Every day is a great day to be a Pioneer!

THE PIONEER STUDENT CONDUCT CODE

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University of Wisconsin-Platteville

PIONEER STUDENT CONDUCT CODE

I. Introduction

The university and its faculty, staff, and students believe that academic honesty and integrity are fundamental to the mission of higher education and of the university. The university has a responsibility to promote academic honesty and integrity and to develop procedures to deal effectively with instances of academic dishonesty. Students are responsible for the honest completion and representation of their work, for the appropriate citation of sources, and for respect of others’ academic endeavors. Students who violate these standards must be confronted and must accept the consequences of their actions.

In addition, the mission of the university can only be realized if the university's teaching, learning, research, and service activities occur in living and learning environments that are safe and free from violence, harassment, fraud, theft, disruption, and intimidation. In promoting such environments, the university has a responsibility to address student nonacademic misconduct; this responsibility is separate from and independent of any civil or criminal action resulting from a student's conduct. This Code defines nonacademic misconduct, provides university procedures for effectively addressing misconduct, and offers educational responses to misconduct. The university is committed to respecting students’ constitutional rights. Nothing in this Code is intended to restrict students’ constitutional rights, including rights of freedom of speech or to peaceably assemble with others.

The University of Wisconsin-Platteville is a vibrant, diverse, active community. The quality of life in our community is directly related to the actions and behaviors of its members. As community members, we each have certain rights and responsibilities. It is important to realize that it is the responsibility of each member of the community to understand and adhere to these standards. Students are expected to make themselves aware of and comply with the law, and with university policies and regulations.

The regulations within the UW-Platteville Pioneer Student Conduct Code have been developed to create and maintain a safe and welcoming community that encourages students to achieve success in their academic, social, and personal development. Students are maturing adults, capable of making their own decisions, as well as accepting the consequences for those decisions. The student conduct process has been established to respond to incidents involving allegations of inappropriate behavior within our community. This process provides educational opportunities which encourage students to evaluate their own actions, consider their own decision making, and acquire new skills to improve their choices in the future.

University of Wisconsin System (UWS) disciplinary procedures, specifically UW System Chapter 14 (Student Academic Disciplinary Procedures) and UW System Chapter 17 (Student Non-academic Disciplinary Procedures), have been incorporated into the UW-Platteville Pioneer Code either by adapting or inserting verbatim the language of these policies. UW System Chapter 14 can be found online at: https://docs.legis.wisconsin.gov/code/admin_code/uws/14/pdf. UW System Chapter 17 can be found online at: https://docs.legis.wisconsin.gov/code/admin_code/uws/17/pdf. In the event of conflict between this Code and either UW System Chapter 14 or UW System Chapter 17, the Chapters will supersede the code.
II. Student Academic Misconduct

14.02: Definitions

1. “Academic misconduct” means an act described in UW System Chapter 14.03 below.
2. “Academic misconduct hearing committee” means the committee or hearing examiner appointed pursuant to 14.15 to conduct hearings under 14.08.
3. “Chancellor” means the chancellor or designee.
4. “Clear and convincing evidence” means information that would persuade a reasonable person to have a firm belief that a proposition is more likely true than not true. It is a higher standard of proof than “preponderance of the evidence.”
5. “Days” means calendar days.
6. “Disciplinary file” means the record maintained by the student affairs officer responsible for student discipline.
7. “Disciplinary probation” means a status in which a student may remain enrolled at UW-Platteville only upon the condition that the student complies with specified standards of conduct for a specified period of time, not to exceed two semesters.
9. “Expulsion” means termination of student status with resultant loss of all student rights and privileges from all University of Wisconsin campuses.
10. “Hearing examiner” means an individual appointed by the chancellor in accordance with 14.15 for the purpose of conducting a hearing under 14.08.
11. “Institution” means any university or center, or organizational equivalent designated by the board.
12. “Instructor” means the faculty member or instructional academic staff member who has responsibility for the overall conduct of a course and ultimate responsibility for the assignment of the grade for the course.
13. “Investigating officer” means an individual, or his or her designee, appointed by the chancellor to carry out certain responsibilities in the course of investigations of academic misconduct.
14. “Preponderance of evidence” means information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than “clear and convincing evidence” and is the minimum standard for a finding of responsibility under this Code.
15. “Student” means any person who is registered for study at UW-Platteville for the academic period in which the misconduct occurred.
16. “Student affairs officer” means the dean of students or student affairs officer designated by the chancellor to carry out duties described in this Code.
17. “Suspension” means a loss of student status for a specified length of time, not to exceed two years, with resultant loss of all student rights and privileges from all University of Wisconsin campuses.

14.03: Academic Misconduct Subject to Disciplinary Action

1. Academic misconduct is an act in which a student:
   a. Seeks to claim credit for the work or efforts of another without authorization or citation;
   b. Uses unauthorized materials or fabricated data in any academic exercise;
   c. Forges or falsifies academic documents or records;
   d. Intentionally impedes or damages the academic work of others;
   e. Engages in conduct aimed at making false representation of a student’s academic performance; or
   f. Assists other students in any of these acts.
2. Examples of academic misconduct include, but are not limited to: cheating on an examination; collaborating with others in work to be presented, contrary to the stated rules of the course;
submitting a paper or assignment as one's own work when a part or all of the paper or assignment is the work of another; submitting a paper or assignment that contains ideas or research of others without appropriately identifying the sources of those ideas; stealing examinations or course materials; submitting, if contrary to the rules of a course, work previously presented in another course; tampering with the laboratory experiment or computer program of another student; knowingly and intentionally assisting another student in any of the above, including assistance in an arrangement whereby any work, classroom performance, examination or other activity is submitted or performed by a person other than the student under whose name the work is submitted or performed.

14.04: Disciplinary Sanctions

1. The following are disciplinary sanctions that may be imposed for academic misconduct in accordance with the procedures of 14.05, 14.06, or 14.07:
   a. An oral reprimand;
   b. A written reprimand presented only to the student;
   c. An assignment to repeat the work, to be graded on its merits;
   d. A lower or failing grade on the particular assignment or test;
   e. A lower grade in the course;
   f. A failing grade in the course;
   g. Removal of the student from the course in progress;
   h. A written reprimand to be included in the student's disciplinary file;
   i. Disciplinary probation; or
   j. Suspension or expulsion from the university.

2. One or more of the disciplinary sanctions listed in UW System Chapter 14.04 may be imposed for an incident of academic misconduct.

14.05: Disciplinary Sanction Imposed at the Discretion of the Instructor

1. Where an instructor concludes that a student enrolled in one of his or her courses has engaged in academic misconduct in the course, the instructor for that course may impose one or more of the following disciplinary sanctions, as listed under 14.04 (1) (a) through (c):
   a. An oral reprimand;
   b. A written reprimand presented only to the student; or
   c. An assignment to repeat the work, to be graded on its merits.

2. No disciplinary sanction may be imposed under this section unless the instructor promptly offers to discuss the matter with the student. The purpose of this discussion is to permit the instructor to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

3. A student who receives a disciplinary sanction under this section has the right to a hearing before the Student Misconduct Hearing Committee under 14.08 to contest the determination that academic misconduct occurred, or the disciplinary sanction imposed, or both. If the student desires such a hearing, he or she must file a written request with the student affairs officer within 10 days of imposition of the disciplinary sanction by the instructor.
14.06: Disciplinary Sanction Imposed Following a Report of Academic Misconduct by the Instructor

Where an instructor believes that a student enrolled in one of his or her courses has engaged in academic misconduct and the sanctions listed under 14.04 (1) (a) through (c) are inadequate or inappropriate, the instructor may proceed in accordance with this section to impose, subject to hearing rights in 14.08, one or more of the disciplinary sanctions listed under 14.04 (1) (d) through (h).

1. Conference with Student: When an instructor concludes that proceedings under this section are warranted, the instructor shall promptly offer to discuss the matter with the student. The purpose of this discussion is to permit the instructor to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

2. Determination by the Instructor That No Academic Misconduct Occurred: If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did not in fact occur or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action or a written report.

3. Process Following Determination by the Instructor That Academic Misconduct Occurred:
   a. If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did occur and that one or more of the disciplinary sanctions listed under 14.04 (1) (d) through (h) should be recommended, the instructor shall prepare a written report so informing the student, which shall contain the following:
      1. A description of the misconduct;
      2. Specification of the sanction recommended;
      3. Notice of the student's right to request a hearing before the Student Misconduct Hearing Committee; and
      4. A copy of or link to the institutional procedures adopted to implement this section.
   b. The written report shall be delivered personally to the student or be mailed to the student by regular first class United States mail at his or her current address, as maintained at the institution. In addition, copies of the report shall be provided to the institution's student affairs officer and to others authorized by institutional procedures.
   c. A student who receives a written report under this section has the right to a hearing before the Student Misconduct Hearing Committee under 14.08 to contest the determination that academic misconduct occurred, or the choice of disciplinary sanction, or both. If the student desires the hearing before the academic misconduct hearing committee, the student must file a written request with the student affairs officer within 10 days of personal delivery or mailing of the written report. If the student does not request a hearing within this period, the determination of academic misconduct shall be regarded as final, and the disciplinary sanction recommended shall be imposed.

