rates for represented graduate assistants at UW-Milwaukee are \$1.50 per month lower for single coverage and \$3.75 lower for family coverage in a Tier 1 plan in 2005;

- In addition to the 1% general wage increase on July 1, 2004, state classified employees received a \$250 general wage lump sum payment and a \$0.10 per hour base building general wage increase;
- In addition to the 1% general wage increase for state executives and cabinet officials, a \$0.10 per hour base building general wage increase; and,
- Beginning calendar year 2004, one additional personal holiday in recognition of Veteran's Day bringing the total of personal holidays to four and one-half.

The FBAC advised that faculty, academic staff and university senior executives should be asked to contribute to state group health insurance at the same levels that are applied to all other state employees beginning with January 2004 coverage. That advice is consistent with Regent Resolution 8745. In addition, the FBAC advised that faculty and academic staff should receive an additional personal holiday in recognition of Veteran's Day. The FBAC also examined the need for domestic partner group health insurance benefits which are now widely offered by many universities and businesses. Information from OSER notes that funds for domestic partner benefits are not available from the State at this time. Rather than asking that the UW System further deplete its base budget by self-funding the domestic partner benefit, the FBAC reaffirmed its long-standing commitment to securing domestic partner participation in all fringe benefits and determined that it would support an extension of group health insurance to domestic partners when the State provides funding for this benefit.

The Compensation Committee similarly asked the UW System President to seek the lower group health insurance contributions and provide faculty and staff with refunds for the higher premiums paid to date. The Committee also suggested that the UW System President seek to obtain the \$250 lump sum payment and an additional general wage increase equivalent to the \$0.10 per hour. Based on the average salary for UW System faculty and staff, an equivalent increase in percent terms is 0.35%. Further, the Committee supported a change to Regent Policy 96-2 to permit an additional personal holiday in recognition of Veteran's Day. Finally, the Committee supported the granting of the general wage increases to university senior executives.

The UW System President accepts the recommendations of the Fringe Benefits Advisory Committee and the Compensation Advisory Committee to achieve a parity pay plan for university unclassified staff consistent with Regent Resolution 8745.

RELATED REGENT POLICIES

Regent Policy 94-4 and 96-2
Regent Resolution 8745

Amendments to Regent Policy 96-2

96-2 ESTABLISHMENT OF ~~HALF-DAY-LEGAL~~ PERSONAL HOLIDAYS FOR FACULTY, ACADEMIC STAFF AND LIMITED APPOINTEES

History: Res 7178 adopted 4/12/96, amended by Res. 7803 adopted 11/6/98

That, upon the recommendation of the President of the University of Wisconsin System, faculty, academic staff and limited appointees be granted 3 ½ days of paid leave and one additional day of paid leave in recognition of Veteran's Day each fiscal year as a non-cumulative personal holidays to be scheduled and taken as determined by the institution. Unclassified staff with less than a full time appointment shall receive a prorated share of these personal holidays based on the percent of appointment.

OFFICE OF OPERATIONS REVIEW AND AUDIT

Children's Centers at University of Wisconsin Institutions

BACKGROUND

The Office of Operations Review and Audit reviewed the implementation of Regent Policy Document 83-5, which specifies that each UW institution "should set a goal of seeing that top quality, low cost child care and extended child care services, preferably campus based, are available to the children of students, faculty, and staff." Center operations were reviewed to assess how UW children's centers are meeting the challenge of providing necessary programs of high quality while keeping costs low.

REQUESTED ACTION

For discussion purposes.

DISCUSSION

Twenty-two children's centers and preschool laboratories serve the child care needs of the university community. In addition to providing child care, the centers provide instruction and academic support, research, public service, and outreach. Academic departments increasingly use children's centers for a wide range of degree programs.

Child Care Services and Availability

Capacity at UW children's centers has increased by approximately 18 percent over the past ten years, ranging from eight children at one of UW-Madison's centers to 285 children at UW-Milwaukee's center. Some centers do not provide summer or interim care because of reduced demand, but most operate year-round, using various strategies to offset periods of reduced enrollment, such as school-age programs, opening the center to the community, or using a combination of academic and annual appointments for their teaching staff.

Decisions about ages of children to serve and types of services to offer are based on a combination of need, space, and cost effectiveness. The centers provide care to children from infant to school age. The number of centers providing infant/toddler care continues to increase, as directors report this to be the area of greatest unmet need. Several centers offer care for school-aged children, and all centers periodically serve children with special needs. Nontraditional services, such as part-time, drop-in, evening, weekend, or sick-child care, may be areas of special need for university parents, but these services are provided on a limited basis.

Child Care Needs and Enrollment Management

Changing demographics of the university population, as well as university initiatives, are among the factors affecting the demand for child care. Only a limited number of institutions have conducted recent needs assessments. To enhance planning efforts, the report recommends UW institutions assess child care needs on a regular basis.

The UW children's centers served approximately 1,655 children during the fall of 2002, serving students, faculty, staff, and sometimes community and alumni parents. Although most centers give some priority to student parents, the proportion of children from the community ranged from none to 71 percent in fall 2002. UW children's centers have adopted various strategies for managing the enrollment process.

Program Administration

In administering UW children's centers, directors balance quality-of-care issues with concerns about resources. Providing an educated, experienced staff or reducing child-to-staff ratios can result in higher costs to parents, reductions in services, or both. Minimizing staff turnover is important for ensuring quality care. The report identifies strategies that centers have adopted to minimize turnover. Also, Board of Regents policy permits state funds to be used to fund facilities, but in practice UW institutions must find alternative funding sources to meet facility needs, such as segregated fees, grants, or donations.

UW System policy requires that each children's center maintain accreditation by the National Academy of Early Childhood Programs; at the time of the review, several programs were not accredited, as required. The report also recommends that children's center directors use additional evaluation tools, such as National Health and Safety Performance Standards, to assess and improve program quality.

Financial Operations

Setting rates and identifying revenue sources are among the UW children's centers' financial responsibilities. While most centers offer student parents a discounted rate, there is often no assurance that segregated fees are fully used to subsidize student parent fees. Also, the level of General Purpose Revenue (GPR) support for the children's centers varies widely; most centers perform instructional and research functions, but UW institutions do not consistently provide GPR support for salaries or other expenses. The report recommends assigning costs according to the mix of program activities. In addition, the report describes fundraising efforts and offers recommendations for centers to take greater advantage of specific federal funding sources and to improve other financial operations.

RELATED BOARD OF REGENTS POLICIES

Regent Policy Document 83-5, Equal Opportunities in Education: Elimination of Discrimination Based on Gender

Office of Operations Review and Audit



Program Review

**Children's Centers
at University of Wisconsin Institutions**

November 2003

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EXECUTIVE SUMMARY

UW System child care policy recognizes the importance of access to child care for UW students, faculty and staff. The Office of Operations Review and Audit reviewed the implementation of Regent Policy Document 83-5, which specifies that each UW institution “should set a goal of seeing that top quality, low cost child care and extended child care services, preferably campus based, are available to the children of students, faculty and staff.” Center operations were reviewed to assess how UW children’s centers are meeting the challenge of providing necessary programs of high quality while keeping costs low.

Mission

Twenty-two children’s centers and preschool laboratories serve the child care needs of the university community. In addition to providing child care, the centers provide instruction and academic support, research, public service and outreach. Academic departments increasingly use children’s centers for a wide range of degree programs, although we found some centers did not document such use, as required by UW System policy. The report recommends centers document the full range of their functions to assist in the determination of proper funding.

Child Care Services and Availability

Capacity at UW children’s centers has increased by approximately 18 percent over the past ten years, ranging from eight children at the UW-Madison infant/toddler center to 285 children at UW-Milwaukee’s center. Although some centers do not provide summer or interim care because of reduced demand, most centers operate on a year-round basis, using various strategies to offset periods of reduced enrollment, such as school-age programs, opening the center to the community or using a combination of academic and annual appointments for their teaching staff.

Decisions about ages of children to serve and types of services to offer are based on a combination of need, space and cost effectiveness. The centers provide care to children from infant to school age. The number of centers providing infant/toddler care continues to increase, as directors report this to be the area of greatest unmet need. Several centers offer care for school-aged children, and all centers periodically serve children with special needs. Nontraditional services, such as part-time, drop-in, evening, weekend, or sick-child care, may be areas of special need for university parents, but these services are only provided on a limited basis. Most centers offer part-time enrollment, ranging from hourly to half-day minimums, but only UW-Eau Claire offers evening care and only UW-Madison offers sick-child care.

Child Care Needs and Enrollment Management

Changing demographics of the university population, as well as university initiatives, are among the factors affecting the demand for child care. Only a limited number of institutions have conducted recent needs assessments. To enhance planning efforts, the report recommends UW institutions assess child care needs on a regular basis.

The UW children's centers served approximately 1,655 children during the fall of 2002, serving students, faculty, staff, and sometimes community and alumni parents. Although most centers give some priority to student parents, the proportion of children from the community ranged from none at two centers to 71 percent in fall 2002. UW children's centers have adopted strategies for managing the enrollment process that include: monitoring enrollment levels, requiring non-refundable registration deposits, or charging fees for schedule changes.

Program Administration

In administering UW children's centers, directors balance quality-of-care issues with concerns about resources. Providing an educated, experienced staff or reducing child-to-staff ratios can result in higher costs to parents, reductions in services, or both. Minimizing staff turnover is important for ensuring quality care. The report identifies strategies that centers have adopted to minimize turnover.

Child care facilities are subject to extensive state licensing standards, and UW institutions must maintain existing centers, find additional space for program expansions or build new facilities. Although a Board policy prescribes state funding for children's centers, in practice the UW institutions must find alternate funding sources, such as use of segregated fees or donations, to meet facility needs.

While state licensing requirements represent a basic level of consumer protection, accredited programs tend to have higher quality. Although UW System policy requires that each children's center maintain accreditation by the National Academy of Early Childhood Programs, four campus-operated programs and two institutions' private contractors are not accredited, as required. The report recommends that UW institution administrators ensure that all UW children's centers or private vendors ensure accreditation is maintained. Also, the report recommends that children's center directors analyze parent survey results and use additional evaluation tools, such as National Health and Safety Performance Standards, to assess and improve program quality.

Financial Operations

Setting rates and identifying revenue sources are among the UW children's centers' financial responsibilities. Parent fees are the primary source of funding for children's centers. Segregated-fee, GPR and in-kind support are also appropriate. We found that while most centers offer student parents a discounted rate, there is often no assurance that segregated fees are fully used to subsidize student parent fees. Also, the level of GPR support for the children's centers varies widely; most UW children's centers perform instructional and research functions, but UW institutions do not consistently provide GPR support for salaries or other expenses. The report recommends assigning costs according to the mix of program activities. In addition, the report offers several recommendations for centers to take greater advantage of specific federal funding sources, as well as fundraising opportunities.

SCOPE

The UW System Office of Operations Review and Audit reviewed children's centers at the UW institutions. Regent Policy Document (RPD) 83-5, "Equal Opportunities in Education," recommends that UW institutions provide low-cost, quality child care and extended care services. Office staff also reviewed guidelines established to implement Board of Regent (BOR) policy – Regent Resolution SG 18 1986, "The Future of Child Care Services in UW System," and Financial and Administrative Policy (FAP) G38, "Child Care Centers," which was revised in July 1994. Areas examined included: 1) the role of the centers and the extent of instructional and academic support provided; 2) the steps centers take to meet the needs of the university population; 3) the types of services provided by the various children's centers; 4) sources of funding for center operations; and 5) best practices among children's centers.

We visited children's centers at UW-Eau Claire, Milwaukee, Oshkosh, Parkside, Platteville, River Falls, Whitewater, and Fox Valley, as well as the seven centers at UW-Madison. We collected data for the other UW comprehensive institutions and some UW Colleges through questionnaires and telephone interviews. Staff interviews were conducted with various UW institution staff, including children's center directors, student service and student life directors, Dean of Students staff, business office staff, and others. Finally, we conducted research on child care programs at peer institutions, state and federal requirements, funding opportunities for child care providers, and best practices in center operations. Our review did not include compliance with Wisconsin licensing requirements for group day care centers because the Department of Health and Family Services conducts site reviews, and centers are re-licensed every two years.

BACKGROUND

UW institutions have a long history of providing child care services. A 1992 UW System study of the status of children's centers credits UW-Stout with providing child care since 1926. A UW-Madison University Child Care Committee report notes that a Preschool Lab was opened in 1926 as a cooperative nursery school to help mothers develop parenting skills. It further notes that the support of student parents dates to 1946 when a nursery school was established for preschool children residing in "Badger Village." Twenty-two children's centers and preschool laboratories now operate within the UW System to provide for the child care needs of the university community, as well as to serve as training and observation sites for academic purposes.

UW System child care policy recognizes that access to child care for students, faculty and staff is crucial, and UW institutions should ensure that child care needs are met. Each of the doctoral and comprehensive UW institutions, with the exception of UW-Green Bay, provides child care services to students, faculty, staff and sometimes community members. Additionally, two UW Colleges provide campus child care services, and several of the other UW Colleges allocate a part of segregated fees to subsidize student-parent child care costs in the community. All of the operations are located on campus, with the exception of one UW-Madison center operated in an off-campus location. The majority of children's centers are UW institution-operated, although

UW System policy recognizes that meeting child care needs is essential.

four are operated by private vendors and one is operated as a parent cooperative. UW-Green Bay discontinued its child care operation in 1994-95 due to a combination of problems with the center's financial position and the facility; a UW-Green Bay committee to address the need for campus care has issued a draft report which includes various options to meet the needs of student parents.

Employer-sponsored child care is used increasingly as an employee recruitment and retention tool and is viewed as an important work/life issue. FAP G38 recognizes that actions taken by the State of Wisconsin give public recognition and funding for child care as a service that supports employees and meets a recognized need, maintains competitive status and increases employee productivity. A 2000 University of California System Child Care Policy and Program task force report notes that major employers, like the university, must recognize that child care services can give the university a critical advantage in the employment market, as well as in retention of current employees. Also, the 1999 UW System Equality of Women report notes that the university will need to offer benefits that balance work and personal life in order to be competitive in recruiting the best faculty, staff, and students. The report adds that the University will act in partnership with child care providers to meet demand for child care, provide flexible hours, and develop a funding system that makes child care affordable for students as well as employees.

Child care availability is an employee recruitment tool.

The first UW System policy on child care was implemented in 1974 and amended in RPD 83-5 as part of the "Equal Opportunities in Education" policy. Unlike some other BOR policies that mandate minimum levels of service, such as RPD 78-9 which governs student health centers, the child care policy itself does not dictate that child care programs be established. The child care component of RPD 78-9 states only that each UW institution should set a goal of providing high-quality, low-cost child care and extended care services, preferably campus based, when community care does not meet the needs of students, faculty and staff. In this context, we reviewed how UW institutions have implemented the guidance in RPD 83-5, FAP G38, and Resolution SG 18, as well as how UW children's centers have met the administrative difficulties associated with providing high-quality, low-cost child care.

Board of Regents policy provides that UW institutions are to offer high-quality, low-cost child care when community care does not meet the needs of students, faculty, and staff.

DISCUSSION AND RECOMMENDATIONS

A major challenge facing UW children's centers is balancing model, high-quality programs with affordable fees. It can be costly to provide nontraditional services, such as part-time, evening, or sick-child care, or care for infants and toddlers, while also maintaining accreditation standards. In addition, the centers are limited by the facilities themselves, since space is a major factor in licensed capacity. The centers are multi-purpose in function, but parent user fees are the major funding source for center operations. The UW centers have worked diligently to maintain

UW children's center directors work to keep services affordable.

user fees that are affordable to university parents, while at the same time expanding services. Center directors have attempted to implement effective staffing patterns, good enrollment management practices and other cost-saving measures.

This review includes: 1) a discussion of the mission of the UW children's centers; 2) a description of the types of child care services UW institutions offer, including nontraditional services; 3) an analysis of needs assessment and enrollment-management efforts; 4) an overview of administrative issues, such as staffing and quality assessment; and 5) financial operations.

MISSION OF UW CHILDREN'S CENTERS

FAP G38 recognizes that children's centers serve a mix of functions that include instruction/academic support, student services, research, public service/outreach, institutional support, and auxiliary enterprises. Accordingly, administrative reporting arrangements for the UW children's centers vary widely, with centers reporting to student services, business and finance, academic departments, or others, representing the range of centers' functions. UW child care policy also states that the instructional obligations and academic/institutional support roles of the centers should be recognized and documented. We reviewed the role of child care centers and the extent to which they document their academic/institutional support responsibilities.

Educational Role

Academic departments increasingly use children's centers for education and research covering a wide range of degree programs, such as early childhood education, music, foreign language and physical education. Centers work with students and faculty from their own UW institutions; and some centers report that students from other UW institutions, as well as technical and private colleges, use the centers for educational purposes.

Academic departments use children's centers for education and research.

Although the earliest child care services were developed as preschool laboratories in conjunction with educational and research programs, the current children's centers combine the education and research role with child care services. The current distinction between UW children's care centers and preschool laboratories is characterized more by length of the daily program than by type of programming. The laboratory programs tend to be shorter, but most of the centers have a high-quality educational component that promotes physical, social, emotional and cognitive development. Three programs are limited to either enrichment or laboratory use.

FAP G38 suggests that research findings in child development and early childhood education be integrated into the operation of the children's centers. Extensive child development research conducted at the UW institutions allows innovative practices to be implemented. For example, the UW-Madison Preschool Labs have implemented "looping," which means that teachers move with children from one age group to the next in order to provide continuity; UW-Eau Claire also established this practice beginning in Fall 2002.

Documentation of Functions

We found that nearly all of the UW children's centers address their instructional and academic roles in the centers' mission statements. However, some centers do not document and summarize use for purposes other than child care, as required by G38, even though such use may be extensive.

The centers' academic and institutional support roles include developing and testing model curricula; offering activities that provide a mechanism for students to gain practical experience, such as field placement experiences, practicums and observation sites; and providing faculty and student research project pilot sites. Use of the centers for academic purposes varies significantly. For example, UW-La Crosse maintains a guest log and reports over 3,900 hours of use in FY 2002 for observation, student teacher placement and other curricular efforts. UW-Parkside, on the other hand, reports that the center is seldom used for purposes other than child care since its School of Education does not place student teachers and very little classroom observation occurs.

Funding sources should reflect the mix of functions that UW children's centers serve, but some centers do not fully document academic and other functions.

G38 states that institutions are responsible for the assignment of costs according to activity and should weigh the mix of program activities accordingly. Since children's centers should be funded by sources appropriate to their activities, *we recommend that all UW children's centers: 1) document their role in functions such as instruction/academic support, research, public service, and other activities, and 2) verify the appropriate funding mix and assign costs proportionately.* Documentation could be useful in requesting GPR support.

