

TO: Members of the Graduate Council
FROM: Matt Vick, Dean of the School of Graduate Studies
RE: Graduate Council Meeting October 7, 2021
DATE: September 29, 2021

The **Graduate Council** will meet at 2:15 p.m.

Thursday, October 7, 2021

Hyland 4303

AGENDA

- I. Approval of Minutes from the September 9, 2021 Meeting

- II. Other Business Items
 - A. Elect student representatives for the following positions:
 - 1. Audit and Review Committee
 - 2. Committee on Exception

 - B. Program Code of Conduct Policy Template

- III. Discussion
 - A. Export Controls

 - B. Potential Diversity and Inclusion Leadership Graduate Certificate

c: Chancellor Henderson, Provost Chenoweth, Interim Associate Vice Chancellor Plessel, Deans, Department Chairs, Faculty Senate Chair, Program Coordinators, University Marketing and Communications

§ 1. INTRODUCTION

§ 1.1. The [Program Name] (the “Program”) at UW-Whitewater (the “University”) seeks to prepare students for both academic and professional excellence.

§ 1.2. Therefore, this policy establishes a code of conduct for students and a set of procedures for enforcing that code of conduct.

§ 2. STUDENT CODE OF CONDUCT

§ 2.1. The Program hereby adopts the [Name of Professional Ethics Document]¹ as revised by the [Name of Professional Organization] in [Year] as its student code of conduct (the “Code”).

§ 2.2. In addition, a failure to complete any requirement imposed under § 5.5 shall itself also be a violation of the Code.

§ 3. ALLEGED VIOLATIONS OF THE CODE

§ 3.1. Allegations of a violation of the Code by a student in the Program may be brought to any faculty or instructional staff providing instruction to or advising any student in the Program.

§ 3.2. An allegation of conduct that does not violate the Code is not governed by this Policy.

§ 3.3. All allegations of a violation of the Code by a student in the Program shall also be forwarded to the Dean of Students to determine whether that conduct also constitutes a violation of [Wis. Admin. Code chs. UWS 14](#)² or [17](#)³.

§ 3.4. Any allegations of conduct by a student that may pose a risk to the health and/or safety of others should be forwarded to the [University CARE Team](#).⁴

§ 3.5. Any faculty or instructional staff in the Program shall forward allegations of a violation of the Code by a student in the Program to the Program Coordinator.

§ 4. INVESTIGATION

§ 4.1. Once the conduct process under [Wis. Admin. Code chs. UWS 14](#) or [17](#) is complete or the Dean of Students office has informed the Program that it will not pursue a conduct process for the alleged violation of the Code, the Program may commence an investigation.

§ 4.2. The Program Coordinator will assign an investigator who is competent to determine whether a violation of the Code occurred (the “Investigator”).

¹ Available at: [\[URL of professional code of conduct\]](#).

² Available at: https://docs.legis.wisconsin.gov/code/admin_code/uws/14.

³ Available at: https://docs.legis.wisconsin.gov/code/admin_code/uws/17.

⁴ CARE Team website available at: <https://www.uww.edu/dean-of-students/support-services/care-team>.

§ 4.3. Investigative Process

§ 4.3.1. The Investigator will request any and all documentary evidence from the Dean of Students regarding the alleged violation of the Code.

§ 4.3.2. The Investigator will invite the accused student (the “Student”) and any other persons likely to have relevant information regarding the alleged violation of the Code to submit statements in writing and to provide any and all relevant documentary evidence not already provided to the Dean of Students.

§ 4.3.3. The investigator will consider all documentary and/or written evidence received in response to a request under this **§ 4.3.**

§ 4.4. Investigative Report

§ 4.4.1. The Investigator will review all documentary evidence submitted and will submit a report to the Program Coordinator making a determination of whether or not the preponderance of the evidence shows that a violation of the Code was committed.

§ 4.4.2. The investigator will provide written reasons for this determination based on the evidence submitted.

§ 4.4.3. The investigator will provide a draft of this investigative report with all evidence considered as attachments thereto to the Student and will invite the Student to provide a final written response to the report.