4. Process Following Determination by the Instructor That Disciplinary Probation, Suspension, or Expulsion may be Warranted:
   a. If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did occur and that disciplinary probation, suspension, or expulsion under 14.04 (1) (i) through (j) should be recommended, the instructor shall provide a written report to the investigating officer, which shall contain the following:
      1. A description of the misconduct; and
      2. Specification of the sanction recommended,
   b. Upon receipt of a report under this subsection, the investigating officer may proceed, in accordance with 14.07, to impose a disciplinary sanction.
14.07: Disciplinary Sanction Imposed Following a Report of Academic Misconduct by the Investigating Officer

The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in 14.04(1) (g) through (j).

1. Authority of Investigating Officer: The investigating officer may proceed in accordance with this section when he or she receives information that a student at the institution has engaged in alleged academic misconduct and:
   a. Some or all of the alleged academic misconduct occurred outside the scope of any course for which the involved student is currently registered;
   b. The involved student has previously engaged in academic misconduct subject to the disciplinary sanctions listed in 14.04 (1) (d) through (j);
   c. The alleged misconduct would, if proved to have occurred, warrant a sanction of disciplinary probation, suspension or expulsion; or
   d. The instructor in the course is unable to proceed.

2. Conference with Student: When the investigating officer concludes that proceedings under this section are warranted, he or she shall promptly offer to discuss the matter with the student. The purpose of this discussion is to permit the investigating officer to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

3. Conference with the Instructor: An investigating officer proceeding under this section shall discuss the matter with an involved instructor. This discussion may occur either before or after the conference with the student. It may include consultation with the instructor on the facts underlying the alleged academic misconduct and on the propriety of the recommended sanction.

4. Determination by the Investigating Officer That No Academic Misconduct Occurred: If, as a result of discussions under subs. (2) and (3), the investigating officer determines that academic misconduct did not in fact occur or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action or a written report.

5. Process Following Determination by the Investigating Officer That Academic Misconduct Occurred:
   a. If, as a result of a discussion under sub. (2) and (3), the investigating officer determines that academic misconduct did occur and that one or more of the disciplinary sanctions listed under 14.04 (1) (g) through (j) should be recommended, the investigating officer shall prepare a written report so informing the student, which shall contain the following:
      1. A description of the misconduct;
      2. Specification of the sanction recommended;
      3. Notice of the student's right to request a hearing before the Student Misconduct Hearing Committee; and
      4. A copy of or link to the institutional procedures adopted to implement this section.
   b. The written report shall be delivered personally to the student or be mailed to the student by regular first class United States mail at his or her current address, as maintained at the institution. In addition, a copy of the report shall be provided to the instructor and to the institution's student affairs officer.
   c. A student who receives a written report under this section has the right to a hearing before the Student Misconduct Hearing Committee under 14.08 to contest the determination that academic misconduct occurred, or the choice of disciplinary sanction, or both.
1. Except in cases where the disciplinary sanction recommended is disciplinary probation, suspension or expulsion, if the student desires the hearing before the academic misconduct hearing committee, the student must file a written request with the student affairs officer within 10 days of personal delivery or mailing of the written report. If the student does not request a hearing within this period, the determination of academic misconduct shall be regarded as final, and the disciplinary sanction recommended shall be imposed.

2. In cases where the disciplinary sanction recommended is disciplinary probation, suspension or expulsion, the student affairs officer shall, upon receipt of the written report under par. (b), proceed under 14.08 to schedule a hearing on the matter. The purpose of the hearing shall be to review the determination that academic misconduct occurred and the disciplinary sanction recommended. A hearing will be conducted unless the student waives, in writing, the right to such a hearing.

14.08: Hearing

1. If a student requests a hearing, or a hearing is required to be scheduled under 14.07 (5)(c), the student affairs officer shall take the necessary steps to convene the academic misconduct hearing committee and shall schedule the hearing within 10 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the student, instructor, or investigating officer, and the members of the hearing committee.

2. Reasonably in advance of the hearing, the committee shall obtain from the instructor or investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide a copy of this Code to the student.

3. The hearing before the academic misconduct hearing committee shall be conducted in accordance with the following requirements:
   a. The student shall have the right to question adverse witnesses, the right to present evidence and witnesses, and to be heard in his or her own behalf, and the right to be accompanied by a representative of his or her choice.
   b. The hearing committee shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value, but shall exclude immaterial, irrelevant, or unduly repetitious testimony, and shall give effect to recognized legal privileges.
   c. The hearing committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the hearing. Any party to the hearing may obtain copies of the record at his or her own expense. Upon a showing of indigency and legal need, a party may be provided a copy of the verbatim record of the testimony without charge.
   d. The hearing committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.
   e. The hearing committee may find academic misconduct and impose a sanction of suspension or expulsion only if the proof of such misconduct is clear and convincing. In other cases, a finding of misconduct must be based on a preponderance of the credible evidence.
   f. The committee may impose a disciplinary sanction that differs from the recommendation of the instructor or investigating officer.
   g. The instructor or the investigating officer or both may be witnesses at the hearing conducted by the committee, but do not have responsibility for conducting the hearing.
   h. The decision of the hearing committee shall be served upon the student either by personal delivery or by first class United States mail and shall become final within 10 days of service, unless an appeal is taken under 14.09.
14.09: Appeal to the Chancellor
1. Where the sanction prescribed by the hearing committee is suspension or expulsion, the student may appeal to the chancellor to review the decision of the hearing committee on the record. In such a case, the chancellor shall sustain the decision of the academic misconduct hearing committee unless the chancellor finds:
   a. The evidence of record does not support the findings and recommendations of the hearing committee;
   b. Established procedures were not followed by the academic misconduct hearing committee and material prejudice to the student resulted; or
   c. The decision was based on factors proscribed by state or federal law regarding equal educational opportunities.
2. If the chancellor makes a finding under sub. (1), the chancellor may remand the matter for consideration by a different hearing committee, or, in the alternative, may invoke an appropriate remedy of his or her own.

14.10: Discretionary Appeal to the Board of Regents
Institutional decisions under 14.05 through 14.09 shall be final, except that the board of regents may, at its discretion, grant a review upon the record.

14.11: Settlement
The procedures set forth in this chapter do not preclude a student from agreeing that academic misconduct occurred and to the imposition of a sanction, after proper notice has been given. Required written reports, however, may not be waived.

14.12: Effect of Discipline Within the University System
Suspension or expulsion shall be systemwide in effect.
1. A student who is suspended or expelled from one institution in the University of Wisconsin System may not enroll in another institution in the system unless the suspension has expired by its own terms or one year has elapsed after the student has been suspended or expelled.
2. Upon completion of a suspension period, a student may re-enroll in the institution which suspended him or her as if no suspension had been imposed.

14.13: Right to Petition for Readmission
A student who has been expelled may petition for readmission, and a student who has been suspended may petition for readmission prior to the expiration of the suspension period. The petition for readmission must be in writing and directed to the chancellor of the institution from which the student was suspended or expelled. The petition may not be filed before the expiration of one year from the date of the final determination in expulsion cases, or before the expiration of one-half of the suspension period in suspension cases. The chancellor shall, after consultation with elected representatives of the faculty, academic staff, and students, adopt procedures for determining whether such petitions will be granted or denied.

14.14: Investigating Officer
The chancellor, in consultation with faculty, academic staff, and student representatives, shall designate an investigating officer or officers for student academic misconduct. The investigating officer shall have responsibility for investigating student academic misconduct and initiating procedures for academic misconduct under 14.07. An investigating officer may also serve on the academic misconduct hearing committee for a case, if he or she has not otherwise been involved in the matter.

14.15: Student Misconduct Hearing Committee
The chancellor, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student academic misconduct hearing committee or designation of a hearing examiner to fulfill the responsibilities of the academic misconduct hearing committee in this section. The Student Misconduct Hearing Committee will consist of the following members:
1. Not fewer than three members from the faculty, appointed by Faculty Senate.
2. Not fewer than three student members, appointed by the president of Student Senate.
3. The investigating officer will serve as an ex-officio, non-voting member of the committee.

Cases will be heard by a hearing panel of the committee or a hearing examiner. A hearing panel will consist of at least three members, one of whom must chair the hearing and one of whom must be a student. No panel shall be constituted with a majority of members who are students.