CHILD CARE SERVICES AND AVAILABILITY

The UW children's centers vary significantly in the type and extent of services provided to the university parent population. Most of the UW institutions have elected to establish a campus-operated center to provide child care services, while UW-Superior and UWC-Waukesha use private vendors to supply this service. Also, UW-Madison contracts with outside providers to better meet campus needs. The infant/toddler center was established to ease the critical shortage of infant care. UW-Madison also supports a vendor affiliated with the Wisconsin Union. In addition, University Housing at UW-Madison supports a parent cooperative. The UW-Madison University Child Care Committee has recommended a continued emphasis on establishing contractual arrangements with private providers to increase the access to care on or near campus and as a means of avoiding the high cost and lengthy process of building new facilities.

Most UW institutions have on-campus children's centers.

Capacity at UW children's centers has increased by approximately 18 percent over the past ten years. Licensed capacity of the centers totaled 1,444 in fall

Children's centers have increased their capacity by 18 percent over the past ten years.

2002, compared to a systemwide capacity of 1,226 students, based on a 1992 report. The licensed capacity of the UW children's centers ranges from eight children at the UW-Madison infant/toddler center to 285 children at UW-Milwaukee. Licensed capacity is dictated by a combination of factors, including the needs of the campus, size of the facility and staffing. In addition to the total licensed capacity, state licensing requirements establish limits on the number of children in a given group, which usually varies by age. Most centers generally group children by age, with some flexibility regarding the individual child's development.

G38 lists child care needs for university parents, including availability, infant care, after-school and vacation care and care for children with special needs. Operating hours, calendars, ages of children served and types of nontraditional services offered vary among the UW children's centers. We reviewed each of these areas and also examined efforts to expand services through collaboration with other organizations or UW departments.

Service Availability

Although some parents need child care services throughout the year, other parents need care only during times when school is in session. Most UW children's centers operate on a year-round basis, with the exception of several weeks, such as between Christmas and New Year's or spring break. This compares favorably to a 1992 UW System study that found many centers open only during the academic sessions and three centers closed all summer. However, a small number of centers continue to limit the availability of child care. For example, UW-La Crosse did not provide care during the summer of 2002; according to the director, parents are surveyed in spring to determine whether summer enrollment would justify the cost of staying open for the summer period.

Operating on a year-round basis creates staffing and enrollment concerns.

Summer and interim periods create additional concerns among directors about enrollment levels and fixed costs. The centers must balance staffing requirements with uncertain enrollment during these periods. To reduce the impact of lower enrollments, centers have employed a number of different policies to alleviate or reduce the loss of revenue. For example, UW-Stevens Point reports that staff is reduced to meet summer needs, a school-age program is made available, and the center is opened to the community. Another center uses a combination of academic-year and 12-month appointments for its teaching staff.

The UW children's centers generally are open from 7:30 a.m. to 5:00 p.m., although some centers open as early as 7:00 a.m. and/or remain open to 6:00 p.m. Since fewer children are enrolled in the early morning or late afternoon, the centers usually combine age groupings at these times, within allowable staff-to-child ratios, as a cost-saving measure.

Ages of Children Served

UW children's centers are licensed to serve various ages of children, ranging from one-week-old infants to 12-year-old school-aged children, as detailed in Table 1. Almost all centers provide

care to children from the age of two years through six years, but infant/toddler and school-age program offerings are more limited.

Table 1
UW System Children's Center Capacity and
Ages of Children Served: Fall 2002

UW INSTITUTION	LICENSED CAPACITY	AGES CENTER IS LICENSED TO SERVE*	
Eau Claire	75	2 yrs.	10 yrs.
Green Bay	None		
La Crosse	72	1 yr.	12 yrs.
Madison			
Preschool Lab-Linden	50	2 yrs.	9 yrs.
Preschool Lab-Bethany	67	6 wks.	9 yrs.
Waisman Early Childhood	100	1 yr.	8 yrs.
Eagle's Wing	107	1 ½ yrs.	12 yrs.
Bernie's Place	36	2 ½ yrs.	6 yrs.
University Houses Nursery	14	2 ½ yrs.	6 yrs.
Infant/Toddler Center	8	3 wks.	2 ½ yrs.
Milwaukee	285	6 wks.	12 yrs.
Oshkosh	84	2 wks.	8 yrs.
Parkside	80	4 wks.	4 yrs.
Platteville	52	2 yrs.	8 yrs.
River Falls	60	6 wks.	12 yrs.
River Falls Preschool	21	4 yrs.	5 yrs.
Stevens Point	68	6 mos.	10 yrs.
Gesell Institute	20	2 yrs.	5 yrs.
Stout	66	6 wks.	6 yrs.
Superior	65	6 wks.	12 yrs.
Whitewater	40	2 yrs.	11 yrs.
UWC-Fox Valley	52	1 wk.	6 yrs.
UWC-Waukesha	22	6 wks.	6 yrs.
Total	1,444		

Source of Data: Children's center directors.

*Some centers maintain a license to enroll a wide age-range of children, although actual enrollment practice may limit the ages served.

Infant and Toddler Care

Almost every UW children's center director noted that the greatest unmet need is for infant/toddler care. Facility limitations, as well as the high cost of infant/toddler care, are factors in offering this service. Costs are significantly higher for infant/toddler care because of Wisconsin licensing requirements for this age group, such as pre-enrollment interviews, additional staff training requirements, and a four-to-one child-to-staff ratio. Accreditation standards recommend even lower child-to-staff ratios.

Eleven centers currently provide care to infants (under one year of age), serving approximately 92 children. This compares favorably to five centers providing this service at the time of the 1992 child care review. Several centers have recently expanded their service to include or increase the capacity for infants/toddlers: 1) UW-Stevens Point began relocating its program beginning in fall 2001 to accommodate an infant/toddler program; 2) UW-Stout recently established an infant/toddler program; 3) UW-Madison contracted with a private vendor to establish an infant/toddler center in an existing UW-Madison facility; and 4) UW-Milwaukee added an additional infant classroom in January 2002.

Despite higher costs for infant care, the number of centers providing this service has increased.

School Agers

Numerous studies identify a high need for care of school-age children who are often left unsupervised; nationally the number of extended-day child care programs has grown substantially over the past two decades, but has not met the need. In addition to meeting need, providing school-age care is not as costly as other care because of higher child-to-staff ratios for older children. Also, some centers use multi-purpose space or mixed-age groups when serving school agers. We examined the extent to which UW institutions offer school-age care.

Before- and after-school care -- Several UW children's centers offer care for school agers before and after school hours. UW-Madison Eagles Wing has a before- and after-school service and transported enrolled children in a leased state-owned van to and from the closest elementary school during the 2002 academic year. However, Eagles Wing now uses a private vendor for transportation because the use of 15-passenger vans is no longer permitted at UW-Madison. Because of safety concerns, UW institutions are reviewing the advisability of transporting children in 15-passenger vans. (UW children's centers sometimes use vans for other purposes, such as field trips.) UW-River Falls hopes to build a school-age program in the future and will be asking the school district to notify parents of the center's availability. The school district reportedly is willing to bus children to the center from the home school, if needed. UW-Milwaukee also provides child care services for children from the closest elementary school, within walking distance of the center, charging a fee to accompany children from the school. The center also provides care to school agers from other area schools through transportation arrangements with a van service.

Providing before- and after-school care can be complicated by transportation issues.

Other institutions do not serve school agers for various reasons. UW-Parkside noted the large geographic area and number of elementary schools involved decrease the opportunity for a school-partnering relationship. Other centers cite lack of transportation as a reason for not offering this service. In some campus communities, community providers, such as the YMCA's "Surround" program in La Crosse, provide school-age care through arrangements with the public school system. UW-La Crosse notes that most parents opt for the YMCA program.

Vacation (school out) care -- Several UW children's centers, such as UW-Eau Claire, La Crosse, Milwaukee, and Platteville, offer child care on days that public schools are closed. The

Status of Women report, which recognizes peer university best practices, includes offering child care on snow days at the University of Pennsylvania as a best practice. Summer programs have also been established for school-agers by several of the UW centers. For example, the UW-Stevens Point center includes school-age children in its summer program, University Preschool labs have "Summer Roustabout" programs, and UW-Madison's WECP operates a "Camp Vacation."

In order to better identify the demand for infant/toddler or school-age care, *we recommend that UW institutions develop plans for determining the appropriate service level to meet the needs of the university community and explore funding opportunities to expand services to meet needs.*

Some UW children's centers offer school-out care, which has been identified as a best practice.

Services for Children with Special Needs

All UW children's centers serve children with special needs, at least periodically. Directors report that lower child/staff ratios are sometimes necessary in order to meet the needs of the child. For example, UW-Eau Claire currently maintains a child-to-staff ratio of one-to-one for a special needs child. The cost of the additional staffing has been assumed by the center's budget. The UW-Madison WECP focuses on care for special needs children as part of its mission and is reported to be a model program for meeting the needs of a developmentally diverse group of children. The WECP enrolls 20 to 30 percent of its children from the special needs population and funds positions in occupational therapy, speech and language therapy, and school psychology; these services are offered on a fee-recovery basis.

The federal Individuals with Disabilities Education Act (IDEA) provides funds to states for two programs that address the developmental needs of young children, the Birth-to-Three program and preschool grants that entitle each child with a disability, aged three to five, to receive free appropriate public education. In many instances, the UW centers work with the Birth-to-Three program or the school district (for children over three years of age) to provide additional services. National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care notes that facilities should pursue the "many funding mechanisms available to supplement funding for services." The standards further note that child care providers should discuss with parents potential sources of financial assistance, such as Medicaid, private health insurance, state or federal funds for child care, or community resources, to assist in providing needed accommodations.

Nontraditional Services

University parents may need child care services that differ significantly from services community providers offer. FAP G38 includes an appendix of needs for university parents that includes many services that are non-traditional in nature, such as flexible hours, sick-child care, and evening, weekend and drop-in care. User

Flexible hours, sick-child care, and drop-in care are helpful to parents, but user fees may not fully support these services.

fees may not always fully support these services. For example, extending more flexible scheduling options or evening care may result in less than full utilization, which may not support staffing costs. Nationally, nontraditional work arrangements are growing, and several states offer incentives to providers who provide care during nontraditional hours. We examined the extent to which UW children's centers offer nontraditional services.

Part-time care -- Community providers often offer services only on a full-time basis, and full-time care may not be necessary or affordable for many university parents. While all UW centers provide for part-time enrollment, the extent of flexibility varies. Some centers offer care in half-day blocks of time, ranging from one to five days required per week, while other centers offer more flexibility through hourly minimums. Centers that offer hourly care options may limit this care to children of student parents or to preschool children. One center director noted that establishing four-hour minimums provides more consistency to children and strengthens the quality of the program, and another observed that scheduling hourly increments is not cost efficient. However, the UW-Milwaukee children's center noted that low child-to-staff ratios help to accommodate transitions that occur as a result of flexible scheduling.

Drop-in care -- Most centers provide care to enrolled children outside the contracted hours, when space is available, for an additional charge. Drop-in care for children not enrolled is provided only by a limited number of children's centers, if space is available and required documentation is submitted in advance of attendance. The U.S. Department of Labor's Child Care Best Practices identifies back-up care as a best practice, since it must be recognized that child care arrangements are not infallible.

Limited drop-in care is available, although the U.S. Department of Labor identified this as a best practice.

Evening and weekend care -- Although FAP G38 suggests that child care services may be needed during the evening or on weekends, the centers do not generally provide this care. Currently, only UW-Eau Claire provides some evening care, but the program was not well attended at the time of our review. Both UW-Parkside and UW-Madison Eagle's Wing have piloted evening programs, but these programs were discontinued due to low enrollment. The private vendor at UW-Superior is reviewing the feasibility of providing this service.

Some directors reported that parents prefer in-home evening care, and less expensive alternatives may be available during the evening hours. Several centers provide babysitting lists of their student employees to better meet the needs of campus parents during evenings, interim sessions, or as required. UW-Milwaukee center policy, on the advice of campus legal counsel, specifically states that the center will not endorse or recommend staff to parents and is not liable for the conduct of any staff or parents who enter into a babysitting agreement.

UW-Madison sick-child care -- Studies conducted as part of Wisconsin's Early Childhood Excellence Initiative have indicated that caring for sick children is the biggest problem facing today's parents, and child care programs that offer sick-child care are performing a crucial service. Only UW-Madison provides sick-child care for its student parents; it began in fall 2000 and is funded by segregated

Only UW-Madison offers sick-child care.

fees. Student parents are able to use the service in four-hour blocks, dependent on a nursing assessment, so they can attend classes, labs or work. Sick-child care had been offered through a hospital program that provided space for care within the hospital; the current agreement, which began in January 2002, provides for in-home health care services for children of student parents. Participation in the in-home program has not been as high as participation in the hospital-based program. One report indicates that initial participation in such programs is usually low and increases with parent-user recommendations. (The University of Michigan provides in-home care for children of faculty/staff, up to 48 hours per year, with fees based on household income.)

Collaborative Efforts to Expand Services

In addition to providing nontraditional services, the UW children's centers have implemented a number of innovative options to enhance existing services, both within the university community and in collaboration with outside agencies. Some UW children's centers have made partnerships within the university community to enhance or enrich child care services. The children's centers also have established collaborative agreements with outside agencies in order to improve or enhance services. Examples of these efforts are included in Table 2.

Table 2
UW Children's Centers Collaborative Efforts

UW INSTITUTION	PROGRAM	DESCRIPTION
CAMPUS COLLABORATION		
Eau Claire	Community Service	The children's center is an approved site for community service work required for a degree.
Oshkosh	Suzuki Music Program Multicultural Experiences	An agreement with the Suzuki music program, "Adventures in Music," provides early music experiences. A liaison with the Multicultural Center provides multicultural experiences through a diversity innovation grant.
River Falls	America Reads	Participation in the America Reads program makes College Work Study students available for literacy projects.
Whitewater	Literacy Program Family Program Physical Education Program	Special programs are provided to children and families in the center by several departments, including a literacy program by Communicative Disorders, a family program through Curriculum and Instruction, and a physical education program through the School of Education.
EXTERNAL COLLABORATION		
Eau Claire	Head Start Jump Start	A collaborative project with Head Start contributes to the fees for eligible children, as well as providing stipends for child care staff to participate in individual service plans, reimbursing providers for each training opportunity, and providing certain services to enrolled Head Start families. Through Jump Start, a new grant program that began in Fall 2002, each participating university student spends ten hours per week with the objective of enhancing literacy, language, and social and emotional development of center children.

UW INSTITUTION	PROGRAM	DESCRIPTION
Madison WECP	Parent/Infant/Toddler Program UW Hospital Sibling Care	A partnership with the Birth-to-Three program provides a Parent/Infant/Toddler program to provide educational services to parents with children between birth and two years of age, with an emphasis on learning through play. The WECP also has an agreement with the UW Hospital to provide care to siblings of children who are hospitalized, although the program is not extensively used.
Milwaukee	Ghana Exchange Urban Ecology	The Center has a partnership and exchange program with a children's center in Ghana. Also, the Urban Ecology Center of Milwaukee works with the Center's school-age children.
Stout	Birth to Three	The Center collaborates with the Birth to Three program. By working with occupational and physical therapists, children are provided specialized experiences in the classroom.

To enhance services provided to children, *we recommend that all UW children's centers explore opportunities for establishing partnerships with both campus departments and off-campus agencies.* Partnerships benefit both university students and the UW children's centers.

CHILD CARE NEEDS AND ENROLLMENT MANAGEMENT

RPD 83-5 authorizes UW institutions to provide child care services when community providers cannot meet the needs of the university community, and BOR Resolution SG 18 further directs that all institutions periodically conduct a needs assessment of child care services. Demographic changes in the student and employee populations, such as recruitment of younger faculty or increased numbers of older adult students, may result in changing needs for child care. UW System or institution practices, such as increasing evening or weekend classes, may also affect demand. We reviewed needs assessment procedures and enrollment management.

Needs Assessment Procedures

G38 recommends that a consortium of children's center directors develop community assessment procedures addressing the needs of UW institution target populations. We found that Local Child Care Resource and Referral agencies, serving all Wisconsin counties, collect and manage comprehensive child care data on supply and demand, quality, and local rates, thus providing community assessment information. Periodic needs assessment of the university population, as required by the Resolution, has been conducted by a limited number of UW institutions. Recent assessments include the following:

UW children's centers have conducted only a few recent needs assessments.

- A UW-La Crosse task force recently completed a review of child care needs. A needs-assessment survey of faculty/staff and students documented a need for infant care and predicted that the need for child care will increase with an increase in the non-traditional student population.

- UW-Parkside convened a working group on child care services in 1998 to study existing services and make recommendations for improving services or providing new services to better serve students. The resulting report provided extensive findings on the university parent population, including primary child care arrangements used, work absences related to child care problems, concerns when selecting a child care arrangement, and how employees rank new services.
- UW-Oshkosh recently conducted a survey of both the student and faculty/staff populations to determine the extent of unmet needs.
- UW-Stout reported that it recently performed several needs assessments, identifying that the center could easily support another infant program. However, the campus notes that space and cost factors prohibit expansion of the current program.

In addition, several peer institutions have conducted on-line assessments of child care needs. UW-Whitewater also reported piloting a project that uses the children's center website to tally persons interested in future child care.

Apart from these efforts, children's center directors reported that UW institutions do not systematically collect data on whether the university population has children or on the ages of the children. The UW-Madison Office of Campus Child Care (OCCC) reported exploring the possibility of including parent information on the UW admission application, but these efforts were not successful. Collecting parent data could be useful for several purposes, including determining unmet need, advertising the services of the children's centers, and providing data necessary for some federal child care grants. Our research indicates that some peer institutions have begun efforts to collect this information. For example, the University of Michigan Child Care task force recommended that a database be established on the numbers and ages of dependent children of faculty, staff and students.

Data on the university population could be used to determine unmet need, to advertise the centers, or to prepare for federal grant applications.

UW children's centers generally maintain waiting lists of families seeking child care at times when center enrollment is full. The size of the reported waiting lists varies among UW institutions and also varies from year to year, according to the center directors. The Waisman Early Childhood Program (WECP) at UW-Madison reported 136 families on a recent list, and UW-La Crosse reported 24. These lists may serve as some reflection of unmet needs, although some center directors reported that lists may understate unmet need, since families sometimes do not choose to be included if there is no likelihood of enrollment. On the other hand, the lists can overstate need because some families on waiting lists have found child care elsewhere by the time enrollment offers are made. Institutions differ in how they maintain the data, such as cumulative or by semester, or university-related families only or all interested families. UW-Madison OCCC is purchasing reporting software which is expected to assist in compiling more useful waiting list data by establishing a more uniform method across centers.

