I. Purpose:

The University of Wisconsin-Whitewater Segregated University Fee Allocation Committee (SUFAC) hereby establishes an appeal process within student government for the review of student fee funding decisions in accordance with the University of Wisconsin System Administration, Financial Administration, Segregated University Fees (F50) policy, Section II(A)(6)(e).

In accordance with Section II(A)(6)(e), a process is hereby developed in student government for the review of student fee funding decisions involving allegations that the decision was based on a student organization’s extracurricular speech or expressive activities in violation of viewpoint neutrality standards.

II. Appeal Process:

A. First Level of Appeal: Appeals to WSG

A recognized student organization (RSO), as a group or individual representative, or a department who believes it has been aggrieved by an allocable student segregated fee funding decision or eligibility decision made by the student government acting pursuant to s. 36.09(5), Wis. Stats., may appeal the decision to the University of Wisconsin-Whitewater Student Government (WSG) where:

1) The appealing party has exhausted all avenues of appeal available to them through student government’s procedures; and

2) The appeal alleges that the decision was not made in a viewpoint neutral manner as defined in Section II(A)(6)(e) of UW System Policy F50; and

3) The appealing party notifies the WSG speaker of intent to appeal by the Friday at noon prior to the following Monday WSG meeting in which appeals are heard. SUFAC organizations will be notified of the specific dates for notification of the WSG speaker and the WSG meeting in budget decision letters.

Upon receipt of an appeal, the WSG will hear the appeal at a regular or special open meeting. All affected parties will be notified no less than five (5) business days prior to such meeting. During the meeting, the appealing party shall present its appeal to the WSG. If the appeal involves a budget allocation decision, the appeal must be based on the identical budget submitted to and considered by SUFAC. Appeals in which the budget documents, line items, or total requested amount are different from what was presented to SUFAC during the formal budget process will not be accepted. If new or modified information is presented by the appealing party, the WSG may reject the appeal and remand the issue back to the SUFAC for further consideration. In any event, the WSG may either accept, reject or modify the SUFAC’s original decision by a vote of 2/3 of the members present at the meeting, and where quorum has been met.
B. Second Level of Appeal: Appeals to the Chancellor

Upon the issuance of the WSG decision, the appealing party may appeal the WSG’s decision to the UW-Whitewater Chancellor in the following manner:

1) The appeal must be in writing (hand or electronically delivered) and submitted to the Chancellor’s Office within five (5) business days of the date the student government’s appeals process is exhausted and the pertinent student government body has formally communicated its final decision; and

2) The appealing party must demonstrate that the group has exhausted all avenues of appeal available to them through student government’s procedures; and

3) The appealing party must state with specificity the basis for the claim that the allocable funding decision and/or eligibility decision was based on the RSO’s speech or expressive activities which resulted in a violation of the requirement that student fees be allocated in a viewpoint neutral manner.

If the appeal fails to meet all of the conditions above, the WSG decision will be considered final.

If the written appeal meets all of the conditions above, the Chancellor shall review the matter on the existing record¹ and shall issue a written decision within 30 days of the receipt of the appeal. If the Chancellor chooses to appoint a designee to lead the review of the matter, the Chancellor shall notify the appealing group and the student government of that individual’s name. Any meetings to discuss the issue shall be initiated by the Chancellor or his or her designee and shall be held at the Chancellor’s discretion and under his or her direction. The Chancellor or his or her designee may request additional documentation or materials any time, and those materials shall be provided in their entirety without delay.

Upon review of the appeal, the Chancellor may affirm, deny or change the decision of the WSG (or SUFAC). If the Chancellor’s decision involves a denial or change in the allocable fee budget, it must be based on a substantial factor (i.e. are there significant policy or management reasons for differing from the SUFAC or WSG’s decision) or address a violation of statute, administrative code, policy or contract. The Chancellor’s decision shall be submitted to the WSG and SUFAC in a timely manner. If the Chancellor’s decision results in a modification to the SUF budget, the Chancellor shall discuss said changes with

¹ Existing record is comprised of the official documentation related to the funding decision and the appeal of that decision to date. While an appealing party may submit information beyond what is the minimum as outlined in section 3, the Chancellor’s review shall be based on the existing record. An appeal to the Chancellor is governed by different rules than the student government appeal processes and is not an opportunity for a new eligibility or budget hearing. Appealing parties should not expect, request, nor attempt to submit briefs or to present information to the Chancellor or his or her designee outside of the formal process.
SUFAC and WSG prior to forwarding the institution’s budget to System Administration and the Regents. The Chancellor’s decision shall be final unless the matter is brought to the Board of Regents in accordance with Regent Policy Documents 30-3 and 30-5.

III. Record of Policy and Notification Requirements:

This policy is created and maintained by the Office of the Chancellor. Its provisions are binding on all students, recognized student organizations, and the UW-Whitewater student government. This policy should be communicated annually to student government leaders and the leaders of registered student organizations as part of their training materials. As of the time of writing, student organizations have no individual right to appeal to the Board of Regents. Such appeals may be brought by the student government.

Questions regarding appeals at any of the three levels can be directed to the Assistant Vice Chancellor for Student Affairs.