Hearing examiners shall be selected by the chancellor from the faculty and staff of the institution. The student shall be informed in writing of his/her right to choose the type of hearing option: a hearing examiner alone or a panel of the Student Misconduct Hearing Committee.

14.16: Notice to Students
Each institution shall publish and make freely available to students copies of this Code and any institutional policies implementing this Code.

14.17: Notice to Instructors
Each shall adopt procedures to ensure that instructors are familiar with these policies. Each institution shall provide instructors with copies of this Code and any institutional policies implementing this Code upon employment with the university, and each department chair shall be provided such copies upon assuming the duties of the chair.

14.18: Consistent Institutional Policies
Each institution is authorized to adopt policies consistent with this chapter. A copy of such policies shall be filed with the board of regents and the University of Wisconsin Office of Academic Affairs.

III. Student Nonacademic Misconduct

17.02: Definitions
1. “Chief administrative officer” means the chancellor of an institution or dean of a campus or their designees.
2. “Clear and convincing evidence” means information that would persuade a reasonable person to have a firm belief that a proposition is more likely true than not true. It is a higher standard of proof than “preponderance of the evidence.”
3. “Days” means calendar days.
4. “Delivered” means sent by electronic means to the student's official university e-mail address and, in addition, provided by any of the following methods: (a) Given personally. (b) Placed in the student's official university mailbox. (c) Mailed by regular first class United States mail to the student's current address as maintained by the institution.
5. “Disciplinary file” means the record maintained by the student affairs officer responsible for student discipline.
6. “Disciplinary probation” means a status in which a student may remain enrolled in the university only upon the condition that the student complies with specified standards of conduct or other requirements or restrictions on privileges, for a specified period of time, not to exceed two years.
7. “Disciplinary sanction” means any action listed in 17.10 (1) taken in response to student nonacademic misconduct.
8. “Expulsion” means termination of student status with resultant loss of all student rights and privileges.
9. “Hearing examiner” means an individual, other than the investigating officer, appointed by the chief administrative officer in accordance with 17.06 (2) for the purpose of conducting a hearing under 17.12.
10. “Institution” means any university, or an organizational equivalent designated by the board, and the University of Wisconsin colleges.
11. “Investigating officer” means an individual, or his or her designee, appointed by the chief administrative officer of each institution, to conduct investigations of nonacademic misconduct under this chapter.

12. “Student Misconduct Hearing committee” or “committee” means the committee appointed pursuant to 17.07 to conduct hearings under 17.12.

13. “Preponderance of the evidence” means information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than “clear and convincing evidence” and is the minimum standard for a finding of responsibility under this chapter.

14. “Student” means any person who is registered for study in an institution for the academic period in which the misconduct occurred, or between academic periods, for continuing students.

15. “Student affairs officer” means the dean of students or student affairs officer designated by the chief administrative officer to coordinate disciplinary hearings and carry out duties described in this chapter.

16. “Suspension” means a loss of student status for a specified length of time, not to exceed two years, with resultant loss of all student rights and privileges from all University of Wisconsin campuses.

17. “University lands” means all real property owned by, leased by, or otherwise subject to the control of the board of regents of the University of Wisconsin System.

17.03: Consistent Institutional Policies

Each institution is authorized to adopt policies consistent with this code. A copy of such policies shall be filed with the board of regents and the University of Wisconsin Office of Academic Affairs.

17.04: Notice to Students

Each institution shall publish this Code on its website and shall make this Code and any institutional policies implementing this Code freely available to students through the website or other means.

17.05: Designation of Investigating Officer

The chief administrative officer of each institution shall designate an investigating officer or officers for allegations of student nonacademic misconduct. The investigating officer shall investigate student nonacademic misconduct and initiate procedures for nonacademic misconduct under 17.11.

17.06: Non-academic Misconduct Hearing Examiner

1. The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the designation of a student nonacademic misconduct hearing examiner to fulfill the responsibilities of the nonacademic misconduct hearing examiner in this chapter.

2. A hearing examiner shall be selected by the chief administrative officer from the faculty and staff of the institution, pursuant to the policies adopted under sub. (1).

17.07: Student Misconduct Hearing Committee

The chancellor, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student academic misconduct hearing committee or designation of a hearing examiner to fulfill the responsibilities of the academic misconduct hearing committee in this section.

The Student Misconduct Hearing Committee will consist of the following members:

1. Not fewer than three members from the faculty, appointed by Faculty Senate.

2. Not fewer than three student members, appointed by the president of Student Senate.

3. The investigating officer will serve as an ex-officio, non-voting member of the committee.

Cases will be heard by a hearing panel of the committee or a hearing examiner. A hearing panel will consist of at least three members, one of whom must chair the hearing and one of whom must be a student. No panel shall be constituted with a majority of members who are students.
Hearing examiners shall be selected by the chancellor from the faculty and staff of the institution. The student shall be informed in writing of his/her right to choose the type of hearing option: a hearing examiner alone or a panel of the Student Misconduct Hearing Committee.

17.08: Non-academic Misconduct Occurring On or Outside of University Lands

1. Misconduct on University Lands – Except as provided in 17.08 (2), the provisions contained in this chapter shall apply to the student conduct described in 17.09 that occurs on university lands or at university-sponsored events.

2. Misconduct Outside of University Lands – The provisions contained in this chapter may apply to the student conduct described in 17.09 that occurs outside of university lands only when, in the judgment of the investigating officer, the conduct adversely affects a substantial university interest. In determining whether the conduct adversely affects a substantial university interest, the investigating officer shall consider whether the conduct meets one or more of the following conditions:
   a. The conduct constitutes or would constitute a serious criminal offense, regardless of the existence of any criminal proceedings.
   b. The conduct indicates that the student presented or may present a danger or threat to the health or safety of himself, herself or others.
   c. The conduct demonstrates a pattern of behavior that seriously impairs the university's ability to fulfill its teaching, research, or public service missions.

This section is intended only to provide guidance for the exercise of discretion by the university in invoking its jurisdiction over conduct that occurs off campus. It may not be relied upon by any student charged under this section to create any rights, substantive or procedural, or as a basis for challenge to exercise of the university's jurisdiction.

17.09: Conduct Subject to Disciplinary Action

Definitions in this section:

1. abm. “Client” means an individual who receives direct care or treatment services from an entity.

2. acm. “Correctional institution” means a jail or correctional facility, as defined in s. 961.01 (12m), a juvenile correctional facility, as defined in s. 938.02 (10p), or a juvenile detention facility, as defined in s. 938.02 (10r).

3. ad. “Correctional staff member” means an individual who works at a correctional institution, including a volunteer.

4. ag. “Inpatient facility” has the meaning designated in s. 51.01 (10).

5. ai. “Intoxicant” means any alcohol beverage, controlled substance, controlled substance analog, or other drug or any combination thereof.

6. ak. “Nonclient resident” means an individual who resides, or is expected to reside, at an entity, who is not a client of the entity, and who has, or is expected to have, regular, direct contact with the clients of the entity.

7. am. “Patient” means any person who does any of the following:
   a. Receives care or treatment from a facility or program under s. 940.295 (2) (b), (c), (h) or (k), from an employee of a facility or program or from a person providing services under contract with a facility or program.
   b. Arrives at a facility or program under s. 940.295 (2) (b), (c), (h) or (k) for the purpose of receiving care or treatment from a facility or program under s. 940.295 (2) (b), (c), (h) or (k), from an employee of a facility or program under s. 940.295 (2) (b), (c), (h) or (k), or from a person providing services under contract with a facility or program under s. 940.295 (2) (b), (c), (h) or (k).
8. "Resident" means any person who resides in a facility under s. 940.295 (2) (b), (c), (h) or (k).

9. "Sexual contact" means any of the following:
   a. Any of the following types of intentional touching, whether direct or through clothing, if that intentional touching is either for the purpose of sexually degrading; or for the purpose of sexually humiliating the complainant or sexually arousing or gratifying the defendant or if the touching contains the elements of actual or attempted battery under s. 940.19 (1):
      1. Intentional touching by the defendant or, upon the defendant's instruction, by another person, by the use of any body part or object, of the complainant's intimate parts.
      2. Intentional touching by the complainant, by the use of any body part or object, of the defendant's intimate parts or, if done upon the defendant's instructions, the intimate parts of another person.
   b. Intentional penile ejaculation of ejaculate or intentional emission of urine or feces by the defendant or, upon the defendant's instruction, by another person upon any part of the body clothed or unclothed of the complainant if that ejaculation or emission is either for the purpose of sexually degrading or sexually humiliating the complainant or for the purpose of sexually arousing or gratifying the defendant.
   c. For the purpose of sexually degrading or humiliating the complainant or sexually arousing or gratifying the defendant, intentionally causing the complainant to ejaculate or emit urine or feces on any part of the defendant's body, whether clothed or unclothed.