Campus populations need to be assessed on an ongoing basis due to fluctuations in child care needs. *We recommend UW institutions: 1) establish procedures for assessing child care needs on a regular basis, and 2) consider compiling parent data to target assessments and meet federal grant requirements.* Documenting unmet need is important in requesting new or additional facilities or in expanding program offerings.

Enrollment Management

Maximizing enrollment is necessary for a financially stable operation. The UW children's centers served approximately 1,692 children during fall 2002, as shown in Table 3. Enrollment in the UW children's centers is usually greater than the licensed capacity because many children are enrolled on a part-time basis. For example, a center that offers enrollment in half-day blocks with a one-block minimum could enroll ten different children in that slot each week. On the other hand, some directors reported that it is their policy to enroll fewer than licensed capacity,

Table 3
UW System Children's Center Enrollment and Parents Served: Fall 2002

UW INSTITUTION CHILDREN'S CENTERS*	TOTAL ENROLLED	STUDENTS		FACULTY/ STAFF		COMMUNITY/ ALUMNI	
		#	%	#	%	#	%
Eau Claire	109	41	37.6%	53	48.6%	15	13.8%
La Crosse	86	44	51.2%	42	48.8%		
Madison							
Preschool Lab-Linden	60	28	46.7%	29	48.3%	3	5%
Preschool Lab-Bethany	56	11	19.6%	17	30.4%	28	50%
Waisman Program	83	8	9.6%	48	57.8%	27	32.6%
Eagle's Wing	145	103	71.0%	36	24.8%	6	4.2%
Bernie's Place	32	10	31.2%	19	59.4%	3	9.4%
University Houses	39	28	71.8%	7	17.9%	4	10.3%
Infant/Toddler Center	11	4	36.4%	7	63.6%		
Milwaukee	318	154	48.4%	70	22%	94	29.6%
Oshkosh	94	59	62.7%	35	37.3%		
Parkside	90	38	42.2%	28	31.1%	24	26.7%
Platteville	66	24	36.4%	26	39.4%	16	24.2%
River Falls	50	24	48.0%	9	18.0%	17	34.0%
Stevens Point	79	46	58.2%	27	34.2%	6	7.6%
Stout	94	42	44.7%	15	16.0%	37	39.3%
Superior	121	27	22.3%	8	6.6%	86	71.1%
Whitewater	62	35	56.5%	22	35.5%	5	8.0%
UWC-Fox Valley	69	18	26.1%	8	11.6%	43	62.3%
UWC-Waukesha	28	15	53.6%	5	17.9%	8	28.5%
Total	1,692	759		511		422	

Source: UW children's center directors

*Excludes UW-River Falls and Stevens Point preschool labs.

since licensed capacity may only be based on the size of the building rather than on the number of children who can be adequately served. The population served varies significantly among the centers.

The UW children's centers serve both students and faculty/staff, and many centers also make enrollment available to alumni or to members of the community. Almost all of the UW children's centers noted that priority is given to student parents during the enrollment process. FAP G38 notes that community users can provide a more stable funding base and be a source of economies of scale. It also identifies other benefits from community use, such as helping to meet community needs and possibly providing a broader representation of children for researchers. Only UW-La Crosse and UW-Oshkosh report that care is not provided to the community.

UW children's centers serve students, faculty and staff, and community/alumni members.

We identified various factors that affect the enrollment level and mix of university and community parents who enroll their children in the UW children's centers. Among these are: enrollment priorities, enrollment timing, and the relationship with the local public schools.

- *Enrollment priorities:* While some priority is given to student parents, priority may also be given to currently enrolled children, siblings of currently enrolled children, or children enrolled during the summer; this can influence the mix of parents. The UW-La Crosse task force study noted, for example, that the percentage of student parents decreased when the sibling policy was instituted. Several UW-Madison centers first serve a specific university population, such as WECP staff, or residents of University Apartments. A limited number of centers, including UW-Milwaukee, allocate a certain enrollment level to students based on segregated fee support, which guarantees they will serve a certain number of student parents.
- *Enrollment timing:* When registration for the fall semester occurs in the preceding March or April, openings in enrollment are less likely to be available to students who register after that time. One center holds its registration closer to the start of classes.
- *Earlier public school attendance:* Changes within public school systems have affected enrollment at some of the UW children's centers. In recent years, some public school districts in Wisconsin have implemented all-day kindergarten and kindergarten for four-year-olds. Enrollment losses have created temporary budgetary concerns at some centers, such as at UW-Platteville. However, the director reported that the loss in enrollment of four- or five-year-olds can be offset by serving additional younger children.

Enrollment priorities, enrollment timing, and other factors affect the number and mix of parents who use UW child care services.

In other instances, the local school districts are unable to locate adequate space in their existing facilities to expand to four-year-old kindergarten programs and, as a result, enter into cooperative agreements with child care centers. UW-Milwaukee was the only center to enter into such an agreement at the time of the review, but other centers have been approached

about providing this service. For example, the UW-Madison centers reported that the Madison school district is exploring collaboration with existing centers for the kindergarten-for-fours program, since the Madison school district does not have space to expand its program. All UW-Madison campus-operated centers expressed interest in participating in this program.

The UW children's centers have adopted a number of different strategies to strengthen the enrollment process. Various centers have adopted the following practices:

- Monitoring enrollment levels: Some centers monitor enrollment through periodic calculation of occupancy rates.
- Requiring deposits or fees to hold a space: Several practices exist: 1) establishing an application process that requires parents to pay a fee in order to be placed on the waiting list, as well as completing an application; 2) adopting a non-refundable tuition deposit or reservation fee due at the time of registration (one center director noted that it would be best to apply this payment to the last scheduled payment due, since many outstanding-account balances exist at the time of termination); and 3) assessing a holding fee to parents who do not enroll their children during summer sessions or requiring summer enrollment to receive priority for fall registrations.
- Charging fees for schedule changes: At one center, parents sign a formal contract and are responsible for fee payment covering the semester or other contract period unless families no longer have a university affiliation or are moving from the community; most centers have more informal enrollment agreements. Since students often change their class schedules, requests are often made to change enrollment times at the children's center; several centers charge a fee for scheduling changes.
- Mixing age groups to manage staffing patterns and minimize costs: Although the major reason for mixing age groups is programmatic -- these groupings can provide older children with the opportunity to be helpful, as well as provide desirable role models to younger children -- mixed groups also offer more flexibility in scheduling during the registration process. In addition, many centers blend children from different age groups at the beginning and end of the day in order to minimize staffing costs during periods of low enrollment.

UW children's centers have developed strategies to help them strengthen enrollment practices and manage staffing levels.

Thus, UW children's centers have identified a variety of creative ways to manage enrollment, while attempting to accommodate university parents' need for flexibility.

PROGRAM ADMINISTRATION

We reviewed several administrative areas to determine how the UW children's centers balance quality-of-care issues with concerns about the adequacy of resources. We examined: staffing, facilities and quality assessment.

Staffing

The quality of the staff is the most important factor in the quality of the early childhood program, according to the National Association for the Education of Young Children (NAEYC) accreditation manual. The Wisconsin Child Care Research Partnership (WCCRP), a joint effort by the Department of Workforce Development, UW-Extension and the Child Care Resource and Referral Network, notes that high quality care is characterized by education, training and experience. It further notes that there is an emphasis in the state on professional development with new state-funded programs to increase educational levels. At the same time, addressing quality issues, such as low child-to-staff ratios and educational credentials of staff, may result in higher costs to users, reductions in services, or both. We reviewed staffing and required staffing levels at the UW children's centers, as well as efforts to retain teachers.

Staff Composition

UW children's center staffing is based on Wisconsin licensing requirements for child-to-staff ratios. These ratios range from a four-to-one ratio for infants to two-year-olds, to thirteen-to-one for four-to-five-year-olds, and 18-to-one for children six years and older. These levels are considered a "floor," and accreditation standards generally suggest lower child-to-staff ratios. Some UW centers adhere to minimum child-to-staff ratios required by licensing; other centers provide lower child-to-staff ratios than required, resulting in significantly higher costs. For example, UW-Milwaukee uses a two-to-one child-to-staff ratio for its infants and a three-to-one ratio for its toddlers.

Administrators and directors -- The UW children's centers are managed by directors who generally are responsible for program and curriculum, as well as personnel, facility and financial management tasks. According to a brief from the WCCRP, Wisconsin is one of only five states to require specific administrative training for administrators or directors. The WCCRP notes that as the early childhood education field becomes increasingly demanding, with staff shortages and wage issues, the administrator's credential will be essential. A survey by WCCRP found that only 250 individuals in Wisconsin (15 percent of all directors) have earned the administrator credential since its inception in 1998. A national newsletter praised the UW-Milwaukee center director as founder of "one of the nation's most promising and innovative programs devised to train directors," a six-course 24-credit professional credential program for child care administrators.

Child care teachers -- "Eager to Learn: Educating Our Preschoolers," a study conducted by the National Research Council at the request of the Department of Education, recommends that every group of children in an early childhood program be assigned a teacher who has a bachelor's degree and has completed coursework in developmental psychology or a related field. We found

that lead teaching positions are generally filled by academic staff who have attained at least a four-year degree, although a few UW institutions do not require that academic staff positions have degrees. Many UW institutions require lead teachers who serve as supervisors to student teachers to have a teaching license and/or complete a supervisory teaching course, and some do not. Two UW centers rely solely on limited term employees to fill lead teaching positions.

Lead teachers at most UW institutions have at least a bachelor's degree.

Since enrollment levels can vary throughout a day due to flexible scheduling, the centers use a number of different practices in order to maintain the required ratios. The lead teaching staff are supplemented by a high number of student employees at most centers, except at UW-Madison which uses academic staff for most teaching positions. Many centers reported using over sixty students during a semester; UW-Milwaukee employs an average of 140 students each semester. Although education levels are dictated by state statute, student employees may be in the process of attaining the educational credentials required by group day care licensing. At UW-Parkside, the director has developed a training course that meets state requirements and that student employees must complete during their first semester of employment. Also, some centers use a permanent floater, have a pool of substitutes, or schedule the director for occasional teaching responsibilities.

Student employees supplement lead teachers at most UW institutions.

Health specialists -- A future staffing concern may be the need to include health specialists on staff. Wisconsin provides funding to a number of child care centers, designated as Excellence Centers, through the Wisconsin Early Childhood Excellence Initiative; the purpose of the funding is to enhance quality of care for urban low-income children. One Wisconsin Department of Workforce Development requirement is that Excellence Centers have on-site health specialists included in the program. Health specialists can assess and diagnose the daily health care needs of children, conduct health workshops, provide written materials for parents and teachers, or directly teach children about health topics. Additionally, the National Health and Safety Performance standards provide that children's centers use health consultants to evaluate the adequacy of health-related policies and procedures and to conduct periodic on-site visits.

Retention Efforts

Minimizing staff turnover plays an important role in the quality of child care. One WCCRP brief notes that the annual turnover rate for child care teachers in Wisconsin is over 40 percent, citing low wages as a major factor influencing retention. UW centers have explored how to upgrade LTE and student positions that are subject to higher turnover due to lower wages and few benefits. For example, UW-Madison OCCC has started to investigate whether classified positions, instead of LTE positions, could be used for teachers who do not have a four-year degree. UW-Milwaukee has started using an intern position in order to reward selected student employees.

UW children's centers have explored ways to reduce turnover among employees.

Each center director and child care teacher has been required, since January 1998, to obtain a certificate from the registry of the Wisconsin early childhood professional recognition system within three months of employment. We found several UW centers had not complied with this requirement. In 2001 the Department of Workforce Development used federal funds to implement the R.E.W.A.R.D. Wisconsin (Rewarding Education with Wages And Respect for Dedication) program, a compensation initiative that awards annual stipends to early childhood professionals based on their level in the Registry Recognition system. This program is designed to reward attained education, retain staff specific to the early childhood field, reduce turnover by awarding stipends after demonstrated commitment, increase compensation, and encourage continued education. Those staff who did not obtain certification through the registry did not participate in the R.E.W.A.R.D. program. Also, at one center staff reportedly were not allowed to participate in R.E.W.A.R.D. because department administrators interpreted the awards to be bonuses and did not believe that state employees were entitled to such benefits. Our research indicates that it is acceptable for state employees to participate; this is an area that children's center directors should review with their institutions' human resources staffs if the program is continued in the 2003-05 biennium.

Facilities

The ability of the children's centers to meet the needs of the university is determined in part by the availability of space. The UW children's centers are housed in a wide variety of buildings, self-contained or multi-purpose, GPR- or PR-funded. Some centers have been allocated space that was not originally designed for child care purposes and, as a result, extensive renovation was required to meet licensing and accreditation standards. Also, centers may have sought additional space for program expansion to meet unmet needs or to meet licensing standards.

Funding sources for center relocations or program additions vary by UW institution. UW-Stout, for example, expanded care for infants and toddlers in a GPR facility that was funded by Access to Learning funds of \$80,000. UW-Stevens Point relocated its program through a federal grant and a \$50,000 donation, with the excess paid from the center's operating account. UW-Platteville is the only UW center that has recently built a new self-contained center, using a combination of donations and PR funding. The UW-Parkside children's center is housed in a temporary building, constructed in 1970, that was intended to have a life expectancy of 20 years. This facility is subdivided by temporary walls that are of concern to the center director; the center's request to use space in another campus building when an outside agency moved from that location was not authorized.

Although Regent Policy Document 90-3, "Funding of University Facilities Capital Costs," states that prescribed funding for child care centers used by students and staff should be GPR, children's centers constructed in recent years have used PR or other funds. UW-La Crosse incorporated the children's center into its plans for the Recreational Eagle complex. This facility is funded by student segregated fees, but the debt repayment is not allocated to the children's center account. Other states, such as Illinois, Minnesota and New York, have developed grant programs for child care facilities.

Two UW children's centers are planning for new sites and others may need to be relocated or increased in size. UW-River Falls recently obtained approval for PR funding for a new facility. Also, the UW-Eau Claire center is housed in a former elementary school that is on the state agenda for demolition, and the director is working with the campus planner to plan a self-contained facility.

Newly constructed facilities may not always meet campus needs. A task force report has identified a need for infant care at UW-La Crosse; its new facility did not include space for infants and, as a result, there is interest in securing an additional facility for this purpose. UW-Platteville also did not incorporate infant/toddler care into its new facility.

Quality Assessment

Program evaluations can be used to assess the degree to which child care programs meet goals and objectives, identify problem areas, and allow administrators to improve quality. According to a Mathematica policy research paper, quality is a concept “used to describe features of program environments and children’s experiences in these environments that are presumed to be beneficial to children’s well-being.” We reviewed various tools for ensuring that children’s centers offer quality programs, including accreditation, customer surveys, and advisory committees.

Accreditation

In order to ensure high standards in teaching, research, and public service, FAP G38 requires that each children's center seek and maintain accreditation by the National Academy of Early Childhood Programs (NAECP). Programs that are accredited tend to have higher quality, according to an Early Childhood Research & Policy Brief. While state licensing requirements represent a basic level of consumer protection, accreditation standards are developed to achieve quality improvements. The accreditation process: 1) begins with an extensive self-study by program staff and parents to determine how well the program meets criteria; 2) continues with an on-site visit by trained validators to verify the accuracy of the program description; and 3) is completed by a commission decision based on substantial compliance with the criteria. A review of Commission Decision reports shows that UW children's centers were commended for many aspects of their programs.

FAP G38 requires accreditation, which is designed to promote quality child care programs.

All but four campus-operated programs are accredited through the NAEYC, which is part of the NAECP, and the UW-Madison centers also are accredited by the City of Madison. The four UW programs that are not accredited are: 1) UW-River Falls, which has only operated its own children's center since the 2001-02 academic year and will be seeking accreditation (the accreditation process requires that a center be operational for at least one year prior to seeking accreditation); 2) the UW-Madison WECP, which is also in the process of seeking accreditation and hopes to receive this status during FY 2003; 3) UW-Stout, which lost its accreditation in

Four UW children’s centers were not accredited as of June 30, 2002.

2000 when the former director did not seek re-accreditation and which reports that accreditation paperwork has been completed and a validation visit is forthcoming; and 4) UW-Parkside, which expressed no plans to seek accreditation, since there is significant use of part-time LTE employees that may not support the continuity of staffing desired by the accrediting agency.

FAP G38 also requires that private child care contractors used by UW institutions seek accreditation within a three-year period. We found that the UW-Madison parent cooperative lost its accreditation status for a three-year period between 1998 and 2001 when the center was without a director. Also, private contractors used at two institutions have not attained NAEYC accreditation, and one UW-Madison center is a family day care not governed by the NAEYC, since its licensed capacity is less than nine.

While the majority of UW children's centers are accredited, only approximately 10 percent of Wisconsin's licensed centers, or 238 programs, were accredited in Wisconsin as of February 2002. Accreditation is costly, but Wisconsin is one of 29 states paying accredited programs higher rates for subsidized child care, which somewhat compensates for the additional expenses associated with accreditation.

Customer Surveys

Customer surveys can also be useful in assuring that quality is maintained. G38 requires that centers conduct periodic surveys of parent-clients to assess client satisfaction. All but two UW children's centers provide parents the opportunity to evaluate the centers, either by semester or by academic year, most frequently using the parental survey from the NAEYC as an evaluation tool. Some centers summarize the survey results or share the surveys with their advisory/parent committees in order to develop action plans to correct noted deficiencies or implement suggestions. Some other centers do not formally use the survey results. A review of parent responses at some centers indicated a high level of satisfaction with the services offered.

Advisory Committees

Although many children's centers use parent advisory committees to establish annual rates or consider policy setting, university-wide committees to provide guidance and oversight have not been established at many UW institutions. UW-Madison has established a university child care committee to address various issues and strategies to meet campus child care needs. UW-Madison also funds an Office of Campus Child Care (OCCC), which is responsible for promoting the development and implementation of a coordinated child care system at UW-Madison, working with the Campus Planning committee, a variety of academic and administrative departments, student groups and existing child care resources. The UW System Office of Women's Studies previously facilitated periodic meetings of center directors and completed a comprehensive study of the status of child care in the UW System in 1992; however, there is currently no systemwide coordinator to provide assistance in needs analysis, grant applications, cost models, and other areas.

Other Tools for Evaluation

Several other tools have been established or used that provide a basis for additional self-evaluation. These include the following:

- The National Health and Safety Performance Standards (NHSPS): Guidelines for Out of Home Child Care were partly funded by the Department of Health and Human Services and used in a 1998 GAO study to help compare state standards.
- The Early Childhood Environment Rating Scale (ECERS) and the Infant/Toddler Environment Rating Scale (ITERS) have become standards for assessing quality in the classroom; according to one Wisconsin report, both rating scales have high test-retest reliability as well as high validity, but both national and Wisconsin studies have found a high percentage of centers to be rated as mediocre in quality using this standard.
- Outside consultants, such as one UW-Stout hired to perform an evaluation of the facility and programming of the children's center, can be useful.