§ 4.4.4. The Investigator will make any appropriate changes to the investigative report and will include the Student’s written response as a final attachment to the written report and provide such report to the Program Coordinator, the Dean of the School of Graduate Studies (the “Dean”), and the Student.

§ 5. DELIBERATION

§ 5.1. If the Investigator determined that a violation of the Code was committed, the Program Coordinator will provide the written report and all attachments thereto to the [Name of Committee that Oversees Program] (the “Committee”) and the Student.

§ 5.2. The Committee shall deliberate the matter in closed session under [Wis. Stat. § 19.85\(1\)\(a\)](#)⁵ and may only consider the information in the report and attached thereto.

§ 5.3. The Investigator and any member of the Committee that was allegedly harmed by the Student shall recuse themselves from this deliberation.

§ 5.3.1. If the recusals under this **§ 5.3** leave the Committee without a quorum to deliberate, the Program coordinator shall inform the Dean of the School of Graduate Studies (the “Dean”).

⁵ Available at: <https://docs.legis.wisconsin.gov/statutes/statutes/19/v/85/1/a>.

§ 5.3.2. If so notified, the Dean will appoint an ad hoc committee composed of three faculty, associate deans, and/or instructional staff competent to consider the alleged violations of the Code, which shall act as the Committee under this policy.

§ 5.4. If the Committee determines that the preponderance of the evidence shows that a violation of the Code was committed, it will determine whether the Student can successfully complete the Program solely based on the information in the report and attached thereto.

§ 5.5. If the Committee determines that the Student can successfully complete the Program, it may impose any reasonable requirements that will allow the Student to successfully complete the Program.

§ 5.6. If the Committee determines that the Student cannot successfully complete the Program, it shall dismiss the Student from the Program.

§ 5.6.1. Dismissing the Student from the Program under this **§ 5.6** (a “Dismissal”) will not remove the Student from any courses in which the Student is actively enrolled or from the Student’s general enrollment at the University.

§ 5.6.2. A Dismissal will prevent the Student from registering for any future courses in the Program or from receiving a degree from the Program.

§ 6. DECISION

§ 6.1. The Committee shall delegate a member to provide a written decision explaining why it believes a violation of the code occurred based solely on the information in the report and attached thereto and detailing the sanctions it is imposing under **§ 5.5** or **§ 5.6**. A copy of the written decision shall be sent to the Dean.

§ 6.2. The decision under **§ 6.1** shall become final fourteen (14) calendar days after it was sent to the Student’s University email account, unless the Student informs the Program Coordinator that the Student disagrees with the Committee’s decision.

§ 6.3. The Committee shall include the information regarding appeal rights in **§ 6.2** in its written decision under **§ 6.1**.

§ 7. RECONSIDERATION

§ 7.1. If the Student appeals under **§ 6.2**, the Student shall be asked to:

§ 7.1.1. Identify in writing whether any of the grounds for appeal under **§ 8.1** are present in the Committee’s decision.

§ 7.1.2. Submit any additional written materials to be considered by the Committee.

§ 7.2. The Committee shall deliberate on whether to affirm, modify, or overrule its decision under **§ 6** in closed session under [Wis. Stat. § 19.85\(1\)\(a\)](#) and may only consider the information in the report, the information attached thereto, and any written materials submitted under **§ 7.1**.

§ 7.3. The Committee shall delegate a member to provide a written decision explaining why it is affirming, modifying, or overruling its original decision.

§ 7.4. The decision under **§ 7.3** shall become final fourteen (14) calendar days after it was sent to the Student's University email account, unless the Student informs the Dean that the Student disagrees with the Committee's reconsideration of its decision.

§ 7.5. The Committee shall include the information regarding appeal rights in **§ 7.4** in its written decision.

§ 8. APPEAL

§ 8.1. The Dean has (thirty) 30 days from receipt of an appeal under **§ 7.4** to respond and shall sustain the decision unless the Dean finds any of the following:

§ 8.1.1. The information in the record does not support the findings or decision.

§ 8.1.2. Appropriate procedures were not followed which resulted in material prejudice to the Student.

§ 8.1.3. The decision was based on factors proscribed by state or federal law.

§ 8.2. The decision of the Dean under **§ 8.1** shall be final.