10. "Sexual intercourse" includes the meaning assigned under s. 939.22 (36) as well as cunnilingus, fellatio, or anal intercourse between persons or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal opening either by the defendant or upon the defendant's instruction. The emission of semen is not required.

11. "State treatment facility" has the meaning designated in s. 51.01 (15).

In accordance with 17.08, the university may discipline a student for engaging in, attempting to engage in, or assisting others to engage in any of the following types of nonacademic misconduct:

1. DANGEROUS CONDUCT – Conduct that endangers or threatens the health or safety of oneself or another person.

2. SEXUAL ASSAULT S. 940.225, STATS.
   a. First degree sexual assault. Whoever does any of the following is guilty of a Class B felony:
      1. Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
      2. Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of use of a dangerous weapon or any article used or fashioned in a manner to lead the victim reasonably to believe it to be a dangerous weapon.
      3. Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
   b. Second degree sexual assault. Whoever does any of the following is guilty of a Class C felony:
      1. Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.
      2. Has sexual contact or sexual intercourse with another person without consent of that person and causes injury, illness, disease or impairment of a sexual or reproductive organ, or mental anguish requiring psychiatric care for the victim.
3. Has sexual contact or sexual intercourse with a person who suffers from a mental illness or deficiency which renders that person temporarily or permanently incapable of appraising the person's conduct, and the defendant knows of such condition.

4. Has sexual contact or sexual intercourse with a person who is under the influence of an intoxicant to a degree which renders that person incapable of giving consent if the defendant has actual knowledge that the person is incapable of giving consent and the defendant has the purpose to have sexual contact or sexual intercourse with the person while the person is incapable of giving consent.

d. Has sexual contact or sexual intercourse with a person who the defendant knows is unconscious.

f. Is aided or abetted by one or more other persons and has sexual contact or sexual intercourse with another person without the consent of that person.

g. Is an employee of a facility or program under s. 940.295 (2) (b), (c), (h) or (k) and has sexual contact or sexual intercourse with a person who is a patient or resident of the facility or program.

h. Has sexual contact or sexual intercourse with an individual who is confined in a correctional institution if the actor is a correctional staff member. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

i. Has sexual contact or sexual intercourse with an individual who is on probation, parole, or extended supervision if the actor is a probation, parole, or extended supervision agent who supervises the individual, either directly or through a subordinate, in his or her capacity as a probation, parole, or extended supervision agent or who has influenced or has attempted to influence another probation, parole, or extended supervision agent's supervision of the individual. This paragraph does not apply if the individual with whom the actor has sexual contact or sexual intercourse is subject to prosecution for the sexual contact or sexual intercourse under this section.

j. Is a licensee, employee, or nonclient resident of an entity, as defined in s. 48.685 (1) (b) or 50.065 (1) (c), and has sexual contact or sexual intercourse with a client of the entity.

c. Third degree sexual assault. Whoever has sexual intercourse with a person without the consent of that person is guilty of a Class G felony. Whoever has sexual contact in the manner described in sub. (5) (b) 2. or 3. with a person without the consent of that person is guilty of a Class G felony.

cm. Fourth degree sexual assault. Except as provided in sub. (3), whoever has sexual contact with a person without the consent of that person is guilty of a Class A misdemeanor.

d. Consent. “Consent,” as used in this section, means words or overt actions by a person who is competent to give informed consent indicating a freely given agreement to have sexual intercourse or sexual contact. Consent is not an issue in alleged violations of sub. (2) (c), (cm), (d), (g), (h), and (i). The following persons are presumed incapable of consent but the presumption may be rebutted by competent evidence, subject to the provisions of s. 972.11 (2):

1. A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.

2. A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

e. Marriage not a bar to prosecution. A defendant shall not be presumed to be incapable of violating this section because of marriage to the complainant.

f. Death of victim. This section applies whether a victim is dead or alive at the time of the sexual contact or sexual intercourse.
3. STALKING. S. 940.32, Stats.

1. In this section

   a. “Course of conduct” means a series of two or more acts carried out over time, however short or long, that show a continuity of purpose, including any of the following:

      1. Maintaining a visual or physical proximity to the victim.
      2. Approaching or confronting the victim.
      3. Appearing at the victim’s workplace or contacting the victim’s employer or coworkers.
      4. Appearing at the victim’s home or contacting the victim’s neighbors.
      5. Entering property owned, leased, or occupied by the victim.
      6. Contacting the victim by telephone or causing the victim’s telephone or any other person’s telephone to ring repeatedly or continuously, regardless of whether a conversation ensues.
      6m. Photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subdivision applies regardless of where the act occurs.
      7. Sending material by any means to the victim or, for the purpose of obtaining information about, disseminating information about, or communicating with the victim, to a member of the victim’s family or household or an employer, coworker, or friend of the victim.
      8. Placing an object on or delivering an object to property owned, leased, or occupied by the victim.
      9. Delivering an object to a member of the victim’s family or household or an employer, coworker, or friend of the victim or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim.
      10. Causing a person to engage in any of the acts described in subds. 1. to 9.

   (am.) “Domestic abuse” has the meaning given in s. 813.12 (1) (am).

   (ap.) “Domestic abuse offense” means an act of domestic abuse that constitutes a crime.

   b. Labor dispute” includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

   cb. “Member of a family” means a spouse, parent, child, sibling, or any other person who is related by blood or adoption to another.

   cd. “Member of a household” means a person who regularly resides in the household of another or who within the previous six months regularly resided in the household of another.

   cg. “Personally identifiable information” has the meaning given in s. 19.62 (5).

   cr. “Record” has the meaning given in s. 19.32 (2).

   d. “Suffer serious emotional distress” means to feel terrified, intimidated, threatened, harassed, or tormented.

2. Whoever meets all of the following criteria is guilty of a Class I felony:

   a. The actor intentionally engages in a course of conduct directed at a specific person that would cause a reasonable person under the same circumstances to suffer serious emotional distress or to fear bodily injury to or the death of himself or herself or a member of his or her family or household.

   b. The actor knows or should know that at least one of the acts that constitute the course of conduct will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a
member of his or her family or household.

  c. The actor’s acts cause the specific person to suffer serious emotional distress or induce fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.

2e. Whoever meets all of the following criteria is guilty of a Class I felony:

  a. After having been convicted of sexual assault under s. 940.225, 948.02, 948.025, or 948.085 or a domestic abuse offense, the actor engages in any of the acts listed in sub. (1) (a) 1. to 10., if the act is directed at the victim of the sexual assault or the domestic abuse offense.

  b. The actor knows or should know that the act will cause the specific person to suffer serious emotional distress or place the specific person in reasonable fear of bodily injury to or the death of himself or herself or a member of his or her family or household.

  c. The actor’s act causes the specific person to suffer serious emotional distress or induces fear in the specific person of bodily injury to or the death of himself or herself or a member of his or her family or household.

2m. Whoever violates sub. (2) is guilty of a Class H felony if any of the following applies:

  a. The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v), or (1x).

  b. The actor has a previous conviction for a crime, the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within seven years after the prior conviction.

  c. The actor intentionally gains access or causes another person to gain access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation.

  d. The person violates s. 968.31 (1) or 968.34 (1) in order to facilitate the violation.

  e. The victim is under the age of 18 years at the time of the violation.

3. Whoever violates sub. (2) is guilty of a Class F felony if any of the following applies:

  a. The act results in bodily harm to the victim or a member of the victim's family or household.

  b. The actor has a previous conviction for a violent crime, as defined in s. 939.632 (1) (e) 1., or a previous conviction under this section or s. 947.013 (1r), (1t), (1v) or (1x), the victim of that crime is the victim of the present violation of sub. (2), and the present violation occurs within seven years after the prior conviction.

  c. The actor uses a dangerous weapon in carrying out any of the acts listed in sub. (1) (a) 1. to 9.

3m. A prosecutor need not show that a victim received or will receive treatment from a mental health professional in order to prove that the victim suffered serious emotional distress under sub. (2) (c) or (2e) (c).

4. This section does not apply to conduct that is or acts that are protected by the person's right to freedom of speech or to peaceably assemble with others under the state and U.S. constitutions, including, but not limited to, any of the following:

  a. Giving publicity to and obtaining or communicating information regarding any subject, whether by advertising, speaking, or patrolling any public street or any place where any person or persons may lawfully be.

  b. Assembling peaceably.

  c. Peaceful picketing or patrolling.

  1. Paragraph (a) does not limit the activities that may be considered to serve a legitimate purpose under this section.

5. This section does not apply to conduct arising out of or in connection with a labor dispute.
6. The provisions of this statute are severable. If any provision of this statute is invalid or if any application thereof is invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application.

4. HARASSMENT. S. 947.013, Stats.

1. In this section:
   a. “Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose.
   b. “Credible threat” means a threat made with the intent and apparent ability to carry out the threat.
   c. “Personally identifiable information” has the meaning given in s. 19.62 (5).
   d. “Record” has the meaning given in s. 19.32 (2).