To assure continued high-quality programs, *we recommend:*

- *UW institution administrators ensure that all UW children's centers or private campus vendors seek accreditation and ensure that accreditation is maintained, as FAP G38 requires; and*
- *UW children's center directors: 1) summarize and assess parent survey results to determine whether corrective actions are necessary; 2) meet periodically as a group in order to share information about quality programming; and 3) consider using additional evaluation tools, such as NHSPS or rating scales, to further assess and improve program quality.*

FINANCIAL OPERATIONS

UW children's centers are charged with providing quality, low-cost child care. Setting rates, identifying revenue sources, and collecting fees are among the centers' financial responsibilities. We reviewed: funding sources, fee payment and billing practices, and the financial position of the UW children's centers.

Funding

FAP G38 establishes that while user fees are the primary funding source for children's centers, each institution may determine GPR, segregated-fee and/or in-kind support appropriate to its center's activities. The policy acknowledges that the centers vary widely in use and purpose, and funding should be in accordance with the mix of these activities. A survey

Some UW children's centers do not receive direct GPR support.

completed by the National Coalition of Campus Children's Centers (NCCC) reports that only 50 percent of respondent support was derived from user fees, while direct subsidies provided 21 percent; in-kind donations 10 percent; and other sources, such as grants and fundraising, provided 19 percent. In comparison, user fees at most UW institutions are more than 50 percent of revenues; and at least one-third of the UW centers do not receive direct GPR support.

Table 4 shows certain sources of revenue available to the UW children's centers. Some sources of direct and indirect support, such as for the College Work Study match, facilities, utilities, custodial and maintenance costs, are not always separated in accounting records; consequently, these are not included. We examined the primary revenue sources for the UW children's centers: parent fees, segregated fees, county assistance, and other revenue sources.

Table 4
UW System Child Care Revenue
Campus-Operated Centers: FY 2002

UW CENTER	USER FEES (1)		SEGREGATED FEES		REPORTED GIFTS, GRANTS AND OTHER		GPR SUPPORT		TOTAL
	Amount	%	Amount	%	Amount	%	Amount	%	
Eau Claire	\$311,227	68.9	\$115,000	25.4	\$25,808	5.7	\$0		\$452,035
La Crosse	185,137	48.9	155,706	41.1	10,828	2.9	26,978	7.1	378,649
Madison (2)			609,600		CCMPIS				
Preschool Labs (3)	876,284	89.5			34,796	3.6	67,914	6.9	978,994
WECP	623,381	84.7			29,754	4.0	83,088	11.3	736,223
Eagle's Wing	454,360	98.5			6,998	1.5			461,358
Milwaukee	1,682,150	69.9	434,700	18.1	283,821	11.8	5000	.2	2,405,671
Oshkosh	201,911	64.6	78,440	25.1	32,291	10.3	0		312,642
Parkside	248,207	75.9	78,982	24.1	0		0		327,189
Platteville	149,274	60.1	22,496	9.1	20,059	8.1	56,522	22.7	248,351
River Falls	158,361	78.7	40,248	20.0	2,555	1.3	0		201,164
Stevens Point	217,300	56.7	37,451	9.6	59,259	15.4	70,028	18.3	384,038
Stout (4)	182,083	38.5	127,038	26.9	9,786	2.1	153,857	32.5	472,764
Whitewater	168,674	64.8	65,833	25.3	5,166	1.9	20,766	8.0	260,439
Colleges-Fox	303,269	92.5	9,660	2.9	15,132	4.6	0		328,061

Source of data: Financial reports provided by children's center directors. This table excludes centers operated by private vendors.

(1) User fees include parent fees, federal subsidies (county assistance), and university scholarships.

(2) Segregated fees and CCMPIS funds are administered centrally and provided in part to UW-Madison centers as user fees.

(3) Preschool labs revenue did not include facility rental payment by the UW-Madison administration.

(4) Differential tuition, rather than segregated fees, is used at UW-Stout to support the center.

Parent Fees

Child care affordability can be one of the greatest barriers to parents seeking a higher education. One report notes that the average annual child care cost for a 12-month-old in selected Wisconsin areas was more than twice the average annual cost of public college tuition in Wisconsin during 1998-99. The Almanac of Policy Issues notes that child care expenses can range from \$4,000 to \$10,000 a year per child, and this expense is prohibitive for lower- and

middle-income families. Child care costs vary greatly by location in Wisconsin, as reflected in the wide range of county reimbursement rates for the state-funded Wisconsin Shares program. Rates at the UW centers are similarly wide ranging. For example, rates for preschool children of faculty/staff parents at eight UW centers that publish daily rates ranged from \$21.50 per day to \$48 in 2002. We reviewed factors that affect child care fees, as well as available financial assistance.

Child care rates -- User fees account for the largest source of revenue for children's center operations. Rate structures vary widely among the UW children's centers, based on type of user (student, faculty/staff, community); age of children served; or scheduling option selected, such as hourly, half-day, or full time. Students are generally offered a fee discount based on segregated fee support, and faculty/staff and community parents are assessed a higher rate. Several centers assess a higher rate to community users than to faculty/staff. Those centers that establish rates based in part on the ages of children assess the highest rates for infant care. Also, rates for hourly care are significantly higher than rates for full-time enrollment. At many centers, however, rates are not based on studies that could ensure that actual costs related to the age of children or length of care are recognized and recovered.

Some other center policies can provide flexibility in costs to parents. Factors that may influence the cost of child care include:

- *Length of enrollment agreement:* The number of enrollment sessions offered varies widely among the UW children's centers. Centers that offer more enrollment sessions offer more flexibility for parents, since parents are not responsible for paying fees during those periods when child care is unnecessary. While some centers require a semester or nine- or twelve-month agreement, other centers offer care during various inter-sessions, the week of spring break, and as many as eight different summer session periods.
- Some enrollment options, discounts, and scholarships can reduce or offset parents' costs.**
- *Sibling discount policy:* Some centers offer rate reductions when more than one child per family is enrolled. (The Wisconsin Best Practices project notes that sibling discounts are not a good practice because the actual costs to provide care for each child are approximately the same.)
 - *Vacation and sick-day policies:* Vacation and sick-day policies include reducing fees for approved absences, exempting students from contracted hours during exam week or interim periods, or granting parents a specified number of sick days each semester.
 - *Financial support:* A small number of UW institutions or departments, such as UW-Stevens Point and the WECF, have established scholarship funds to provide support to student parents. Federal grants, such as the Child Care Access Means Parents in School (CCAMPIS) funds also may be available to subsidize student parent fees.

Policies that reduce fees for parents lead to a commensurate reduction in revenue for the centers. This may suggest a need to ensure rate-setting practices, including fee-reduction policies, are based on actual costs to the extent possible.

While there are some options available to student parents to reduce child care costs, such as lower student-parent rates, there is little available to offset fees for university employees. FAP G38 allows that a sliding fee scale for child care may be offered to staff and junior faculty, but this option has not been implemented at any of the UW centers. Several peer institutions, including the University of Michigan, Michigan State and the University of Illinois, provide sliding scale subsidy programs, generally based on gross income and household size. Both the federal government and state of Wisconsin have recognized the need to support child care costs.

UW employees have not been offered rate reductions.

County and other assistance -- Wisconsin's subsidy program for low-income families, Wisconsin Shares, is available to some student parents. The program has seen significant increases in federal funding, from \$107 million in 1998 to \$216 million in 2001; approximately 74,000 children from 42,000 families were served in 2001. The UW children's centers report that very few center parents (approximately 125 families for fall 2001-02) received child care assistance from the program. Twenty-five other states extend eligibility for assistance to families in education or training without a work requirement. However, eligibility in Wisconsin includes an employment requirement, which reduces the number of UW student parents receiving assistance and does not provide an incentive for low-income parents to seek a college degree.

Government subsidies for low-income families may assist some student parents.

In its 2001-03 biennial budget priorities, the United Council requested that a statewide GPR-funded financial aid program be established for student parents to help defray the costs of child care services. This request identifies a model in the state of Oregon that uses federal funds to provide grants to individual student parents. Oregon is also exploring matching state funds to provide increased grants. A 2001-2003 Report to the Governor and Legislature by the Oregon Commission for Child Care notes that the Student Block Grant Program provides assistance to about 250 students per month; the waiting list for the program is over 900 families long and approximately one year in duration. Also, Maine has created a Parents as Scholars program, which offers financial assistance with child care to allow recipients to attend two- and four-year degree-granting institutions. *We recommend that UW System explore ways to be represented in various legislative initiatives concerning child care, such as extending eligibility to post-secondary students, providing quality improvement funding, or creating additional scholarship funds.*

Segregated Fees

Segregated fees are assessed to students at the doctoral and most comprehensive UW institutions to support the children's centers. Segregated fees for child care ranged from \$2.24 for full-time students at UW-Superior to \$21.52 at UW-Parkside for FY 2002. Regent Resolution SG 18

allows the segregated fees to be non-allocable in order to maintain a more stable funding base. Although a number of UW institutions have defined this fee to be non-allocable, those centers supported by allocable segregated fees have reported good support. UW-Stout allocates a portion of Access to Learning fees (Fund 131) to support its center through Fund 102 budget authority, which functions similarly to segregated fee allocations. Several of the UW Colleges also allocate a portion of student activity fees to reimburse student parents for private-sector child care costs.

Some UW centers do not maintain documentation to support that segregated fees are fully used to subsidize student parent fees.

FAP G38 indicates that segregated fees may be used to reduce the cost of child care for student parents only and may not be used to subsidize faculty/staff or community users. We found that while each center (with the exception of UW-Madison) provides a discounted rate for student parents, there is often no assurance that the segregated fee is fully used to subsidize student parent fees. Most of the UW institutions deposit the segregated fee to the Fund 128 children's center accounts to meet general operating expenses.

Several center directors noted that a formula had been established years ago to ensure that segregated fees were used to support student parents, but some directors were not familiar with how to use this formula. However, UW-Milwaukee reports that it has established a process to ensure that all segregated fees are used in support of student parents, and UW-La Crosse performed a rate study in 1997 to substantiate segregated fee usage. To ensure that segregated fees are used only to support the child care fees of student parents, *we recommend that the UW children's centers maintain documentation to support student parent subsidies.*

UW-Madison has established a process to separately account for segregated fee awards to student parents. The Child Care Tuition Assistance Program (CCTAP) awards student-parent subsidies to eligible students based on number of credits, income levels, and other factors. The award is made to any regulated provider in the state of Wisconsin selected by the student parent. The program served 361 families in fall 2001, and UW-Madison reports this program has become a model for use by peer institutions. A portion of the fund is also used to provide for sick-child care. The Family Child Care Training Program, also at UW-Madison, was implemented in collaboration with community providers to increase the number of high-quality regulated family child care providers who reside in student housing.

A UW-Madison program separately accounts for segregated fee awards to student parents.

GPR and In-kind Support

FAP G38 notes that funding sources should reflect the mix of activities at children's centers and identifies GPR funding as the preferable funding source for instructional/academic support, as well as public service/outreach activities. Additionally, Regent Resolution SG 18 suggests that academic departments using child care centers as educational sites should assume education-related costs. We found that most UW children's centers report using the center for instructional

and research purposes; however, UW institutions do not always contribute GPR support to the centers, such as for salaries or for supplies and expenses.

Some UW institutions do not use GPR to support child care centers, even when the centers are used for instruction or research.

The level of direct support the UW institutions provide to the children's centers in the form of salary and supply budgets varies widely. We found that eight of the UW institutions contributed to the funding of the children's center through GPR support of salaries, fringe benefits or supplies and expenses, as shown in Table 4. For example, UW-Platteville began contributing GPR to the director's salary in order to allow for the building of a new facility, since the debt repayment was not possible without this support. UW-Madison contributes over \$58,000 (from Fund 136) annually for facility rental for one of its lab schools housed in an off-campus location.

UW System policy (FAP 42) defines child care operations to be non-auxiliary student services; as a result, they are to receive GPR support in the form of utilities, custodial and maintenance costs, and other administrative support. We found that utilities are provided to all children's centers. However, three UW institutions do not provide custodial support, and many centers also assume responsibility for certain maintenance costs that are not assessed to other non-auxiliary areas, such as carpet replacement and repainting. In-kind support is provided in the form of facility space to most of the children's centers, except where program revenue funds have been used to construct a new facility, such as at UW-Platteville and UW-La Crosse.

Grants, Gifts and Other Revenue Sources

Many of the UW children's centers have been resourceful in identifying other sources of revenue to supplement their resource base in order to keep parent fees affordable. We reviewed the efforts of the UW children's centers to seek additional funding support through federal, state and local grants, as well as through fund raising efforts.

Child Care Access Means Parents in School funds -- The most significant source of federal funding available to campus-based child care operations, CCAMPIS funds, was authorized in 1998 to support low-income parents pursuing postsecondary education. In general, any institution awarding Pell grants in excess of \$350,000 per year may submit a proposal and receive funding of one percent of the Pell Grant disbursements for each year of a four-year period. Funds can be used for a variety of purposes. The pilot funding in 1999 was limited to \$5 million, and 87 awards were made in that year. The Chronicle of Higher Education notes that funding increased by 400 percent in December 2000 to \$25 million. However, funding for 2003 was decreased to \$16.2 million and new awards are currently not being accepted.

Three UW centers, at UW-Madison, Oshkosh, and Stevens Point, received funding for the pilot-year period and three others received funding in subsequent years. These funds are being used in various ways, including: subsidizing the cost of infant/toddler care for low income undergraduate students, participating in a music program for children of Pell-eligible student parents, providing staff development, helping employ future teachers, funding scholarships, remodeling a new site to accommodate infants and toddlers, and providing families in the program with reduced tuition.

All UW children's centers are eligible for CCAMPIS funds based on Pell grant disbursement totals. Using FY 2002 Pell Grant disbursement data, eligibility for CCAMPIS funds would range from \$19,050 per year at UW-Superior to \$94,731 per year at UW-Milwaukee for a four-year period. The children's centers that have not completed a proposal for CCAMPIS funds cite lack of time and/or grant-writing expertise. To provide additional revenues for child care operations, *we recommend that all UW institutions provide grant-writing expertise to the centers to assist them in completing CCAMPIS proposals.*

Some UW institutions have not taken advantage of federal funds for campus-based child care, even though all would be eligible.

Child and Adult Care Food Program -- Another opportunity available to children's centers to offset costs is participation in the USDA Child and Adult Care Food Program (CACFP), administered by the Wisconsin Department of Public Instruction. Licensed programs are required to ensure that children eat balanced meals while at the center, even when parents provide the food. This federal program subsidizes a portion of food expenses and ensures compliance with minimum nutrition guidelines. Based on parent-reported information of family size and household income, centers are reimbursed for meals for eligible children. Six UW children's centers participate in this program and several have been "audited" by DPI and highly commended for their programs.

However, many UW centers have elected not to participate in the program. Reasons directors cited include: 1) lack of information about the program; 2) lack of staff support to complete necessary paperwork; 3) an international population of children that would not be receptive to the meals served; or 4) parents who would be hesitant to provide financial information. Since the CACFP offsets the cost of food and ensures that children will receive nutritional meals and snacks selected in accordance with federal and state guidelines, *we recommend that all UW institutions work with the children's centers to maximize participation in the CACFP program.*

More UW children's centers could participate in a federal food program.

Other grants -- Licensing requires that each teacher complete a required number of continuing education credits, and the UW children's centers had previously offset professional-development costs through quality improvement grants. However, the Legislature eliminated the quality improvement grant program in the 2001-03 budget and shifted this funding to one project in Racine County. The loss of these funds will significantly affect the cost of meeting continuing education licensing requirements.

Some UW children's centers are actively pursuing other available federal, state, or private grants. UW-Milwaukee, for example, reported receiving federal funding administered by the Wisconsin Early Childhood Association for the TEACH program by offering classes for credit for infant/toddler credentials. Several centers also enrolled at least one teacher in a mentoring program through the TEACH program. UW-Eau Claire noted that staff took part in the Reaching for

Children's centers may be able to identify additional grant funding.

Excellence grant; conference attendance resulted in various funds for the center. Other centers report little or no other grant activity. In order to assist in meeting necessary costs, *we recommend that UW System Administration provide information to children's center directors regarding funding sources in order for the centers to seek and expand funding support from federal, state and other sources.*

Fundraising Efforts

Another possible revenue source is fundraising. Fundraising efforts are usually limited to the occasional event run by center parents. However, several centers have explored additional opportunities to make child care a higher priority on fundraising agendas. These include:

Fundraising efforts have benefited some UW children's centers.

- UW-Madison has formalized a partnership between the UW Foundation and the University Child Care Committee to analyze opportunities for attracting private resources and developing a long-range plan for major gifts. A June 2000 White Paper on UW-Madison Campus Child Care recommends that priority projects be specified and broadly publicized through the UW Foundation web site and other means. The UW-Madison OCCC is developing a database of student parents who have received assistance dating back to 1985 in order to target potential donors.
- The Friends of the Waisman Center initiated a fundraising drive in fall 1998 and were able to support the establishment of the Discovery Garden, which will serve as a national prototype for outdoor environments in early education.
- The UW-Milwaukee Foundation allows the children's center to use their phone bank once a year for a phone-a-thon.
- The UW-Milwaukee center's Friends organization arranged to participate in a "We Care" program sponsored by a major grocer, where one percent of receipts would be donated to the center.

Other centers may be able to work with their university foundations or parents to organize similar events.

Fee Payment and Billing Practices

Fee policies and practices vary widely among the UW children's centers, some dictated by community practices or established at the inception of the center. Some UW centers rely on a manual system for billing and collection, while others have software packages to assist with records management. Two UW institutions provide billing for student-parent fees through the institutions' student accounts receivable system, while another UW institution provides billing services for all customer accounts through an auxiliary accounting function. Billing periods range from weekly at some centers to four installments a semester at others. While all the

centers maintain a record of parent fees assessed and paid, several children's centers do not maintain accounts receivable totals for the semester or on a cumulative basis.

Although most centers require payment prior to providing child care services, several prefer to bill after the service is provided in order to invoice any additional hours of service or other charges. The Wisconsin Childcare Improvement Project recommended advance payment as a best practice. Various other procedures and assessments established by the UW children's centers to better manage the fee process, including required termination notices, an initial registration fee, fines for late pick-ups, and bad check fees, are also considered best practices.

Due to the small size of the centers and limited administrative support staff, we noted a lack of internal controls at several of the children's centers. For example, receipts were deposited and posted to customer accounts by the same individual; payments were not deposited in accordance with state requirements, and payments were not adequately secured. Although the FAP G38 provides that children's centers shall be subject to periodic internal audit, we found that several centers had not been reviewed in recent years. In order to ensure that adequate accountability measures are implemented, *we recommend that UW institutions provide appropriate accounting support for assessing and collecting children's center fees and that UW institution internal auditors conduct periodic audits.*

Practices for billing parents vary among the centers, and some centers lack adequate internal controls.

Financial Position

UW children's centers must balance the objectives of ensuring quality and providing access against maintaining an adequate financial position. With state licensing and accreditation requirements mandating certain staffing levels, there is little flexibility over the salary and fringe benefit costs that comprise the major portion of centers' expenditures. The age groups served, flexibility of enrollment options, and staffing patterns may also affect the financial position of the children's centers.

Evaluating the financial position of the children's centers is difficult because fluctuations may occur due to circumstances beyond the control of the centers, such as periods of low enrollment, wage increases, or program expansions. Additionally, record keeping systems at some of the centers do not provide adequate financial information. As Table 5 indicates, four centers had deficit cash balances as of the end of FY 2002, and several others had marginal financial positions that may not be adequate to meet existing salary needs or cover periods of financial difficulty. Other centers appear to have adequate balances.

Four UW children's centers had deficit cash balances at the end of FY 2002.

Table 5
UW System Campus-Operated Children's Centers
Fund 128 Cash Balance

UW INSTITUTION	FY 2000 CASH BALANCE	FY 2001 CASH BALANCE	FY 2002 CASH BALANCE
Eau Claire	\$50,758	\$122,375	\$181,466
La Crosse	(13,167)	(5)	19,109
Madison			
Preschool Labs	102,421	96,708	82,655
Waisman	1987	16,551	(63,968)
Eagle's Wing *	(69,824)	(92,330)	(97,367)
Milwaukee	79,458	19,591	156,305
Oshkosh	7,211	8,217	(14,947)
Parkside	22,306	(9,186)	895
Platteville	86,554	56,765	51,465
River Falls	(4,427)	18,941	6,451
Stevens Point	36,242	45,001	(35,169)
Stout	50,005	47,480	22,342
Whitewater	28,809	30,791	41,605
Fox Valley	52,736	71,250	84,662

Source: WISDM reports or PeopleSoft Query. This table excludes centers operated by private vendors.

*Annual net loss. UW-Madison Eagle's Wing is supported by the Fund 128 university housing accounts.

Although the children's centers are not considered to be auxiliary operations, as program revenue operations they are subject to reserve policies and procedures in FAP F43, "Financial Management of Auxiliary Operations," based on the amount of revenue generated annually. We found that directors generally develop reserve plans for the children's centers through the auxiliary budget process and closely monitor financial position. While only one UW center has debt service requirements at this time, future program revenue (PR) construction will result in higher costs at several other centers.

CONCLUSION

UW System child care policy recognizes the importance of access to child care for students, faculty and staff. A major challenge facing UW children's centers is balancing model, high-quality programs with affordable fees. Also, the centers are asked to respond to parents' interest in flexible child care hours, as well as a fluctuating demand for services. We found that many UW children's centers have worked to both address parents' needs and manage staffing and funding issues so as to offer reasonably-priced care.

At the same time, we identified some strategies that centers have adopted to enhance services, adopt creative enrollment management strategies, or seek additional funding. We found that centers do not consistently document the full array of functions they perform, including academic or instructional support. Some centers may be able to substantiate a greater GPR contribution. Also, some centers may be able to take greater advantage of available federal

grants, parent subsidies, or fundraising opportunities. In addition, in some instances children might benefit from increased efforts to collaborate with other departments or agencies. We have recommended that UW children's center directors:

- document the children's center's role in functions such as instruction/academic support, research, public service, and other activities, and verify the appropriate funding mix and assign costs proportionately;
- explore opportunities for establishing partnerships with both campus departments and off-campus agencies;
- summarize and assess parent survey results to determine whether corrective actions are necessary, meet periodically as a group in order to share information about quality programming, and consider using additional evaluation tools to further assess and improve program quality; and
- maintain documentation to support student parent subsidies.

In addition, we have recommended that UW institution administrators:

- develop plans for determining the appropriate service level to meet the needs of the university community and explore opportunities to expand services to meet needs;
- establish procedures for assessing child care needs on a regular basis and consider compiling parent data to target assessments and meet federal grant requirements;
- ensure that all UW children's centers or private campus vendors seek accreditation, as GAP G38 requires, and ensure that accreditation is maintained;
- provide grant-writing expertise to the centers to assist them in completing CCAMPIS proposals;
- work with children's centers to maximize participation in the CACFP program; and
- provide appropriate accounting support for assessing and collecting children's center fees and ensure that UW institution internal auditors conduct periodic audits.

Finally, we have recommended that UW System Administration:

- explore ways to be represented in various legislative initiatives concerning child care, such as extending eligibility to post-secondary students, providing quality improvement funding, or creating additional scholarship funds; and
- provide information to children's center directors regarding funding sources in order for the centers to seek and expand funding support from federal, state and other sources.

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**OFFICE OF OPERATIONS REVIEW AND AUDIT
Implementation of Federal Student Right-to-Know and
Campus Security and Crime Information Requirements**

BACKGROUND

The Office of Operations Review and Audit reviewed compliance with the federal Student Right-to-Know and Campus Security Act, which requires higher education institutions to provide students, and in some cases, university employees with financial, institutional, and security information. The intent of the Act was to provide students, their families, and employees with information to assess the benefits, obligations, and risks associated with attending an institution of higher education.

REQUESTED ACTION

For informational purposes only.

DISCUSSION

Financial Assistance, Graduation Rates, and Other Institutional Information

Title I of the Act, called the Student Right-to-Know Act, requires higher education institutions to disclose financial assistance information, institutional information, information about completion and graduation rates, athletic program participation rates, and financial support data for athletics. UW institutions appear to routinely publish and provide most of the required information, but the report identifies some instances in which UW institutions should verify that they have compiled the required information.

Campus Security and Crime Information

Title II of the Student Right-to-Know and Campus Security Act, the Crime Awareness and Campus Security Act ("Clery Act"), requires institutions to prepare, publish, and distribute an annual report with information about campus security policies and campus crime statistics. Institutions that fail to comply with the Clery Act may face fines of up to \$27,500 and possible suspension, termination or limitation of participation in federal financial aid programs.

Interviews with staff at six UW institutions indicated that these institutions: (1) routinely kept required daily crime logs; (2) appeared to have established reasonable geographic boundaries for collecting and recording data; (3) collected information from crimes reported to a variety of campus officials, as required; and (4) had processes in place for determining and reporting hate crimes and for notifying students and employees about an on-going security threat. While the review did not assess the accuracy of crime data, UW institution staff noted some difficulty with collecting and reporting that data. For example, methods for reporting sexual assaults under the

Clery Act differ from methods for reporting sexual assaults under Wisconsin law, possibly causing some institutions to over-report the number of sexual assaults under the Clery Act.

A review of UW institutions' annual security reports found that some of the reports excluded required policy statements, such as a description of how the institution planned to issue timely warnings to students and employees of an ongoing threat or detailed descriptions of crime prevention programs. The report recommends that UW institutions assure that reports include all required policies.

Staff throughout the UW System noted that the costs associated with meeting Clery Act requirements frequently are not included in institutional budgets and that these costs can be difficult to cover. For example, one institution noted that it costs \$1,000 each time it sends an e-mail to all students to distribute the annual security report or to issue a warning. The report includes a recommendation that institutions review their budgets to assure that they consistently provide adequate resources to meet Clery Act requirements.

Institutions are required to distribute the annual security report to enrolled students and current employees by October 1 of each year and to notify prospective employees and students about the availability of the report. Some institutions may need to improve efforts for providing the report. The report recommends that institutions assure that they have adequate procedures in place to publish and distribute the report as required. The UW System Office of Academic and Student Services plans to assist institutions with Clery Act compliance.

Information Accessibility

The report recommends that institutions implement approaches to make their Student Right-to-Know and Campus Security Act information more accessible and easier for students, families, and employees to use. Consolidating Student Right-to-Know and Campus Security information could make the information more accessible to users so that they may assess the benefits, obligations, and risks of attending each UW institution.

RELATED BOARD OF REGENTS POLICIES

None.

Office of Operations Review and Audit



Program Review

**Implementation of Federal Student Right-to-Know and
Campus Security and Crime Information
Requirements**

November 2003

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EXECUTIVE SUMMARY

The Office of Operations Review and Audit reviewed compliance with the federal Student Right-to-Know and Campus Security Act, which requires higher educational institutions to provide students and, in some cases, university employees with financial, institutional and security information. The intent of the Act was to provide students, their families and employees with information to assess the benefits, obligations and risks associated with attending an institution of higher education.

Financial Assistance, Graduation Rates, and Other Institutional Information

Title I of the Act, called the Student Right-to-Know Act, requires institutions of higher education to disclose financial assistance information, institutional information, information about completion and graduation rates, athletic program participation rates, and financial support data for athletics. We reviewed documents from a sample of institutions and surveyed staff to assess whether required information is published and made available or distributed to students as required. UW institutions appeared to routinely provide most of the required information, but the report identifies some instances in which UW institutions should verify that they have compiled the required information.

Campus Security and Crime Information

Title II of the Student Right-to-Know and Campus Security Act, the Crime Awareness and Campus Security Act, requires institutions to prepare, publish and distribute an annual report with information about campus security policies and campus crime statistics. The Act was passed in response to the 1986 murder of a student at Lehigh University in Pennsylvania. A 1998 amendment to the Act changed the title of the Act to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), in memory of the student. The Act requires institutions of higher education to distribute the annual report to prospective and current students and employees each year. Institutions that fail to comply with the Clery Act may face fines of up to \$27,500 and possible suspension, termination or limitation of participation in federal financial aid programs.

Interviews with staff at six UW institutions indicated that these institutions: 1) routinely kept required daily crime logs; 2) appeared to have established reasonable geographic boundaries for collecting and recording data; 3) collected information from crimes reported to a variety of campus officials, as required; and 4) had processes in place for determining and reporting hate crimes and for notifying students and employees about an on-going security threat.

While the review did not assess the accuracy of crime data, UW institution staff noted some difficulty with collecting and reporting that data. For example, they reported that they may report crimes more than once because they may not have enough information about a crime to avoid duplicate reporting. Staff said that sometimes they do not receive crime information from local law enforcement agencies in a timely manner and a usable format, with the data being difficult to translate into Clery Act categories. Security staff noted that the Clery Act requires institutions to report raw data, rather than data calculated into a population-based index that

would allow students and employees to make valid comparisons of institutions. Finally, we found that methods for reporting sexual assaults under the Clery Act differed substantially from methods of reporting sexual assaults under Wisconsin law, possibly causing some institutions to over-report the number of sexual assaults under the Clery Act.

A review of UW institutions' annual security reports found that some of the reports excluded required policy statements, such as a description of how the institution planned to issue timely warnings to students and employees of an ongoing threat, a description of how they monitor crimes that occur at off-campus locations of student organizations officially recognized by the university, detailed descriptions of the programs offered to prevent crimes, and information about the state's sex offender registry. Our report recommends that UW institutions assure that reports include all required policies.

Staff throughout the UW System noted that the costs associated with meeting Clery Act requirements frequently are not included in institutional budgets and that these costs can be difficult to cover. For example, one institution noted that it costs \$1,000 each time it sends an e-mail to all students to distribute the annual security report or to issue a warning. Given the student-safety aspect of the requirements, the institutions' ongoing obligation to meet the requirements, and the potential consequences for failing to comply with the Clery Act, the report includes a recommendation that institutions review their budgets to assure that they consistently provide adequate resources to meet Clery Act requirements.

Institutions are required to distribute the annual security report to enrolled students and current employees by October 1 of each year. They are also required to notify prospective employees and students about the availability of the report. We examined methods for distributing information to each required group and found that some institutions may need to improve efforts for providing the report. We also found that some of the Internet addresses used to publish the security report did not function. The report recommends that institutions assure that they have adequate procedures in place to publish and distribute the report as required. UW System's Office of Academic and Student Services plans to assist institutions with Clery Act compliance.

Information Accessibility

Consolidating Student Right-to-Know and Campus Security information could make the information more accessible to users so that they may assess the benefits, obligations and risks of attending each UW institution. Consolidating the information could also make it easier for institutions to monitor whether they have met Student Right-to-Know and Campus Security requirements. The report recommends that institutions implement approaches to make their Student Right-to-Know and Campus Security Act information more accessible and easier for students, families and employees to use.

SCOPE

This review assessed compliance with the Student Right-to-Know and Security Act of 1990, which is a federal law that requires higher educational institutions to provide students and, in some cases, university employees with information about the institutions. The purpose of the review was to assess compliance and identify best practice approaches for implementing the Student Right-to-Know and Security Act. To conduct the review, Office of Operations Review and Audit staff surveyed UW institutions, excluding UW Extension, to identify approaches used to meet the requirements of the Act; collected and reviewed documentation from the institutions; conducted site visits to six campuses to review campus security reporting issues; and reviewed approaches used by institutions in other states.

BACKGROUND

The Student Right-to-Know and Campus Security Act of 1990 amended the Higher Education Act of 1965 (HEA) to require institutions of higher education participating in any federal financial aid program to provide current and prospective students and employees with certain information about the institution. The law took effect on September 1, 1991.

Title I of the Act, known as the Student Right-to-Know Act, required institutions to collect and provide certain information and data. The intent was to provide students and their families with information about the educational benefits and financial obligations of attending various institutions of higher education so that they could make an informed choice about which institution to attend. The requirements were established, in part, by a study that showed that just 43 percent of students attending 4-year public colleges and universities graduated within six years of enrolling and by concern over the academic performance of student-athletes. The Act requires institutions to publish descriptions of institutional programs and facilities, completion and graduation rates, and data describing the extent to which students find employment in their occupation of training. Institutions are also required to disclose similar data for student-athletes.

Federal law requires institutions of higher education to publish certain information to help students make informed consumer choices.

Title II of the Student Right-to-Know and Campus Security Act, the “Crime Awareness and Campus Security Act” requires institutions to prepare, publish and distribute an annual report with information about campus security policies and campus crime statistics. Institutions are required to distribute the report to all current students and employees and to provide the information upon request to any applicant for enrollment or employment. Congress passed the Crime Awareness and Campus Security Act in response to the brutal rape and murder of a 19-year-old student at Lehigh University in Pennsylvania in 1986. After discovering that students and employees had not been informed of 38 other violent crimes that occurred at Lehigh during the three years before their daughter’s death, the student’s parents began an effort to require that institutions of higher education routinely collect and provide crime information to students and employees. The Crime Awareness and Campus Security Act first went into effect July 1, 1994, after regulations were promulgated.

Since its passage in 1990, Congress has amended the Student Right-to-Know and Campus Security Act four times, adding several new disclosure requirements. Amendments include requirements to inform students about deferment options for student loans; to inform students participating in study abroad for credit that they could be eligible for financial aid; to allow institutions to use information routinely reported to athletic organizations, such as the NCAA, to meet Student Right-to-Know reporting requirements; and to revise due dates for reports.

Congress also revised the Crime Awareness and Campus Security Act to expand the categories of crimes to be reported. The revised Act required that institutions inform students of sexual assault prevention programs and procedures for reporting sex offenses, hate crimes and crimes by geographic area. Congress also required institutions with security or police departments to maintain a daily crime log that students may review. The amendment changed the title of the Crime Awareness and Campus Security Act to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), in memory of the student killed at Lehigh University. The 1998 amendment also added criminal penalties for institutions that fail to comply with the Act. The most recent revision, which was signed into law as part of the Campus Sex Crimes Prevention Act in the Victims of Trafficking and Violence Protection Act of 2000, requires institutions to inform students where they may obtain public information about registered sex offenders.

Congress amended the Student Right-to-Know and Campus Security Act four times after its initial passage in 1990, adding new disclosure requirements.

Nationally, parents, advocates and journalists have raised numerous concerns about the extent to which higher educational institutions are in compliance with Clery Act requirements. Common problems institutions face include failing to include crimes reported to officials other than security staff, not categorizing offenses correctly, and not properly distributing information about the annual security report to all current and prospective students and employees. A 1997 United States General Accounting Office review of annual security reports from 25 institutions nationally found that only two provided information in all of the categories that were required at that time.

DISCUSSION AND RECOMMENDATIONS

This review assessed UW institutions' efforts to implement Student Right-to-Know and Campus Security Act requirements. We used the implementing regulations, which are found in the Code of Federal Regulations (34 CFR 668), as the primary guide for reviewing compliance. We reviewed a sample of documents to determine whether institutions provided required information, surveyed and interviewed staff to identify any concerns they may have encountered with the reporting requirements, and reviewed practices used in other states to meet the requirements of the Clery Act. (Some resources we identified are listed in the Appendix.) The purpose of the review was to identify best practice approaches for meeting student information requirements. We did not verify the accuracy of the data the UW institutions report.

STUDENT RIGHT-TO-KNOW INFORMATION

Federal student right-to-know requirements mandate that institutions participating in federal financial aid programs authorized by Title IV of HEA provide students with: 1) financial assistance information; 2) institutional information; 3) information on completion or graduation rates; 4) athletic program participation rates and financial support data; and 5) completion or graduation rates for student-athletes. We reviewed a sample of the publications UW institutions submitted to meet each of the requirements to assure that they are in compliance with the legislation. We examined approaches UW institutions used to distribute the information to students, identifying innovative approaches. We also surveyed staff to determine whether there were any concerns about the process of collecting and providing the information.

Financial Assistance

Educational institutions are to publish and provide certain information, upon request, to students and prospective students before students enter into any financial agreement with the institution. The intent of the requirement is to assure that students are adequately informed about the financial obligations of attending an institution and to describe options for paying the costs of attendance. Table 1 describes types of financial assistance information institutions are to provide.

Table 1
Financial Assistance (34 CFR 668.42)

TYPES OF INFORMATION	REQUIREMENTS
Description of financial assistance programs	Information about the need-based and non-need-based federal, state, local, private and institutional aid available to students, including application procedures and forms and student eligibility requirements for each type of aid listed. Criteria used for selecting recipients from the group of eligible applicants and criteria for determining the amount of financial awards.
Disbursement methods and loan condition for financial assistance programs	Disbursement methods, including the frequency of disbursements, the terms of any loan received as part of a financial aid package, along with a sample loan repayment schedule, description of the necessity to repay loans and any conditions and terms for any employment included in a financial aid package.
Rights and responsibilities of students receiving aid	The rights and responsibilities of students receiving aid, particularly for students receiving aid through HEA Title IV programs, specifically addressing the criteria for continued eligibility for each program, academic standards for satisfactory progress, and criteria by which students who failed to meet academic standards may re-establish eligibility for aid.
Exit counseling and payment deferral	Exit-counseling information, as required for borrowers under the Federal Perkins Loan Program, the William D. Ford Federal Direct Student Loan Program, and the Federal Stafford Loan Program. Information about deferring repayments of Federal Family Education Loans or William D. Ford Federal Direct Loans while serving in the Peace Corps, under the Domestic Volunteer Service Act, or as a volunteer for certain tax-exempt organizations.