1m. Whoever, with intent to harass or intimidate another person, does any of the following is subject to a Class B forfeiture:
   a. Strikes, shoves, kicks, or otherwise subjects the person to physical contact or attempts or threatens to do the same.
   b. Engages in a course of conduct or repeatedly commits acts which harass or intimidate the person and which serve no legitimate purpose.

1r. Whoever violates sub. (1m) under all of the following circumstances is guilty of a Class A misdemeanor:
   a. The act is accompanied by a credible threat that places the victim in reasonable fear of death or great bodily harm.
   b. The act occurs while the actor is subject to an order or injunction under s. 813.12, 813.122 or 813.125 that prohibits or limits his or her contact with the victim.

1t. Whoever violates sub. (1r) is guilty of a Class I felony if the person has a prior conviction under this subsection or sub. (1r), (1v), or (1x) or s. 940.32 (2), (2e), (2m), or (3) involving the same victim and the present violation occurs within 7 years of the prior conviction.

1v. Whoever violates sub. (1r) is guilty of a Class H felony if he or she intentionally gains access to a record in electronic format that contains personally identifiable information regarding the victim in order to facilitate the violation under sub. (1r).

1x. Whoever violates sub. (1r) under all of the following circumstances is guilty of a Class H felony:
   a. The person has a prior conviction under sub. (1r), (1t), or (1v) or this subsection or s. 940.32 (2), (2e), (2m), or (3).
   b. The person intentionally gains access to a record in order to facilitate the current violation under sub. (1r).

2. This section does not prohibit any person from participating in lawful conduct in labor disputes under s. 103.53.

5. HAZING. S. 948.51, Stats.

1. In this section “forced activity” means any activity which is a condition of initiation or admission into or affiliation with an organization, regardless of a student’s willingness to participate in the activity.

2. No person may intentionally or recklessly engage in acts which endanger the physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating in connection with a school, college, or university. Under those circumstances, prohibited acts may include any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug or other substance, forced confinement, or any other forced activity which endangers the physical health or safety of the student.
3. Whoever violates sub. (2) is guilty of:
   a. A Class A misdemeanor if the act results in or is likely to result in bodily harm to another.
   b. A Class H felony if the act results in great bodily harm to another.
   c. A Class G felony if the act results in the death of another.

6. ILLEGAL USE, POSSESSION, MANUFACTURE, OR DISTRIBUTION OF ALCOHOL OR
   CONTROLLED SUBSTANCES.
   Use, possession, manufacture, or distribution of alcoholic beverages or of marijuana, narcotics, or
   other controlled substances, except as expressly permitted by law or university policy.

7. UNAUTHORIZED USE OF OR DAMAGE TO PROPERTY.
   Unauthorized possession of, use of, moving of, tampering with, damage to, or destruction of
   university property or the property of others.

8. DISRUPTION OF UNIVERSITY-AUTHORIZED ACTIVITIES.
   Conduct that obstructs or impairs university-run or university-authorized activities, or that
   interferes with or impedes the ability of a person to participate in university-run or university-
   authorized activities.

9. FORGERY OR FALSIFICATION.
   Authorized possession of or fraudulent creation, alteration, or misuse of any university or other
   governmental document, record, key, electronic device, or identification.

10. MISUSE OF COMPUTING RESOURCES.
    Conduct that involves any of the following:
    a. Failure to comply with laws, license agreements, and contracts governing university
       computer network, software, and hardware use.
    b. Use of university computing resources for unauthorized commercial purposes or personal
       gain.
    c. Failure to protect a personal password or university-authorized account.
    d. Breach of computer security, invasion of privacy, or unauthorized access to university
       computing resources.

11. FALSE STATEMENT OR REFUSAL TO COMPLY REGARDING A UNIVERSITY MATTER.
    Making a knowingly false oral or written statement to any university employee or agent of the
    university regarding a university matter, or refusal to comply with a reasonable request on a
    university matter.

12. VIOLATION OF CRIMINAL LAW.
    Conduct that constitutes a criminal offense as defined by state or federal law.

13. SERIOUS AND REPEATED VIOLATIONS OF MUNICIPAL LAW.
    Serious and repeated off-campus violations of municipal law.

14. VIOLATION OF UW SYSTEM CHAPTER 18.
    Conduct that violates UW System Chapter 18, including, but not limited to, provisions regulating
    fire safety, theft, and dangerous weapons.

15. VIOLATION OF UNIVERSITY RULES.
    Conduct that violates any published university rules, regulations, or policies, including provisions
    contained in university contracts with students.

16. NONCOMPLIANCE WITH DISCIPLINARY SANCTIONS.
    Conduct that violates a sanction, requirement, or restriction imposed in connection with previous
    disciplinary action.
17.10: Disciplinary Sanctions

1. The disciplinary sanctions that may be imposed for non-academic misconduct, in accordance with the procedures of 17.11 to 17.13, are any of the following:
   a. A written reprimand.
   b. Denial of specified university privileges.
   c. Payment of restitution.
   d. Educational or service sanctions, including community service.
   e. Disciplinary probation.
   f. Imposition of reasonable terms and conditions on continued student status.
   g. Removal from a course in progress.
   h. Enrollment restrictions on a course or program.
   i. Suspension.
   j. Expulsion

2. One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of non-academic misconduct.

3. Disciplinary sanctions shall not include the termination or revocation of student financial aid; however, this shall not be interpreted as precluding the individual operation of rules or standards governing eligibility for student financial aid under which the imposition of a disciplinary sanction could result in disqualification of a student for financial aid.

17.11: Disciplinary Procedure

1. Process. The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in 17.10 (1).

2. Conference With Student. When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly contact the student in person, by telephone, or by electronic mail to offer to discuss the matter with the student. The purpose of this discussion is to permit the investigating officer to review with the student the basis for his or her belief that the student engaged in non-academic misconduct, and to afford the student an opportunity to respond. If the student does not respond to the investigating officer's offer to discuss the matter, the investigating officer may proceed to make a determination on the basis of the available information.

3. Determination by the Investigating Officer that No Disciplinary Sanction is Warranted. If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that non-academic misconduct did not in fact occur, or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action.

4. Process Following Determination by the Investigating Officer That Non-Academic Misconduct Occurred
   a. If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that non-academic misconduct did occur and that one or more of the disciplinary sanctions listed under 17.10 (1) should be recommended, the investigating officer shall prepare a written report which shall contain all of the following:
      1. A description of the alleged misconduct.
      2. A description of all information available to the university regarding the alleged misconduct. Such information shall be available to the student upon request, except as may be precluded by applicable state or federal law.
      4. Notice of the student's right to a hearing.
5. A copy of this chapter and of the institutional procedures adopted to implement this section.

b. The written report shall be delivered to the student.

c. A student who receives a written report under this section has the right to a hearing under 17.12 to contest the determination that non-academic misconduct occurred, the choice of disciplinary sanctions, or both.

1. Where the disciplinary sanction sought is one of those listed in 17.10 (1) (a) to (g), and if the student desires a hearing, the student shall file a written request with the student affairs officer within 10 days of the date the written report is delivered to the student. If the student does not request a hearing within this period, the determination of non-academic misconduct shall be regarded as final, and the disciplinary sanction sought shall be imposed.

2. Where the disciplinary sanction sought is one of those listed in 17.10 (1) (h) to (j), the investigating officer shall forward a copy of the written report under par. (b) to the student affairs officer. The student affairs officer shall, upon receipt of the written report, proceed under 17.12 to schedule a hearing on the matter. A hearing shall be conducted unless the student waives, in writing, the right to such a hearing.

17.12: Hearing

1. A student who requests a hearing, or for whom a hearing is scheduled under 17.11 (4) (c) 2., shall have the right to decide whether the matter will be heard by a hearing examiner or a hearing committee.

2. If a student requests a hearing under 17.11 (4) (c) 1., or a hearing is required to be scheduled under 17.11 (4) (c) 2., the student affairs officer shall take the necessary steps to convene the hearing and shall schedule it within 15 days of receipt of the request or written report. The hearing shall be conducted within 45 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the student and investigating officer, or is ordered or permitted by the hearing examiner or committee.

3. No less than five days in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide the student with access to or copies of the investigating officer's explanation, together with any other materials provided to the hearing examiner or committee by the investigating officer, including any additional available information of the type described in 17.11 (4) (a) 2.