UW Financial Assistance Information

We reviewed a sample of the documents provided to us to determine whether institutions included information required by 34 CFR 668.42 in their financial assistance documents. While institutions provide extensive information about financial assistance programs, we could not always locate some of the required information in the documents submitted to us for this review. Missing information included: 1) criteria for re-establishing eligibility for financial aid once a student has failed to meet academic standards; 2) specific selection criteria, such as grade point average requirements, major and year in school for scholarship programs; and 3) information describing how Federal Family Education Loans or William D. Ford Federal Direct Loans may be deferred while participating in certain types of volunteer service.

Publication and Distribution of Financial Assistance Information

We reviewed methods that institutions used to provide financial assistance information to students. We found that UW institutions included financial assistance information in brochures, college catalogs, student handbooks, loan counseling documents, financial aid award letters, and web sites. UW institutions sometimes used documents from the Department of Education and national organizations to provide the information.

Most institutions reported providing financial assistance information to students through the admissions, registration, financial aid application or the loan counseling processes. Institutions also reported sending the information to students, parents, guidance counselors, coaches and other staff who might counsel students. UW-Stout includes financial assistance information in admissions packets that are sent to high school students in Minnesota, Wisconsin and Illinois; to guidance counselors; and to two-year community and technical colleges. UW-Milwaukee staff indicated that they also include the information in presentations at various college fairs and to student organizations.

Staff noted that increased printing costs have encouraged institutions to increase their use of technology to provide student information. All institutions reported that they use the Internet to provide at least some of the required information. For example, several institutions use interactive web-based tools to conduct entrance and exit counseling for certain types of loans, such as tools included on a national Internet site called "Mapping Your Future." While some institutions require students to request scholarship information from the institution's foundation office, other institutions now provide scholarship information on the Internet.

Institutional Programs, Costs, and Facilities

Institutions are to publish and make readily available to all current and prospective students information about academic programs; program costs; and facilities and special services. The information must be made available, upon request, before students incur a financial obligation to the institution. The required information includes the areas described in Table 2.

Table 2
Academic Programs and Costs (34 CFR 668.43)

TYPES OF INFORMATION	REQUIREMENTS
Academic programs	Academic programs offered at the institution, including current degree programs and other educational and training programs; a list of the institution's faculty and instructional personnel; the names of any entities that accredit, approve or license the institution and the procedures by which documents describing that activity can be reviewed; and procedures for officially withdrawing from the university. The title of a person who is available on a full-time basis to assist enrolled or prospective students with obtaining institutional information.
Program costs	Upon request, to current and prospective students, information about the costs of attendance, including tuition and fees; estimates of necessary books and supplies; estimates of typical charges for room and board; transportation costs for students; and any additional costs that students request. Description of refund policy and a summary of requirements for the return of Title IV grant or loan assistance and a statement that enrollment in a study-abroad program may be considered enrollment at the home institution for purposes of applying for assistance under Title IV, HEA programs.
Facilities and special services	Description of the instructional laboratory and other physical facilities that relate to academic programs; any special facilities and services for disabled students; and the title of a person(s) who is available on a full-time basis to assist enrolled or prospective student with obtaining institutional information or financial aid information.

UW Information on Programs, Costs and Facilities

We found that UW institutions provided students with comprehensive information about the institutions' programs and costs. Also, UW institutions routinely provided information describing services available to disabled students. However, in only a few instances could we locate required information describing special facilities for those students.

Our document review indicated that UW-Stout developed one of the most comprehensive descriptions of institutional programs. Each program is listed on a web page, along with a description of the curriculum, faculty, costs, and, in a few cases, the facilities associated with the program. Although not required by law, the institution also provides information describing how each program compares to peer programs on such measures as costs, graduation rates and job placement.

Publication and Distribution of Programs, Costs and Facilities Information

We found that UW institutions routinely provided institutional information to students through print and Internet versions of college catalogs and timetables. Program staff from two institutions indicated that it is impossible to provide current cost information in time to be

included in print materials. Staff reported that increased use of the Internet has improved the ability of institutions to provide timely information to students.

Graduation and Transfer-Out Rates

Institutions are to report completion or graduation rates and transfer-out rates. Two-year institutions, including UW Colleges, were required to begin disclosing completion or graduation rates beginning January 1, 2000. Four-year institutions were required to disclose the data annually beginning July 1, 2003. Higher education institutions are required to report graduation rates, and transfer-out rates if applicable, to the Department of Education in the spring preceding the July 1 disclosure. The spring reporting deadline varies each year. Table 3 describes the required information.

**Table 3
Graduation and Transfer-Out Rates (34 CFR 668.45)**

TYPES OF INFORMATION	REQUIREMENTS
Graduation, completion, and transfer-out rates	Institutions are required to establish and track annual cohorts of entering students and produce reports containing a graduation rate and, if applicable, transfer-out rates for each cohort. Institutions must inform students of the availability of the report and provide the report, upon request, to current and prospective students. Institutions must retain records, including documentation of how the institution calculated the rates, for three years.
Cohort data	The first cohort consists of students who entered the institution during the 1996 to 1997 academic year. Cohorts are established by identifying first-time, full-time, degree or certificate-seeking undergraduate students who are enrolled at the institution as of October 1 st or at the end of the add/drop period or another official fall reporting date. Students are considered to be completers if, after 150 percent of the time has elapsed since enrollment, they have completed their program (e.g., graduation within six years of entering a four-year program). Institutions may exclude a student from the calculation if the student left school to serve in the armed forces, to go on a church mission, or to join a federal foreign aid service such as the Peace Corps, or if a student becomes totally and permanently disabled or dies.

UW Information on Graduation Rates

We found that the data required for tabulating completion and graduation-rate data is routinely collected through the Graduation Rate Survey, which is part of the National Center for Educational Statistics' (NCES) Integrated Postsecondary Education Data System (IPEDS). The UW System Office of Policy Analysis and Research (OPAR) coordinates data collection for IPEDS and reviews the quality of the information to assure the accuracy of information provided to the NCES. OPAR also informs institutions of changes in the reporting requirements and assures that all UW institutions report information consistently. OPAR staff report that independent efforts to replicate graduation and completion rates have found that the rate OPAR calculates is highly reliable.

For federal reporting purposes, OPAR calculates and reports graduation and completion rates for students who complete their programs at the institution at which they began; for UW Colleges, OPAR also reports a transfer-out rate for students who transfer to other UW institutions. OPAR calculates the transfer-out rates for other students who transfer within the UW System but does not report these to the Department of Education. It is currently not possible for OPAR to calculate the transfer-out rate for students who transfer to institutions outside the UW System, although the office is exploring options for providing that information. Some institutions use a database developed by the National Student Clearinghouse to develop those rates.

Publication and Distribution of Graduation-Rates Information

While OPAR reports certain information, including graduation and completion rates, to the Department of Education, UW institutions are responsible for disclosing the information to students. According to OPAR staff, some UW institutions have disclosed completion and graduation rates for several years. However, this disclosure requirement may be new to most UW institutions. To meet the requirement, institutions must make completion and graduation rates available upon request to any enrolled or prospective student. The information may be made available through appropriate publications, mailings or electronic media. For a prospective student, the information must be made available prior to the student’s enrollment or before the student incurs a financial obligation to the institution.

Athletic Programs

Institutions are required to collect and report certain athletic data, including program participation rates and financial support data, as well as completion or graduation rates for student-athletes. Table 4 provides an overview of the required information. The participation and financial-support provision implements requirements

All UW institutions use NCAA standardized forms to meet requirements to publish data about athletic programs.

**Table 4
Athletic Program Data (34 CFR 668.47-668.48)**

PROGRAMS	AFFECTED UW INSTITUTIONS	REQUIRED INFORMATION
Coeducational institutions that have an intercollegiate athletic program and participate in a student financial aid program	All UW institutions	Participation rates and financial support information for men’s and women’s intercollegiate athletic programs.
Title IV institutions that provide athletically-related student financial aid	Madison, Milwaukee, and Green Bay	Calculation and disclosure of enrollment, graduation-rate and, if applicable, transfer-out-rate information to prospective student-athletes, their parents, and their high school counselors at the time athletically related aid is offered. Disclosure of completion rates by race and gender, and by race and gender within each sport.

outlined in the Equity in Athletics Disclosure Act (EADA), which was originally passed as part of the Improving America's Schools Act of 1994. EADA was designed to give prospective students information about an institution's commitment to providing equitable access to athletic programs. Congress established the completion-rates requirement because, at the time, studies showed that a large percentage of student-athletes failed to graduate.

UW Information on Athletic Programs

All UW institutions use NCAA standardized forms to meet requirements to report athletic information. The Higher Education Technical Amendments of 1991 allowed institutions that are members of an athletic association or conference that voluntarily publishes completion and graduation data that is similar to the data required by the Student Right-to-Know Act to use that data to meet the reporting requirement. The NCAA uses the Gender Equity Survey to collect information to meet the reporting requirements of the EADA. Staff at UW-Madison, Milwaukee and Green Bay reported that they send graduation information to all prospective student-athletes and their parents during recruitment. These institutions also submitted graduation information to the NCAA, as required.

Publication and Distribution of Athletic-Program Information

UW staff identified few concerns or problems collecting or distributing athletic data, although some reported that data collection for the Gender Equity Survey is very labor intensive. One staff person estimated that it requires 40 to 60 hours of staff time to complete the more-than-26 pages of information. Another noted that the survey requires significant recordkeeping and data collection from a variety of sources. To address these concerns, staff at UW-Eau Claire indicated that they have developed and use tables and charts to collect the required information throughout the year.

Staff at UW-Green Bay also reported that information for student-athletes was calculated manually in the past. The institution maintained a list of identifying information, and staff in the institutional research office used the information to determine whether each student had graduated within the required time. Staff reported that the institution recently implemented a new student information system that will simplify this process by allowing them to identify and track student-athlete information automatically.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

The Clery Act requires institutions to collect certain crime data, to report data for certain geographic areas, to maintain a daily crime log, to warn the campus community of threats to safety and security in a timely manner, and to establish certain safety and security policies. Institutions are required to publish the crime data and policies in an annual security report and to distribute the report to current and prospective students and employees.

Individuals who suspect an institution is not in compliance with the Clery Act may file a complaint with the Director of the Department of Education's regional office for the state in which the institution is located. The Department assesses the complaint and may offer technical assistance to an institution if staff are having difficulty complying with the regulation. The Department could impose sanctions if it determines that an institution is flagrantly or intentionally violating the regulations or if the institution fails to correct deficiencies. Failure to comply with Clery Act requirements may result in a \$27,500 fine from the Department of Education. Names of violators are also reported to Congress. Very severe violations could result in limitation, suspension or termination from participation in Title IV, HEA programs. We identified problems institutions of higher education nationally have encountered in achieving compliance with the Clery Act. To assess UW institutions' compliance with Clery Act requirements, we reviewed Department of Education regulations, interviewed institutional staff, and reviewed campus security reports prepared by staff at UW institutions.

National Problems with Clery Act Compliance

Educational institutions in other states have encountered problems complying with Clery Act requirements. We analyzed 11 reviews conducted by the Department of Education since 1996 and found that the most common compliance issues included: 1) failing to accurately compile or to report crime statistics; 2) failing to provide the annual security report to all current or prospective students; 3) not including statements of policies in the annual security report; 4) failing to provide crime data for all campus properties; 5) failing to maintain a daily crime log; 6) failing to include hate crime statistics; and 7) failing to comply with the 'timely warning' requirement, which mandates that institutions warn the campus community of any crime covered by the Clery Act that remains a threat to safety.

Institutions across the country have encountered problems in complying with Clery Act requirements.

In June 2000, Mount Saint Clare College in Clinton, Iowa became the first institution in the country to be fined for Clery Act violations. The Department of Education charged that the institution reported inaccurate crime statistics, did not disseminate the annual security report to prospective students and employees, and omitted required security policies from the report. Administrators from the institution argued that it was difficult to comply with the regulations because they were vague and that the institution did not receive adequate guidance to help with compliance. The college eventually settled the case by paying a \$15,000 fine.

The University of California System recently became a target of a Clery Act investigation after a newspaper raised concerns about reporting practices at the University of California-Davis. The Sacramento Bee ran a series of articles questioning the accuracy of crime statistics reported under the Clery Act, suggesting that UC-Davis had not accurately reported the number of sexual assaults. The Office of the President of the University of California System initiated a systemwide taskforce to review compliance issues in response to the concerns. A University of California System news release described the review as one of the most comprehensive assessments in the nation of a university system's compliance with the Clery Act. As part of the review, a national expert assessed the accuracy of crime statistics reported by University of California institutions.

The UC review concluded that, while UC institutions had not deliberately under-reported crime statistics, there were some problems with the approaches used to comply with the Clery Act. It found inconsistencies among campuses in the definitions used to classify crimes, the extent to which campuses reported crimes for some off-campus sites, such as fraternities and sororities, and the extent to which campuses provided copies of the required policies in the annual security report. The report also noted variation in the extent to which institutions notify prospective staff and faculty about the annual security report, with human resource departments unclear about the type of information to include in their materials to comply with the Clery Act. Finally, the report found cases where crimes were actually over-reported.

In response to the review, the University of California System developed a handbook to help its institutions comply with Clery Act regulations. The handbook includes a detailed description of the Clery Act requirements and examples of how to comply with the requirements. In September 2002, the State of California passed the California Campus Crime Audit Bill, in part to address concerns raised by the Sacramento Bee. That law requires the state auditor to sample six universities in California every three years to verify the accuracy of the campus crime statistics reported under the Clery Act.

California recently passed legislation requiring the state auditor to verify the accuracy of crime data collected at state universities.

UW Compliance with Clery Act Requirements

The Clery Act requires institutions to collect and report various crime data and to establish and publish certain security policies. The intent of the legislation is to require institutions to report data in a consistent format that could allow students and employees to compare safety risks at different institutions. Some advocates for victims of crimes that occur on campuses believe that higher educational institutions sometimes suppress certain crime data as part of an effort to maintain a positive image of the institution. UW staff we interviewed, however, indicated that they fully support the goal of the Clery Act to provide as much information as possible to students and staff about safety and security issues on campus. Several provisions of the Clery Act relate to the process that institutions are required to use to collect crime data. These provisions are summarized in Table 5.

**Table 5
Crime Statistics and Related Information (34 CFR 668.46)**

PROVISION	REQUIREMENTS
Crime data to be reported in annual security report	The number of cases of arson, homicide, manslaughter, robbery, aggravated assaults, burglaries, motor vehicle thefts, weapons violations, drug and alcohol violations, and sexual assaults for the previous three calendar years. Institutions are required to classify reported crimes using the Federal Bureau of Investigation’s Uniform Crime Reporting (UCR) classification system. Institutions are required to report sexual assaults using National Incident-Based Reporting System definitions.

PROVISION	REQUIREMENTS
Hate crimes	Crimes are to be reported by prejudice category and type of crime where victims were intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability. Hate crimes are required to be reported as a subcategory of murder, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, arson or other crimes involving bodily injury.
Campus security authorities	Crime data is required to reflect incidents reported to certain institutional staff, whether or not the incidents are referred for further investigation or prosecution. Institutions are required to include any incident reported to campus police or security and other individuals with campus security responsibilities; officials with significant responsibility for student activities, such as deans of students, student housing and discipline officials, directors of athletics and faculty advisors to student groups; and any individual or organization designated in the campus security policy to which students and staff are encouraged to report criminal offenses (excluding pastoral and professional counselors when acting in that capacity).
Geographic reporting area	<ul style="list-style-type: none"> • Institutions are to report crime statistics for each separate campus. A campus is defined as: 1) any building or property, including residence halls, owned or controlled by a school within the same reasonably contiguous geographic area and used by the school in direct support of or related to its educational purposes; 2) property within the same reasonably contiguous area that is owned by the school but controlled by another person, frequently used by students, and that supports the school's purposes (e.g., food or other vendors). • Crime statistics must also be reported for non-campus buildings or property owned or controlled by a student organization officially recognized by the school, and any building or property other than a branch campus owned or controlled by the school that is not within the same reasonable contiguous area but that is used in direct support of or in relation to the school's educational purpose and is frequently used by students. • Institutions also must report crimes that occur on public property, including thoroughfares, streets, sidewalks and parking facilities within the same campus or immediately adjacent to and accessible from the campus. Institutions may use a map to illustrate the areas they include in the annual security report.
Daily crime log	Each institution's campus or security department is required to maintain a crime log that includes the date the crime is reported; the nature, date, time and general location of each crime; and the disposition of the complaint, if known. The institution must make the crime log for the most recent 60 days available within two business days to anyone who requests it, although it may withhold information that could jeopardize an ongoing investigation or the safety of an individual, cause a suspect to evade detection or result in the destruction of evidence.
Timely warnings	Institutions are also required to issue a timely warning to the campus community of any of the crimes covered by the Clery Act that are reported to security authorities or local police agencies and are considered to be a continuing threat to students and employees. Institutions are required to warn students and employees using any method that will aid in the prevention of crime. Typical methods used to issue timely warnings include e-mails to all students and employees, use of local media to raise awareness about a threat, and posters that describe the threat.

UW Clery Act Procedures

We reviewed the extent to which UW institutions are in compliance with various Clery Act requirements. We reviewed compliance with requirements to collect and report crime data (giving special attention to sexual assault reporting), to include certain policies in the annual security report, and to distribute the annual security report to current and prospective students and employees. To conduct the review, we analyzed responses to a questionnaire we sent to UW institutions, reviewed copies of the annual security reports UW institutions prepared; and conducted follow-up interviews at UW- Madison, Milwaukee, Oshkosh, Parkside, River Falls, and Stevens Point to collect detailed information about specific Clery Act requirements. We did not assess the accuracy of individual data reported by UW institutions.

Our review found that the UW institutions we reviewed seemed to have made a good faith effort to collect and report crime data. These institutions routinely kept daily crime logs; appeared to have established reasonable geographic boundaries for collecting and reporting crime data; collected information from crimes reported to a variety of campus officials, as required by the Clery Act; had a process for determining and reporting whether a hate crime has occurred; and had a procedure in place that they would use to notify students and employees about an ongoing security threat.

At the same time, staff described several concerns with the accuracy and usefulness of the data included in the report:

- *Possible duplication:* Some UW staff we interviewed indicated that, because they may not have adequate information about specific crimes, the institution could be submitting duplicate numbers for some crimes. Staff who prepare the reports said that they try to minimize duplication by meeting with the campus authorities required to report crime data at the institution and reviewing each individual case that they plan to report. Staff further indicated that they would tend to report a crime if they had any doubt about whether it had been reported to another official, since they believed that over-reporting would be less likely to result in questioned reporting practices than if they inadvertently did not report a crime.
- *Law enforcement information:* Institutions are required to make a good faith effort to gather crime data from local law enforcement agencies. Some staff noted that they have had trouble receiving the information from local law enforcement agencies in a timely manner and in a usable format. They also noted that the information they do receive can be difficult to translate into Clery Act categories.
- *Value of data for comparative analysis:* The Clery Act requires institutions to report the raw number of reports received. A few staff noted that this approach may be misleading. They noted, for example, that additional analysis would be needed for consumers to truly make comparisons between campuses since the data do not account for differences in the total number of students on each campus. A small

UW institutions made a good faith effort to meet Clery Act requirements, but staff described concerns about some of the data they collect.

campus would be expected to have fewer incidents than a large campus. To make valid comparisons, data would need to be calculated into a population-based index. An index that displays the number of crimes per 100 students, for example, would allow consumers to make valid comparisons between institutions. While federal regulations require that institutions report raw data, the University of California System includes a systemwide analysis, including charts and trend analyses, with their institutional crime reports. This analysis is intended to promote better understanding of the data.

Some staff also believed that the data may not accurately reflect the actual occurrence of crime on campus. UW-Oshkosh, for example, frequently reports one of the highest numbers of alcohol violations among UW institutions. This data does not necessarily mean that UW-Oshkosh students use alcohol more frequently than other students; rather, staff noted, the data could reflect a more aggressive approach to enforcing alcohol laws.

Sexual Assault Reporting

Of the various types of crime information that institutions are required to include in the annual security report, sexual assault data has been the most controversial. The University of California's Clery Act reforms were prompted because of questions about the accuracy of sexual assault data at the UC-Davis. Newspapers have also questioned the accuracy of sexual assault data for some University of Wisconsin institutions. A December 12, 2001 Wisconsin State Journal article noted that UW-Madison reported six sexual assaults under the Clery Act in 2000, while at the same time the Dean of Students reported 58 sexual assaults under a separate state reporting requirement.

Section 36.11(22)(d), Wis. Stats., requires UW institutions to submit an annual report to the Office of Justice Assistance in the Department of Administration. The report is to describe the number of sexual assaults and the number of sexual assaults by acquaintances of victims that occurred on each campus. According to the UW System Office of Academic and Student Services (ACSS), the state reporting requirement includes information for a larger geographic area than the Clery Act, including off-campus incidents. The state report also uses a broader definition of sexual assault, based on Wisconsin law, than the Clery Act does. This could result in significant differences between the numbers of sexual assaults included in the two reports, as the figures cited in the newspaper article highlighted. ACSS staff have revised the state reporting form to simplify the state reporting process and to make the report more consistent with the Clery Act requirements. However, since the two requirements use different definitions for reporting sexual assault data, the reports will generally result in different data.

Differences between Wisconsin law and the Clery Act have caused confusion about how to report sexual assaults under the Clery Act.

An April 27, 2002 Wisconsin State Journal article also noted that some institutions appeared to be reporting non-forcible sexual assaults inappropriately. The Clery Act requires sexual assault incidents to be reported either as forcible or non-forcible sexual assault. Under the Clery Act, forcible sexual assaults involve any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is

incapable of giving consent. Types of forcible sexual assaults include forcible rape, forcible sodomy, sexual assault with an object, or forcible fondling. Non-forcible rape under the Clery Act is specifically restricted to non-forcible or consensual sexual intercourse between persons who are related to each other within the degrees where marriage is prohibited by law and non-forcible sexual intercourse with a person who is under the statutory age of consent. Although incidents meeting the narrow Clery Act definition of non-forcible sexual assault would rarely be expected to be reported on a college campus, several institutions have reported incidents of non-forcible sexual assault since 1999. Further review confirms that the reports did not meet the Clery Act definition.

Wisconsin state law, in comparison, identifies four degrees of sexual assault, with first degree being the most serious. First degree sexual assault involves sexual contact or sexual intercourse with another person without consent of that person and that: 1) causes pregnancy or great bodily harm to that person; 2) involves the use of or threat of use of a dangerous weapon; 3) involves the use or threat of force or violence and is aided or abetted by one or more other persons; or 4) involves a victim under the age of 13. Second degree sexual assault includes incidents that involve a threat of force or violence and that result in certain types of injuries or mental anguish requiring psychiatric care, or that involve a victim who is incapable of giving consent, including victims that suffer from mental illness. Third degree sexual assault includes assaults that involve intercourse without the person's consent. Fourth degree sexual assault involves all other types of sexual contact without a person's consent.

These differences between Wisconsin law and the Clery Act have made it difficult for some UW staff to classify some incidents. Some staff reported that they were uncomfortable classifying certain types of sexual assault that do not involve force as "forcible rape" under the Clery Act; they indicated that this could create a false impression about the level of violence on campus. At the same time, they indicated that they did not want to exclude these assaults, which typically are fourth degree sexual assaults under Wisconsin law, from their Clery Act crime data. In their effort to fully disclose all sexual assaults, some institutions have classified these fourth-degree assaults as non-forcible sexual assault in the Clery Act report. One staff person also indicated that he used standards outlined in Wisconsin's Uniform Crime Reporting manual, which includes classifications to accommodate the four degrees of sexual assault under Wisconsin law, as a guide to classify sexual assaults under the Clery Act. However, the relevant definitions for this purpose are those found in the federal National Incident-Based Reporting System. To assure compliance with the Clery Act, *we recommend that UW System institutions review their approaches for reporting sexual assaults to assure that the appropriate categories are used to classify sexual assaults.*

Policy Statements and Program Descriptions

In addition to reporting crime data, institutions are required to include a variety of statements of policies and descriptions of programs and services in the annual security report. These include those areas outlined in Table 6.

Table 6
Crime Reporting and Security Policies (34 CFR 668.46)

PROVISION	REQUIREMENTS
Policies for reporting criminal actions or other emergencies	Statement of policies must include: a) policies for making timely warnings to the campus community regarding the occurrence of crimes covered by the Act; b) policies for preparing the annual disclosure of crime statistics; and c) a list of titles of each person or organization to whom students and employees should report criminal offenses, including a statement of any policies or procedures that would allow victims or witnesses to make reports on a voluntary, confidential basis. Also required is a statement of policy concerning the monitoring and recording of criminal activity involving students at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities.
Security policies	Statement of policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
Campus law enforcement policies	Statement of campus law enforcement policies that: a) addresses the enforcement authority of security personnel, their relationship with state and local police and their ability to arrest individuals; b) encourages accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies; and c) describes procedures that encourage pastoral and professional counselors to inform persons they are counseling of any procedures to report crimes on a voluntary, confidential basis.
Programs for informing students about security	A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students to be responsible for their own security and the security of others. A description of programs designed to inform students and employees about the prevention of crimes.
Drug and alcohol policies	Statements of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws; and a similar statement for the possession, use and sale of illegal drugs and enforcement of federal and state drug laws. A description of any drug or alcohol-abuse programs, as required under Section 120(a) through (d) of the Higher Education Act. (An institution may cross-reference the materials used to comply with the Higher Education Act requirements.)
Sexual assault prevention	A statement of policy regarding the institution's programs to prevent sex offenses, and procedures to follow when a sex offense occurs. The statement must include specific information: a) describing educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex acts; b) describing procedures students should follow if a sex offense occurs, including who to contact and the importance of preserving evidence; c) informing students that they have the option to notify appropriate law enforcement and that institutional personnel will assist with that notification; d) notification of on- and off-campus counseling, mental health and other services for victims of sex offenses;

PROVISION	REQUIREMENTS
	e) notification that the institution will change a victim's academic and living situations after an alleged sex offense, if those changes are requested by the victim and are reasonably available; and f) procedures for campus disciplinary action in the case of an alleged sex offense. A statement advising the campus community where law enforcement agency information concerning registered sex offenders may be obtained.

We reviewed annual security reports prepared by UW institutions. Most of the reports we reviewed were missing at least one required policy, with the most commonly excluded policies including:

- Statement regarding procedures to report crime:* Institutions usually included information describing procedures to report crimes to campus or city police and informed students and employees of procedures where complaints could remain confidential or anonymous. However, these policy statements typically did not include additional required components describing how the institution would make timely warnings or a description of procedures used to complete the annual security report. They also rarely listed the titles or organizations other than the campus or city police where students or employees could report crimes. While institutions may prefer that students and employees report crimes to campus or local police, the Clery Act requires that the annual security report also include any institutional procedures that have been established for making voluntary, confidential crime reports.
- Some UW reports were missing information that the Clery Act requires.**
- Monitoring off-campus crime:* Several institutions did not include a statement of policy describing how they monitor and record criminal activity involving students at off-campus locations of student organizations officially recognized by the institution and student organizations with off-campus housing facilities.
 - Detailed descriptions of the type and frequency of programs offered to prevent crimes:* In one case, the institution did not list crime prevention programs in the report but indicated that information would be available in brochures distributed on campus. In other cases, institutions either referred students or employees to separate brochures or described programs without providing information about the frequency with which the program would be offered. To enhance compliance, more detailed descriptions of the type and frequency of programs offered to prevent crimes are needed.
 - Information about the state's sex offender registry:* The Campus Sex Crime and Prevention Act requiring that institutions make information about the state's sex offender registry available went into effect on October 28, 2002. Several institutions had not yet included this information at the time of the review. In Wisconsin, the sex offenders' registry is maintained on a computer web site. The institutions we visited planned to incorporate the Internet address of the registry into the annual security report.

One institution's annual security report did not include the majority of the required policy and program statements. Students and employees were referred to other documents for some of the information, however. *We recommend that UW System institutions assure that the annual security report they are required to develop under the Clery Act include all required policies and program descriptions, including a statement identifying how to report a crime, information about crime prevention programs, and information about Wisconsin's sex offender registry.* Staff from UW System's Office of Academic and Student Services plan to work with institutional staff to develop guidelines and a template that institutions would have the option of using to assure compliance with the Clery Act.

Annual Security Report Distribution

Institutions are required to distribute the annual security report to enrolled students and current employees by October 1 of each year. The report must be distributed to these groups by: 1) direct mailing to each individual through the U.S. Postal Service, campus mail or electronic mail; 2) a publication or publications provided directly to each individual; or 3) a posting on an Internet or intranet web site. If an institution chooses to post the annual security report on an Internet or intranet site, it must notify enrolled students and current employees of the exact electronic address where the report is posted, provide a brief description of the report's contents, and state that the institution will provide a paper copy of the report upon request.

Institutions must meet strict requirements for distributing the annual security report to current and prospective students and employees.

Institutions must notify prospective students and prospective employees of the availability of the report, including a description of its contents and a statement of the opportunity to request a copy. A prospective student is defined as an individual who has contacted an eligible institution for the purpose of requesting information concerning admission to that institution. A prospective employee is a person who has contacted an institution requesting information concerning employment at the institution. An institution must provide its annual security report, upon request, to prospective students and employees. If an institution chooses to make the annual security report available on the Internet or intranet, the institution must provide the same notifications as are required for current students and employees.

We examined distribution methods for each of those groups and found that some UW institutions may not be in compliance with Clery Act requirements:

- *Current students:* Most UW institutions reported that they post the annual security report on the Internet, which they indicated helps them avoid the large printing costs of publishing copies of the report for each student. UW institutions typically send an e-mail to all students or send them a postcard with information about how to access or acquire a copy of the security report. One institution in our follow-up review continues to publish a hard copy of the report and distribute it to each student during registration, and one institution did not have an approach for distributing the annual security report. Most UW institutions indicated that they use the Internet to distribute the annual security report. However, we found that three of the 14 addresses we were given did not work. Six other addresses were not exact or direct

addresses for the required information; sometimes further searching was required to locate a more exact web address. To meet Clery Act requirements, an exact web address must be provided.

- *Current employees*: Several staff noted that information about the annual security report may not be adequately distributed to current employees. Some institutions notify employees by e-mail. Others place an ad in a campus newspaper, and this serves as the official mechanism for notifying employees about institutional policies. While these approaches appear to meet Clery Act requirements, some staff expressed concern that not all employees may actually receive the information through these methods. For example, while all staff may have access to e-mail, all may not use it. Staff may not all carefully read a campus newspaper. One suggestion was to notify current employees by printing a statement describing the report on employees' earning statements. Another suggestion was to notify employees using multiple methods, such as e-mail and the campus newspaper, to increase awareness of the report.
- *Prospective students*: The staff we interviewed indicated that they routinely provide required information about the annual security report in application materials. While institutions may be notifying prospective students appropriately, our review of application materials found on the Internet did not include information about the security report. We also did not find a reference to the annual security report on institutional web pages targeted toward "prospective students." One staff person also expressed concern that, while the institution routinely provides the information to prospective undergraduates, it may not be providing the information to prospective graduate or professional students.
- *Prospective employees*: Several UW institutions do not appear to be notifying prospective employees about the annual security report. Some institutions provide information about the security report with each job posting. Other institutions may wish to adopt a similar approach to meet the requirement. However, where this approach is used, the notice included on the job postings we reviewed did not include a description of the report. Under the Clery Act, if the annual security report is posted on the Internet, institutions must provide the exact web site address of the report along with a description of the annual security report.

Some UW institutions may need to modify their procedures to ensure the annual security report is appropriately distributed.

We recommend that institutions review and modify their procedures, as necessary, to assure that the annual security report is appropriately distributed to current and prospective employees and students.

While most institutions use electronic methods to meet Clery Act requirements, UW staff noted that, even with the use of technology, some costs are difficult to cover. For example, one institution reported it costs approximately \$1,000 each time it sends an e-mail to all students to notify them of the annual security report or to issue a warning about a crime via e-mail. Staff indicated that these costs have not always been included in the budget. While it is difficult to identify resources, failing to fully comply with Clery Act regulations can result in a \$27,500 fine.

We recommend that institutions assure that they provide adequate resources to meet Clery Act requirements.

INFORMATION ACCESSIBILITY

The intent of the Student Right-to-Know and Campus Security Act is to provide students, their families and, in some cases, employees with adequate information so that they can assess the benefits, obligations and risks of attending or working at an institution of higher education.

Several staff during the review noted that students and their families rarely request or use Student Right-to-Know and Campus Security Act information. Efforts to make the information more accessible could help increase its use. For example, we found that institutions used a variety of approaches for organizing the information in the annual security report. Some institutions included policies and program information in long narrative descriptions that intermingled topics. We found that these types of reports were difficult to review and could also make it difficult for students or employees to identify important information. Student Right-to-Know information was often more difficult to locate, with the information published in a variety of sources and not clearly identified as required information.

Efforts to make information easier to access could help students, their families and employees assess the benefits, obligations and risks of each institution.

Some institutions organized Clery Act information by placing each required policy statement or program description under an appropriate heading. UW-Madison's annual security report, for example, includes a heading for each requirement, along with a citation of the regulations that apply to each requirement. This approach could make the information more accessible to the readers of the document and could help institutions improve compliance by making it easier to determine whether each requirement is addressed in the report. Appropriate headings could be helpful for organizing other Student Right-to-Know information, as well.

Systemwide efforts to distribute information could be beneficial. The University of California System, for example, posts the annual security report from each of its campuses, with one web page serving as a central clearinghouse for the reports. Consolidating the annual security reports from throughout UW System on one web site or, alternatively, listing the Internet addresses for the reports on one site, could simplify the process for providing Internet addresses to students and employees. A single address could then be provided, for example, on the standard systemwide application form for prospective students and on payroll statements for employees. UW Colleges already uses a similar approach by consolidating reports from each UW Colleges campus on one web page.

Efforts to consolidate Clery Act information with information about other Student Right-to-Know information could be similarly beneficial. Some institutions, such as UW-Stout and UW-Eau Claire, already consolidate some Student Right-to-Know and Clery Act information in one document. This approach could make the information more accessible to consumers. *We recommend that UW System Administration work with UW institutions to identify approaches for making Student Right-to-Know and Campus Security Act information more accessible to students, families, and employees.*

CONCLUSION

The Student Right-to-Know and Campus Security Act of 1990 was intended to provide students and their families with information to make informed choices about attending an institution of higher education. We surveyed institutions and reviewed a sample of documents provided to us by institutions to assess compliance with the Act. We also examined problems encountered by institutions nationally and conducted follow-up interviews with staff at some UW institutions to assess compliance with the Clery Act.

During our review of Title I, Student Right-to-Know Act requirements, we found that we could not locate certain required information in the materials provided to us for the review.

Information that was commonly missing from the documents we reviewed included: 1) information about local and institutional scholarship programs; 2) criteria for reestablishing eligibility for financial assistance once eligibility is lost for failing to meet academic standards; 3) a description of the conditions under which Federal Family Education Loans or William D. Ford Federal Direct Loans may be deferred; 4) a description of laboratory and instructional facilities for academic programs; and 5) a description of special facilities available for disabled students.

Title II of the Student Right-to Know and Campus Security Act, currently known as the Clery Act, requires institutions to collect and disseminate a wide variety of data and policy information regarding campus security. The Clery Act was intended to provide prospective and current students and employees with information to help them assess the safety of an institution. Journalists, students and family members have questioned whether several institutions in other states and even within the UW System are in compliance with the Clery Act. Institutions of higher education may face fines of up to \$27,500 and have their participation in federal financial aid programs limited, suspended or terminated if they fail to comply with these requirements. To enhance compliance with the Clery Act, we recommended that UW System institutions:

- assure that the annual security report includes all required policies and program descriptions;
- assure that they use appropriate classifications, as defined by federal standards rather than Wisconsin state law, to report sexual assaults;
- assure that adequate resources are provided to meet Clery Act requirements; and
- distribute the annual security report to all current and prospective students and employees, as required.

In addition, we have recommended that UW System Administration work with UW institutions to identify approaches for making Student Right-to-Know and Campus Security Act information more accessible to students, families, and employees.