4. The hearing shall be conducted in accordance with the following guidance and requirements:

a. The hearing process shall further the educational purposes and reflect the university context of non-academic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in this Code.

b. The student shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on his or her own behalf, and the right to be accompanied by an advisor of the student's choice. The advisor may be a lawyer. In cases where the recommended disciplinary sanction is identified in 17.10 (1) (a) to (h), the advisor may counsel the student, but may not directly question adverse witnesses, present information or witnesses, or speak on behalf of the student except at the discretion of the hearing examiner or committee. In cases where the recommended disciplinary sanction is identified in 17.10 (1) (i) or (j), or where the student has been charged with a crime in connection with the same conduct for which the disciplinary sanction is sought, the advisor may question adverse witnesses, present information and witnesses, and speak on behalf of the student. In accordance with the educational purposes of the hearing, the student is expected to respond on his or her own behalf to questions asked of him or her during the hearing.

c. The hearing examiner or committee:
1. Shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or duly repetitious testimony.

2. Shall observe recognized legal privileges.

3. May take reasonable steps to maintain order, and to adopt procedures for the questioning of a witness appropriate to the circumstances of that witness's testimony, provided, however, whatever procedure is adopted, the student is allowed to effectively question the witness.

d. The hearing examiner or committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the hearing. The student charged with misconduct may access the record, upon the student's request.

e. The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.

f. A hearing examiner's or committee's finding of non-academic misconduct shall be based on one of the following:

1. Clear and convincing evidence, when the sanction to be imposed is one of those listed in 17.10 (1) (h) to (j).

2. A preponderance of the evidence, when the sanction to be imposed is one of those listed in 17.10 (1) (a) to (g).

3. A preponderance of the evidence, regardless of the sanction to be imposed, in all cases of sexual harassment and sexual assault.

g. The hearing examiner or committee may impose one or more of the disciplinary sanctions listed in 17.10 (1) (a) to (g) that differs from the recommendation of the investigating officer. Sanctions under 17.10 (1) (h) to (j) may not be imposed unless previously recommended by the investigating officer.

h. The hearing shall be conducted by the hearing examiner or committee, and the university's case against the student shall be presented by the investigating officer or his or her designee.

i. The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered to the student. The decision shall become final within 14 days of the date on the written decision, unless an appeal is taken under 17.13.

j. If a party fails to appear at a scheduled hearing and to proceed, the hearing examiner or committee may either dismiss the case or, based upon the information provided, find that the student committed the misconduct alleged.

k. Disciplinary hearings are subject to the Wisconsin open meetings law and may be closed if the student whose case is being heard requests a closed hearing or if the hearing examiner or committee determines that it is necessary to hold a closed hearing, as permitted under the Wisconsin open meetings law. Deliberations of the committee shall be held in closed session, in accordance with s. 19.85, Stats. As such, proper notice and other applicable rules shall be followed.

17.13: Appeal to the Chancellor

1. Where the sanction prescribed by the hearing examiner or committee is one of those listed in 17.10 (1) (h) to (j), the student may appeal to the chief administrative officer within 14 days of the date of the written decision to review the decision of the hearing examiner or committee, based upon the record. In such a case, the chief administrative officer has 30 days from receipt of the student's appeal to respond and shall sustain the decision of the non-academic misconduct hearing examiner or committee unless the chief administrative officer finds any of the following:

a. The information in the record does not support the findings or decision of the hearing examiner or committee.

b. Appropriate procedures were not followed by the non-academic misconduct hearing examiner or committee and material prejudice to the student resulted.
c. The decision was based on factors proscribed by state or federal law.

2. If the chancellor makes a finding under sub. (1), the chancellor may return the matter for consideration by a different hearing examiner or committee, or may invoke an appropriate remedy of his or her own.

17.14: Discretionary Appeal to the Board of Regents
Institutional decisions under 17.11 to 17.13 shall be final, except that the board of regents may, at its discretion, grant a review upon the record.

17.15: Settlement
The procedures set forth in this chapter allow the university and a student to enter into a settlement agreement regarding the alleged misconduct, after proper notice has been given. Any such agreement and its terms shall be in writing and signed by the student and the investigating officer or student affairs officer. The case is concluded when a copy of the signed agreement is delivered to the student.

17.16: Effect of Discipline Within the Institution
A student who, at the time of commencement, is subject to a continuing disciplinary sanction under 17.10 (1) or unresolved disciplinary charges as a result of a report under 17.11, shall not be awarded a degree during the pendency of the sanction or disciplinary proceedings.

17.17: Effect of Suspension or Expulsion Within the University System
1. Suspension or expulsion shall be system-wide in effect and shall be noted on an individual's transcript, with suspension noted only for the duration of the suspension period.

2. A student who is suspended from one institution in the University of Wisconsin System may not enroll in another institution in the system until the suspension has expired by its own terms, except as provided in 17.18.

3. A student who is expelled from one institution in the University of Wisconsin System may not enroll in another institution in the system, except as provided in 17.18.

4. A person who is in a state of suspension or expulsion from the university under this chapter, or who leaves or withdraws from the university while under non-academic misconduct charges under this chapter, may not be present on any campus without the written consent of the chief administrative officer of that campus.

5. Upon completion of a suspension period, a student who is academically eligible may re-enroll in the institution which suspended him or her, provided all conditions from previous disciplinary sanctions have been met.

17.18: Petition For Restoration of Rights After Suspension or Expulsion
A student who has been suspended may petition to have his or her student status, rights, and privileges restored before the suspension has expired by its own terms under 17.17 (2). A student who has been expelled may petition for the right to apply for readmission. The petition shall be in writing and directed to the chief administrative officers of the institution from which the student was suspended or expelled or of a different University of Wisconsin institution to which the student seeks admission. The chief administrative officer shall make the readmission decision.

17.19: Emergency Suspension
1. The chief administrative officer may impose an emergency suspension on a student, pending final institutional action on a report of non-academic misconduct, in accordance with the procedures of this section.

2. The chief administrative officer of each institution may impose an emergency suspension on a student when all of the following conditions are met:

   a. The investigating officer has made a reasonable attempt to offer the student the opportunity for discussion, either in person or by telephone.
b. The investigating officer recommends a sanction of suspension or expulsion.

c. The chief administrative officer concludes, based on the available information, that the misconduct occurred and that the student's continued presence on campus meets one or more of the following conditions:

1. Would constitute a potential for serious harm to the student.
2. Would constitute a potential for serious harm to others.
3. Would pose a threat of serious disruption of university-run or university-authorized activities.
4. Would constitute a potential for serious damage to university facilities or property.

3. If the chief administrative officer determines that an emergency suspension is warranted under sub. (2), he or she shall promptly have written notification of the emergency suspension delivered to the student. The chief administrative officer's decision to impose an emergency suspension shall be effective immediately when delivered to the student and is final.

4. Where an emergency suspension is imposed, the hearing on the underlying allegations of misconduct shall be held, either on or outside of university lands, within 21 days of the imposition of the emergency suspension, unless the student agrees to a later date.

5. An emergency suspension imposed in accordance with this section shall be in effect until the decision in the hearing on the underlying charges pursuant to 17.12 is rendered or the chief administrative officer rescinds the emergency suspension. In no case shall an emergency suspension remain in effect for longer than 30 days, unless the student agrees to a longer period.

6. If the chief administrative officer determines that none of the conditions specified in sub. (2) (c) are present, but that misconduct may have occurred, the case shall proceed in accordance with 17.12.

IV. Alcohol and Other Drug Policies

A. Standards of Conduct Concerning Illicit Drugs and Alcohol

The University of Wisconsin System and University of Wisconsin-Platteville prohibit the unlawful possession, use, distribution, manufacture, or dispensing of illicit drugs and alcohol by students, employees, invitees, guests, and contractor/vendors on university property or as part of university activities.

B. General Alcohol Policies

1. Persons under the age of 21 are not permitted to possess or consume alcohol.
2. Official identification (a driver's license or a state issued identification card) is required to verify that a person has attained the legal age for possessing and consuming alcohol. Identification must include a picture of the owner.
3. No one may provide alcohol to underage persons. (Wisconsin State Chapter 125)
4. No one may serve alcohol to any person who is bordering upon intoxication or who is obviously already intoxicated.

The University of Wisconsin-Platteville recognizes alcohol and other drug abuse as a problem prevalent throughout society. This is a matter of concern at an academic institution because it interferes with the activities and education of students and the performance of faculty and staff. The university recognizes college students exercise personal discretion regarding alcohol and drug use. The University of Wisconsin-Platteville, consistent with its mission as a public institution of higher education, is committed to providing education about the effects of alcohol and other drugs in a wide variety of settings and formats; assisting individuals who have developed patterns of abuse to find more constructive and healthy lives; and upholding the law. In those circumstances where individuals, as a result of patterns of abuse, endanger themselves or others, the university will assist in providing professional help, may require remediation, and may examine the appropriateness of continued enrollment and/or employment. This commitment is carried out in an environment which is educational and supportive in nature and designed to bring about positive changes in behavior and attitude.
C. University Sanctions Concerning Illicit Drugs and Alcohol

The use or possession of alcoholic beverages is prohibited on university premises, except in faculty and staff housing, and as expressly permitted by the chief administrative officer or under institutional regulations, in accordance with s.UWS 18.09(1) (a), Wis. Adm. Code. Without exception, alcohol consumption is governed by Wisconsin statutory age restrictions under s.UWS 18.09(1) (a), Wis. Adm. Code.

The unlawful use or possession of illicit drugs (“controlled substances” as defined in Ch. 961, Wis. Stats.) on university lands is prohibited in accordance with s.UWS 18.15(1), Wis. Adm. Code. Selling or delivering a controlled substance, or possessing a controlled substance with intent to sell or deliver is prohibited under s.UWS17.09 (6), Wis. Adm. Code.

Violation of these provisions by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion, under s.UWS 17.10(1), Wis. Adm. Code. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on university property or the work site or during work time, up to and including termination from employment. Disciplinary sanctions are initiated and imposed in accordance with applicable procedural requirements and work rules, as set forth in Wisconsin Statutes, administrative rules, faculty and staff policies, and collective bargaining agreements. Referral for prosecution under criminal law is also possible. Further, violations of s.UWS 18.09(1)(a) and 18.15(1), Wis. Adm. Code may result in additional penalties as allowed under ch. UWS 18, Wis. Adm. Code. The university may remove or ban an invitee, guest, or contractors/vendors for violating this policy.

D. Campus Authority

1. Under the authority of the UWS 18.09(1)(a) the chancellor permits the use or possession of alcohol beverages in the following areas:
   a. In on-campus student housing units when and where specifically designated by the director of Residence Life;
   b. Student Centers facilities when and where specifically designated by the director of the Student Centers;
   c. Dining Services facilities when and where specifically designated by the director of Dining Services; and
   d. In any campus building or on any university lands when and where specifically designated and where prior authorization has been granted in writing by the vice chancellor for Administrative Services.

2. Individuals, as well as groups, are subject to revocation or restriction of permission to possess and consume alcohol if behavior is determined to be in violation of the alcohol policies of the university. Other disciplinary action may be taken by the appropriate university officials.

3. University sponsored events may be terminated by university officials if the event becomes disruptive, if the safety and security of individuals is threatened or if the alcohol policies of the university are violated.

E. Students and Student Organizations

1. Alcohol is not permitted as an incentive for participating in group activities, as prizes in contests of any sort, or as the primary focus of a gathering on the campus by any campus organization. Non-alcohol beverages and food items must be provided if alcohol is being served.

2. On-campus advertising for social events may not include specific reference to alcohol as a part of the event. References to alcohol are prohibited in either printed word or graphic image.

3. Social functions by student groups and organizations including residence hall groups, Greek organizations, clubs, and teams where alcohol is to be served must be in compliance with all city ordinances, state laws, and university policies.

4. Wrist bands are required for insuring that only persons of legal age are consuming alcohol. Arrangements must be made with Dining Services at least one (1) week prior to the event for an ID check point and wristbands. The sponsoring organization will be charged for staff labor needed to manage the ID and wrist banding process.
F. Buildings and Lands

1. Open containers of alcohol are prohibited on the grounds of the campus, Memorial Park (a.k.a. picnic grounds or driving range), the “M,” and the university farm, except as permitted under UWS 18.09 (1) (a). At athletic events, possession or consumption of alcohol is prohibited by university and Wisconsin Intercollegiate Athletic Conference regulations.

2. Dining Services shall be the sole administrative unit authorized to conduct the sale of alcohol within university buildings or on university lands.

3. When alcohol is served within university buildings or on university lands, the consumption of alcohol is restricted to the serving area. No carryout sales are permitted.

4. Whenever alcohol is to be served within university buildings or on university lands, a special identification procedure will be established if underage persons are to be in attendance at the event. This may not apply to events that are private and catered by the university staff, e.g. receptions, banquets, etc.

5. Additional alcohol policies and procedures pertaining to residence halls are published in the Residence Hall Handbook.

6. Additional alcohol policies and procedures pertaining to Student Centers facilities are published on the Markee Pioneer Student Center website.

G. Drug-Free Schools and Communities Act

The U.S. Department of Education has adopted final regulations implementing the Drug Free Schools and Communities Act of 1990. This information is a requirement of those regulations to ensure continued federal financial assistance.

The Act requires that the university provide a description, to all students and employees, of the legal sanctions under federal law and Wisconsin law, university disciplinary sanctions that may be imposed, a description of health risks associated with the use of illicit drugs and alcohol, and a listing of the university’s drug counseling and treatment programs.

The law is designed to make it clear that the Department of Education is serious about drug and alcohol prevention on college campuses. It is the intent of the University of Wisconsin-Platteville to follow the regulations and to support the letter and the spirit of the law.

H. State of Wisconsin and Federal Legal Sanctions

Wisconsin

The laws of Wisconsin prohibit drug possession and delivery through the Uniform Controlled Substances Act, Wis. Stat. 961, and mandate penalties that include multiple years of prison and steep fines. The penalties vary according to the amount of drug confiscated, the type of drug found, the number of previous offenses by the individual, and whether the individual intended to manufacture the drug, sell the drug, or use the drug. See Wis. Stat. 961.41 through 961.50. In addition to the stringent penalties for possession or delivery, the sentences can be doubled when exacerbating factors are present, such as when a person distributes a controlled substance to a minor, Wis. Stat. 961.46. Substantial restrictions against alcohol abuse also exist in Wisconsin. It is against the law to sell alcohol to anyone who has not reached the legal drinking age of 21, and there is a concurrent duty on the part of an adult to prevent the illegal consumption of alcohol on his premises, Wis. Stat. 125.07 (1). Violation of this statute can result in a $500 fine. It is against the law for an underage person to attempt to buy an alcoholic beverage, falsely represent his age, or enter a licensed premises, and that person can be fined $500, ordered to participate in a supervised work program, and have his/her driver’s license suspended, Wis. Stat. 125.07(4). Harsher penalties exist for the retailers of alcoholic beverages, including up to 90 days in jail and revocation of the retail liquor permit.

Federal

The federal government has penalties against drug possession and trafficking through its Federal Sentencing Guidelines which reduce the discretion that federal judges may use in sentencing offenders of federal drug statutes. Under these guidelines, courts can sentence a person to years in prison for unlawful possession of a controlled substance, including the distribution of a small amount of marijuana. A sentence of life imprisonment can result from a conviction of possession of a controlled substance that results in death or bodily injury.
I. Summary of the Health Effects of the Use and Abuse of Drugs and Alcohol

The following is a partial list of drugs, and the consequences of their use. The abuse of alcohol and the use of other drugs is detrimental to the health of the user. Further, the use of drugs and alcohol is not conducive to an academic atmosphere. Drugs impede the learning process and can cause disruption for other students and disturb their academic interests. The use of alcohol and drugs in the workplace may also impede the employee's ability to perform in a safe and effective manner, and may result in injuries to others. Early diagnosis and treatment of drug and alcohol abuse is in the best interests of the student, employee and the university. (For additional information concerning the health risks associated with substances covered by the Controlled Substances Act, refer to the chart on pages 24-25 of the U.S. Department of Justice publication, Drugs of Abuse, 1996 edition, or visit the U.S. Drug Enforcement Administration.)

Alcohol

Alcohol is the most frequently abused drug on campus and in society. Alcohol is chemically classified as a mind-altering drug because it contains ethanol and has the chemical power to depress the action of the central nervous system. This depression affects motor coordination, speech, and vision. In great amounts, it can affect respiration and heart rate control. Death can result when the level of blood alcohol exceeds 0.40 percent. Prolonged abuse of alcohol can lead to alcoholism, malnutrition, and cirrhosis.

Anabolic Steroids

Concerns over a growing illicit market and prevalence of abuse combined with the possibility of long-term effects of steroid use, led Congress to place anabolic steroids into Schedule III of the Controlled Substances Act (CSA). Although the adverse effects of large doses of multiple anabolic steroids are not well established, there is increasing evidence of serious health problems with the abuse of these agents, including cardiovascular damage, liver damage, and damage to reproductive organs. Physical side effects include elevated blood pressure and cholesterol levels, severe acne, premature balding, reduced sexual function, and testicular atrophy. The CSA defines anabolic steroids as any drug or hormonal substance chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids), that promotes muscle growth. Those commonly encountered on the illicit market include: boldenone (Equipoise), ethylestrenol (Maxibolin), fluoxymesterone (Halotestin), methandriol, methandrostenolone (Dianabol), methyltestosterone, nandrolone (Durabolin, Deca-Durabolin), oxandrolone (Anavar), oxymetholone (Anadrol), stanozolol (Winstrol), testosterone, and trenbolone (Finajet).