Appendix

Student Right-to-Know and Campus Security Act Resources

RESOURCE	PURPOSE
<p>Code of Federal Regulations, Chapter VI--Office Of Postsecondary Education, Department Of Education, Part 668--Student Assistance General Provisions. 34 CFR 668.41 through 34 CFR 668.47.</p> <p>http://www.access.gpo.gov/nara/cfr/waisidx_02/34cfr668_02.html</p>	<p>Federal regulatory requirements.</p>
<p>U.S. Department of Education, <u>Program Review Guide: Student Financial Assistance Programs</u>, Washington, D.C., August 31, 2001. Pages 60-63 outline campus security (Clery Act) requirements, while pages 64-65 describe consumer information requirements.</p> <p>http://ifap.ed.gov/iposguidance/attachments/PRGall.pdf</p>	<p>Guide the Department of Education uses to review compliance with financial assistance program requirements.</p>
<p>http://www.securityoncampus.org/schools/cleryact/index.html provides links to regulations and crime definitions to be used in meeting Clery Act requirements.</p> <p>http://www.securityoncampus.org/schools/cleryact/checklist.html is a checklist that outlines Clery Act requirements.</p>	<p>Resources to help institutions comply with the Clery Act, developed by Security on Campus, Inc., a non-profit organization established by the parents of Jeanne Clery to address issues of crime and security on college campuses.</p>
<p>University of California Clery Act Compliance Manual.</p> <p>http://www.ucop.edu/ucophome/policies/clery/</p>	<p>Manual the University of California System developed to help UC institutions improve compliance.</p>
<p>National Association of College and University Business Officers (NACUBO), "Campus Crime Reporting: A Guide to Clery Act Compliance", July 16, 2002.</p> <p>http://www.nacubo.org/public_policy/advisory_reports/2002/2002-02.pdf</p>	<p>A guide to Clery Act compliance, a joint undertaking of the American Council on Education (ACE) and NACUBO.</p>
<p>Office of the President, University of California System. "Crime Prevention and Reporting on UC Campuses.</p> <p>http://www.ucop.edu/news/clery/crimeprev.html</p>	<p>Illustrates how the University of California System consolidates Clery Act information from UC institutions into one source.</p>
<p>UW-Stout. "Student Consumer Information: It's Your Right to Know".</p> <p>http://www.uwstout.edu/geninfo/sci.html</p>	<p>Illustrates how UW-Stout consolidates Student Right-to-Know information into one source.</p>

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- National Association of College and University Business Officers. "Campus Crime Reporting: A Guide to Clery Act Compliance." Washington, D.C.: NACUBO, 2002.
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- United States General Accounting Office. "Campus Crime: Difficulties Meeting Federal Reporting Requirements." Washington, DC: GAO, 1997.
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I.3. Physical Planning and Funding Committee

Thursday, April 1, 2004
The Pyle Center, Room 325/326
702 Langdon Street, Madison

10:00 a.m. Regent Study Groups

12:30 p.m. Box Lunch

1:00 p.m. All Regents

- Report on Diversity: A Wisconsin Commitment, An American Imperative

2:00 p.m. Joint Session with the Business and Finance Committee - Room 325/326

a. UW-Madison: East Campus Plan Update

2:15 p.m. Physical Planning and Funding Committee - Room 325/326

b. Approval of Minutes of March 4, 2004 Meeting

c. Report of the Assistant Vice President

- Building Commission Actions
- Other

d. UW-Extension: Radio Station Equipment (\$480,000)
[Resolution I.3.d.]

e. UW-Madison: USDA Development at Marshfield Agricultural Research Station
[Resolution I.3.e.]

x. Additional items which may be presented to the Committee with its approval

Authority to Purchase Equipment and to
Substitute One Funding Source for Another,
UW-Extension

PHYSICAL PLANNING AND FUNDING COMMITTEE

Resolution:

That, upon the recommendation of the UW-Extension Chancellor and the President of the University of Wisconsin System, authority be granted to: (a) purchase equipment for three Wisconsin Public Radio (WPR) stations at a total estimated cost of \$480,000 (\$205,000 General Fund Supported Borrowing, \$205,000 Grant Funds, and \$70,000 Institutional Funds) contingent upon approval of grant funding and (b) substitute grant funding for Institutional funding should additional grant funding become available.

THE UNIVERSITY OF WISCONSIN SYSTEM

Request for Board of Regents Action April 2004

1. Institution: The University of Wisconsin-Extension
2. Request: Requests: (a) authority to purchase equipment for three Wisconsin Public Radio (WPR) stations at a total estimated cost of \$480,000 (\$205,000 General Fund Supported Borrowing, \$205,000 Grant Funds, and \$70,000 Institutional Funds) contingent upon approval of grant funding and (b) approval to substitute grant funding for Institutional funding should additional grant funding become available.
3. Project Description and Scope: This project will provide funding to replace equipment for three UW Board of Regents licensed WPR stations to allow conversion from analog to digital production and transmission. New equipment will conform to the High Definition Radio (HD Radio) standard approved by the Federal Communications Commission (FCC). Equipment will be installed at: WHA-AM Madison, KUWS-FM Superior, and WLSU-FM La Crosse.
4. Justification of the Project: Wisconsin Public Radio's long range capital equipment plans include the replacement of radio production and transmission equipment to convert to a new digital broadcasting standard. The plan includes conversion of the eight Board of Regents licensed stations affiliated with WPR to HD radio by 2011 at an estimated total cost of \$1,445,000.

The UW System 2003-05 Capital Budget request included replacement of equipment at four stations based on preliminary equipment cost estimates and the expected availability of grant funds. At that time, the digital conversion costs were not precisely known and grant guidelines were not available. It was assumed that the grant guidelines for Corporation for Public Broadcasting (CPB) funding would be similar to the grant guidelines for Public Telecommunications Facilities Program (PTFP) grant funds. PTFP grant funds were used in previous state projects to match state funds on a 50/50 basis. In December 2003, CPB grant guidelines became available specifically for conversion of public radio stations to HD radio. CPB grant guidelines allow funding of 70 to 80 percent of the cost of each station conversion up to a total of \$75,000 to \$85,000 depending on the station designation. Shortly after CPB guidelines were issued, WPR completed an assessment of the equipment needs for conversion of four stations and developed revised cost estimates. These estimates revealed that digital conversion costs had increased and that only three stations could be converted in 2003-05, and that institutional funding will be needed. Station WHID-FM in Green Bay will not be converted this biennium.

CPB grant approvals for both the WHA-AM and KUWS-FM stations are expected on April 12, 2004. The maximum grant for urban Community Service Grant (CSG) qualified stations including WHA-AM is \$75,000. KUWS is not a qualified CSG station but it is affiliated with WHA-AM and it meets the priority guidelines for stations that did not receive funding in the first round of digital conversion grants. A maximum grant of \$75,000 is expected. The CPB grant for the WLSU-FM station will be requested in early 2005 because of a lack of staff to implement the conversion of three stations in one year. The maximum grant for a rural CGS qualified stations including WLSU-FM is \$85,000. CPB grant conditions require that the station conversions be completed within one year of grant approval and CPB contract signature. It is critical that state funding be available in May 2004 so project implementation is not delayed.

With the approval of HD Radio, the FCC has taken a major step forward in transition to a digital broadcasting standard for all radio stations. Terrestrial digital transmission of audio is superior to analog and competitive with satellite delivered services. In addition, multiple streams of programming on one channel will increase the level of public service provided. Over the years, the State of Wisconsin has financially invested in the creation of a statewide WPR service. To remain viable in the future and to be able to provide enhanced CD quality sound, the WPR stations will need to convert to digital broadcasting.

5. Budget:

Station	Cost	Fed	State	Institution
WHA	\$ 122,000	\$ 75,000	\$ 47,000	\$ 0
KUWS	\$ 215,700	\$ 75,000	\$ 140,700	\$ 0
Subtotal	\$ 337,700	\$ 150,000	\$ 187,700	\$ 0
WLSU	\$ 142,300	\$ 55,000 *	\$ 17,300	\$ 70,000
Total	\$ 480,000	\$ 205,000	\$ 205,000	\$ 70,000

* The CPB grant amount for station WLSU is tentative at this time. It is anticipated that grant funding could be \$85,000., in which case the campus contribution will be decreased.

6. Previous Action:

October 10, 2003 Resolution 8738	Granted authority to purchase equipment for the WHA-TV Equipment Replacement Project at a total project budget of \$1,674,629 (\$995,000 General Fund Supported Borrowing, \$469,065 University Infrastructure Allocation and \$210,564 Federal Grant Funds).
August 22, 2002 Resolution 8582	Recommended enumeration of the WHA-TV Equipment and Radio project at a total budget of \$1,405,000 General Fund Supported Borrowing as part of the 2003-05 Capital Budget. The project was subsequently enumerated at \$1,200,000 of General Fund Supported Borrowing.

Authority to Lease Sites and Allow for USDA
Demolition and Construction at the Marshfield
Agricultural Research Station, UW-Madison

PHYSICAL PLANNING AND FUNDING COMMITTEE

Resolution:

That, upon the recommendation of the UW-Madison Chancellor and the President of the University of Wisconsin System, authority be granted:

- (a) for the officers of the Board of Regents to lease building sites at the north and south elements of the UW-Madison Marshfield Agricultural Research Station (ARS), Marshfield, Wisconsin to the United States Department of Agriculture (USDA), through June 30, 2028,
- (b) to allow the USDA to demolish an existing dairy barn, milk house, and eight silos at the south site and construct and own a new laboratory/office building to house the Institute for Environmentally Integrated Dairy Management (IEIDM) which is a federal, state and university partnership, and
- (c) to allow the USDA to construct and own the balance of the heifer research facilities at the north site.

THE UNIVERSITY OF WISCONSIN SYSTEM

Request for Board of Regents Action April 2004

1. Institution: The University of Wisconsin-Madison
2. Request: Requests authority:
 - (a) for the officers of the Board of Regents to lease building sites at the north and south elements of the UW-Madison Marshfield Agricultural Research Station (ARS), Marshfield, Wisconsin to the United States Department of Agriculture (USDA), through June 30, 2028,
 - (b) to allow the USDA to demolish an existing dairy barn, milk house, and eight silos at the south site and construct and own a new laboratory/office building to house the Institute for Environmentally Integrated Dairy Management (IEIDM) which is a federal, state and university partnership, and
 - (c) to allow the USDA to construct and own the balance of the heifer research facilities at the north site.
3. Description and Scope of Project: The USDA will construct and own new facilities at the north and south elements of the Marshfield Agricultural Research Station (ARS) totaling approximately \$15 million in value, and provide an annual operating budget of about \$4.5 million to support USDA and UW-Madison scientists. All facilities will be jointly managed and used by the USDA and the UW-Madison, as defined in a memorandum of understanding. The USDA will be responsible for janitorial and maintenance services in the USDA owned facilities, including the care of adjacent grounds and parking areas.

ARS north site - The USDA will construct and own a parking lot and up to eight new buildings subject to favorable bidding at the north site to house heifer raising research facilities. These facilities include barns, a milking parlor, feeding and animal health care facilities, and all supporting infrastructure elements. The new USDA facilities will complement the four recently completed \$1.8 million integrated dairy facilities constructed on the site by the university and funded through a 50/50 split of GPR and gifts/grants. All facilities are consistent with the master plan for the ARS which was completed in 2000.

ARS south site - The USDA will demolish an existing dairy barn and milk house valued at \$446,537 and 8 silos valued at \$154,282 to provide a site for new construction. All buildings have outlived their useful lives, are in relatively poor condition, and do not meet current or future needs. The USDA will then construct and own at its expense, a new 22,650 GSF laboratory and administrative facility valued at approximately \$7.8 million. The USDA has completed an Environmental Assessment of the facilities to be demolished,

including a plan for the remediation of asbestos containing materials, lead based paints, and minor amounts of PCB's and mercury in electrical fixtures. The UW-Madison Hazardous Substance Officer will monitor the USDA abatement proceeding at the site prior to demolition.

4. Justification: This work relates to the Integrated Dairy Program supported by the Board of Regents and Legislature as part of the 2001-03 and 2003-05 Capital Budgets. Overall, that initiative will replace, consolidate and expand dairy operations at the Arlington-Blaine and Marshfield Ag Research Stations, and will upgrade facilities at the main campus Dairy Cattle Center. Development included in earlier phases provided a new free stall barn at Arlington, and a heifer barn and support facilities at Marshfield. Phase 2 is enumerated in the 2003-05 Capital Budget, including approximately \$4.8 million state funds for facilities at Arlington and minor upgrades at Madison, and federal funding for work at Marshfield. Federal funding became available in 2003 for the Marshfield work.

The Marshfield Agriculture Research Station (ARS) is located geographically in the center of the state serving the largest dairy population in the four counties surrounding the Station. The university has worked in many cooperative research projects with the Federal Government through the USDA. The cooperative projects provide a cost savings to both parties by shared use of facilities, staff, equipment and research. The USDA will develop an Institute for Environmentally Integrated Dairy Management (IEIDM) as UW-Madison develops the Integrated Dairy Facility to achieve mutually beneficial research objectives at the Marshfield ARS.

The goal for the Marshfield Integrated Dairy site is to create a unique facility for studying dairy cattle replacement growth strategies. While the primary purpose will be young stock research, cattle from the Arlington facility will be made available for forage or other research unique to the Marshfield area. A limited milking herd will also be maintained to obtain production data on first lactation cows following animal growth trials. This facility will mirror the new and changing face of the Wisconsin dairy industry. It will be a one-of-a-kind facility, with an emphasis on the biology associated with dairy replacement heifers. It is well positioned to become a premier leader in dairy replacement heifer research and will be the outreach program dedicated to the emerging custom heifer raising businesses of the state.

The College of Agricultural and Life Sciences is committed to its research and demonstration projects which involve dairy cattle management and feeding, alfalfa breeding and disease resistance, and corn for grain and silage research. This station also hosts the State Soils and Forage Analysis Laboratory, where soils, manure, feed, and forage are analyzed as a service to Wisconsin farmers. Research at this station directly benefits local farms as well as the state and national dairy industries.

5. Previous Action:

- | | |
|-------------------------------------|---|
| August 22, 2002
Resolution 8582 | Recommended enumeration of the Integrated Dairy – Phase II project as part of the 2003-05 Capital Budget. |
| December 7, 2001
Resolution 8486 | Approved the Design Report and authorized the construction of the Marshfield Integrated Dairy–Phase I project, at an estimated total project cost of \$1,800,000 (\$900,000 General Fund Supported Borrowing and \$900,000 Gifts/Grants). |

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

April 2, 2004
9:00 a.m.
1820 Van Hise Hall
1220 Linden Drive
Madison, Wisconsin

Agenda

II

1. Calling of the roll
2. Approval of the minutes of the March 4th and 5th meetings
3. Report of the President of the Board
 - a. Wisconsin Technical College System Board report
 - b. Hospital Authority Board report
 - c. Additional items that the President of the Board may report or present to the Board
4. Report of the President of the System
 - a. Presentation of 2004 Academic Staff Awards for Excellence
 - b. Additional items that the President of the System may report or present to the Board
5. Update on Charting a New Course for the UW System
 - a. Report on recommended budget items from the working groups
 - b. Report on April working group meetings
6. Report of the Business and Finance Committee
7. Report of the Education Committee
8. Report of the Physical Planning and Funding Committee
9. Additional resolutions
10. Communications, petitions, memorials
11. Unfinished or additional business

12. Recess into closed session to consider personal histories of finalists and appointment of a UW-Stevens Point Chancellor, as permitted by s.19.85[1][c], and s.19.85[1][f] *Wis. Stats.*, to confer with legal counsel concerning pending and potential litigation, as permitted by s.19.85[1][g], *Wis. Stats.*, and to consider personal histories related to appointments to the UW-Extension Board of Visitors, as permitted by s.19.85[1][f], *Wis. Stats.*

The closed session may be moved up for consideration during any recess called during the regular meeting agenda. The regular meeting will reconvene in open session following completion of the closed session.

**Board of Regents of
The University of Wisconsin System**

Meeting Schedule 2004-05

2004

January 8 and 9
(Cancelled, circumstances permitting)

February 5 and 6

March 4 and 5

April 1 and 2

May 6 and 7

June 10 and 11 (UW-Milwaukee)
(Annual meeting)

July 8 and 9 (cancelled, circumstances
permitting)

August 19 and 20

September 9 and 10

October 7 and 8 (UW-Superior)

November 4 and 5

December 9 and 10

2005

January 6 and 7 (cancelled, circumstances
permitting)

February 10 and 11

March 10 and 11

April 7 and 8

May 5 and 6

June 9 and 10 (UW-Milwaukee)
(Annual meeting)

July 7 and 8

August 18 and 19
(Cancelled, circumstances permitting)

September 8 and 9

October 6 and 7

November 10 and 11

December 8 and 9

BOARD OF REGENTS OF THE UNIVERSITY OF WISCONSIN SYSTEM

President - Toby E. Marcovich
Vice President - David G. Walsh

STANDING COMMITTEES

Executive Committee

Toby E. Marcovich (Chair)
David G. Walsh (Vice Chair)
Mark J. Bradley
Elizabeth Burmaster
Guy A. Gottschalk
Gregory L. Gracz
Jose A. Olivieri

Business and Finance Committee

Mark J. Bradley (Chair)
Eileen Connolly-Keesler (Vice Chair)
Guy A. Gottschalk
Peggy Rosenzweig

Education Committee

Jose A. Olivieri (Chair)
Elizabeth Burmaster (Vice Chair)
Roger E. Axtell
Danae D. Davis
Frederic E. Mohs
Charles Pruitt
Beth Richlen

Physical Planning and Funding Committee

Gregory L. Gracz (Chair)
Jesus Salas (Vice Chair)
Nino Amato
Gerard A. Randall, Jr

Personnel Matters Review Committee

Gerard A. Randall, Jr. (Chair)
Roger E. Axtell
Mark J. Bradley
Jose A. Olivieri

Committee on Student Discipline and Other Student Appeals

Charles Pruitt (Chair)
Frederic E. Mohs
Nino Amato
Beth Richlen

OTHER COMMITTEES

Liaison to Association of Governing Boards

Guy A. Gottschalk

Hospital Authority Board - Regent Members

Nino Amato
Roger E. Axtell (ex officio)
Frederic E. Mohs
Peggy Rosenzweig

Wisconsin Technical College System Board

Peggy Rosenzweig, Regent Member

Wisconsin Educational Communications Board

Eileen Connolly-Keesler, Regent Member

Higher Educational Aids Board

Gregory L. Gracz, Regent Member

Research Park Board

Frederic E. Mohs, Regent Member

Teaching Excellence Awards

Danae D. Davis (Chair)
Charles Pruitt
Beth Richlen
Jesus Salas

Public and Community Health Oversight and Advisory Committee

Patrick Boyle, Regent Liaison

Special Regent Committee for UW System President Search

David G. Walsh (Chair)
Elizabeth Burmaster
Charles Pruitt
Beth Richlen
Peggy Rosenzweig
Jesus Salas

Special Regent Committee for UW System President Selection

Guy A. Gottschalk (Co-chair)
Toby E. Marcovich (Co-chair)
Roger E. Axtell
Mark J. Bradley
Danae D. Davis
David G. Walsh

Special Regent Committee for UW-Stevens Point

Chancellor Search

Roger E. Axtell (Chair)
Mark J. Bradley
Gregory L. Gracz
Peggy Rosenzweig
Jesus Salas

Committee for Academic Staff Excellence Awards

Eileen Connolly-Keesler (Chair)
Danae D. Davis
Gerard A. Randall, Jr.
Jesus Salas

The Regents President and Vice President serve as ex-officio voting members of all Committees.