Cannabis

Three drugs that come from cannabis—marijuana, hashish, and hashish oil—are currently distributed on the U.S. illicit market. These drugs are deleterious to the health and impair the short-term memory and comprehension of the user. When used, they alter the sense of time, and reduce the ability of the user to perform tasks requiring concentration and coordination. They also increase the heart rate and appetite. Motivation and cognition can be altered, making acquisition and retaining of new information difficult. Long-term users may develop psychological dependence that can produce paranoia and psychosis. Because cannabis products are usually inhaled as unfiltered smoke, they are damaging to the lungs and pulmonary system and have more cancer-causing agents than tobacco.

Depressants

Depressants produce central nervous system depression. Depressants (i.e. barbiturates, benzodiazepines, glutethimide, methaqualone, and meprobamate) can cause physical and psychological dependence that can lead to respiratory depression, coma, and death, especially when used in concert with alcohol. Withdrawal can lead to restlessness, insomnia, convulsions, and even death. Chloral hydrate, a hypnotic depressant, and alcohol constitute "Mickey Finn."

Hallucinogens

LSD, PCP, mescaline, and peyote are classified as hallucinogens. Hallucinogens interrupt the brain messages that control the intellect and keep instincts in check. Large doses can produce convulsions and coma, and heart and lung failure. Chronic users complain of persistent memory problems and speech difficulties for up to a year after their use. Because the drug stops the brain's pain sensors, drug experiences may result in severe self-inflicted injuries. Persistent memory problems and speech difficulties may linger.
Narcotics
The term narcotic derives from the Greek word for stupor. Narcotic use is associated with a variety of unwanted effects including drowsiness, inability to concentrate, apathy, lessened physical activity, constriction of the pupils, dilation of the subcutaneous blood vessels causing flushing of the face and neck, constipation, nausea and vomiting and, most significantly, respiratory depression. With repeated use of narcotics, tolerance and dependence develop. Users of narcotics, such as heroin, codeine, morphine, and opium, are susceptible to overdose that can lead to convulsions, coma, and death.

Stimulants
Cocaine is the most potent stimulant of natural origin. “Crack” is the chunk form of cocaine that is a ready-to-use freebase. These drugs stimulate the central nervous system and are extremely addictive. They can cause psychological and physical dependency which can lead to dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, paranoia, and seizures. They can also cause death by disrupting the brain's control of the heart and respiration. The use of amphetamines and other stimulants can have the same effect as cocaine and cause increased heart rates and blood pressure that can result in a stroke or heart failure. Symptoms include dizziness, sleeplessness, and anxiety. They can also lead to hallucinations, paranoia, psychosis, and even a physical collapse.

Nicotine is a highly addictive stimulant, whether ingested by smoking or chewing. This drug hits the brain in six seconds, and damages the lungs, decreases heart strength, and is associated with many types of cancers. The withdrawal symptoms include anxiety, progressive restlessness, irritability, and sleep disturbance.

J. Resources for Drug and Alcohol Abuse, Awareness, Prevention, and Treatment
The university provides counseling and referral services for students dealing with alcohol and drug abuse concerns. The office of Human Resources provides an Employee Assistance Program (EAP) for faculty and staff. A variety of community and county resources are also available to assist individuals who need help in this area.

Students who have problems with alcohol or controlled substances are encouraged to voluntarily contact the Dean of Students office or University Counseling Services for assistance and additional referral. Voluntary contacts with the Dean of Students office personnel may remain confidential. The UW-Platteville Dean of Students office is located in Suite 2300 of the Markee Pioneer Student Center, and the telephone number is 608.342.1854.

Employees who have problems with alcohol or controlled substances are encouraged voluntarily to contact their EAP coordinator for referral to counseling or treatment programs. Voluntary contacts with the EAP coordinator are confidential. The UW-Platteville EAP coordinator is Richard Voelz. He may be reached at 608.342.1530 or at voelz@uwplatt.edu.

University of Wisconsin-Platteville Campus Resources
Academic and Conduct Issues/Student Emergencies
The Dean of Students office provides support for a variety of student concerns, including illness, academic trouble, and other personal emergencies. Call 608.342.1854.

Medical Concerns
Student Health Services provides students with low cost outpatient medical services. Call 608.342.1891.

Mental Health Issues/AODA Assessment
Counseling Services provides group and individual counseling for students. Call 608.342.1865.

Personal Safety
The University Police provides law enforcement services to students, faculty, staff, and visitors. Call 608.342.1584 or 911 for emergencies.

Sexual Assault Support Services
Family Advocates in Platteville provides a safe place for people to come and talk about any issues that they may have surrounding their sexual assault, or those of someone close to them. Call 800.924.2624.
V. Other Policies

A. Computer and Network Usage Guidelines
Access to computing and networking resources is a privilege to which all university faculty, staff, and students are entitled. Accompanying that privilege is an obligation, on the part of the users, to understand and abide by the responsibilities and regulations that govern the computing environment at the University of Wisconsin-Platteville. Students should carefully review all policy documents regarding computer and network usage: https://kb.uwplatt.edu/page.php?id=35603.

B. Department of Residence Life Regulations and Policies
The college experience presents significant challenges and responsibilities in group living situations. The Department of Residence Life at the University of Wisconsin-Platteville realizes the opportunity for individual growth when a high number of students with different backgrounds, goals, and needs share a living space. With this in mind, the Department of Residence Life has established guidelines, policies and procedures to define standards of behavior and to help residents learn to live together. These regulations and policies aim to assist residents in their educational and personal development and to foster a sense of community in which everyone prospers. The full Residence Hall Handbook is available on the Department of Residence Life webpage, www.uwplatt.edu/residence-life.
C. Facilities Management Policies
Facilities Management, a department within Administrative Services at UW-Platteville, is primarily responsible for the operation and maintenance of 32 major facilities, and over 400 acres of campus lands, including a large park and recreational area along the Rountree Branch of the Little Platte River. The department also directs the campus’ sustainability efforts, operates a car rental fleet, and oversees all campus safety and risk management programs. Subgroups within the department include: engineering, design and construction; custodial services; mechanical, electrical and plumbing trade shops; architectural trade shops; central heating plant; grounds maintenance; central stores and receiving; car fleet; sustainability; and safety and risk management. For more information regarding Facilities Management, including policies, please visit our website at www.uwplatt.edu/facilities.

D. Greek Life
These policies and procedures detail the university’s relationship with each Greek Chapter and the Chapter’s rights and responsibilities, benefits, and accountability. In addition, it details the criteria and means by which the potential of the membership experience is measured and reinforced. The full policy is located at uwplatt.collegiatelink.net/organization/greeklife/documentlibrary.

E. Parking Rules and Regulations
Parking policies and regulations at UW-Platteville and in the city of Platteville are aimed at easing parking pressures on campus and in the neighborhoods adjacent to campus. These policies and regulations are part of an overall parking plan with input from shared governance and approved by the chancellor. The plan incorporates a multifaceted approach to managing a limited number of parking spaces available to students, faculty, staff and visitors. To keep your parking experience positive, please pay attention to the posted signs at the entrance to each parking lot. For more information on the rules and regulations governing parking at UW-Platteville, visit the University Police website at http://www.uwplatt.edu/police/. For additional information on parking and a variety of other transportation options, please visit the transportation website at www.uwplatt.edu/police/parking.

F. Sexual Misconduct
UW-Platteville takes issues of sexual misconduct very seriously. All students are held responsible for the UW-Platteville sexual assault policy. One should note that allegations of sexual misconduct can result in adjudication both from the State of Wisconsin and the University of Wisconsin-Platteville. Information related to sexual misconduct can be found at www.uwplatt.edu/counseling-services/sexual-assault.

G. Student-Athlete Handbook
Though student-athletes are responsible for complying with all university policies and regulations, expectations of behavior are set higher for Pioneer student-athletes. Student-athletes are strongly encouraged to review the Student-Athlete Handbook, available online at gopioneers.com. In addition to the rules and policies outlined in the handbook, each team may have specific rules that pertain to its members. Student-athletes will be advised of specific team rules and regulations by your coach.

H. UW System Chapter 18: Conduct on University Lands
Wisconsin Administrative Code/Chapter UWS 18 is similar to municipal ordinance violations. The chapter includes prohibited conduct on Wisconsin university lands as listed under Chapters UWS 18. A complete list of prohibited conduct can be found online: www.uwplatt.edu/files/student-affairs/Chapter%2018.pdf.
VI. Additional Information
A. ACADEMIC MISCONDUCT FLOWCHART

This flowchart is a simple snapshot of the conduct process.
For the most detailed information regarding the process, please refer to page 4.
B. NONACADEMIC MISCONDUCT FLOWCHART

This flowchart is a simple snapshot of the conduct process.
For the most detailed information regarding the process, please refer to page 10.