



STUDENT RIGHTS AND REGULATIONS HANDBOOK

2013-2014

Student Rights and Regulations

2013-2014

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Introduction

Beginning your higher education is an exciting prospect. You will have opportunities to participate in the life and governance of the UW Colleges campus you attend. You will have certain rights as a student. Along with those rights there are responsibilities. The rules, regulations and policies you will find in this booklet are intended to foster an environment of mutual respect for you and your fellow students. Included in this booklet is information about federal and state laws, UW System and UW Colleges regulations, policies and procedures. As you read the materials included in the pamphlet, you should feel free to contact the Office of Student Services at your campus if you have any questions.

Discrimination

Pursuant to the authority of the UW System Board of Regents Policy, Section 14, Section 36.12 of the Wisconsin Statutes, Title IX of the Education Amendments of 1972, as amended, and other state and federal civil rights and employment laws, UW Colleges prohibits members of the university community from engaging in any form of unlawful discrimination or harassment in employment, education, or participation in programs or activities on the basis of age (40+), race, ancestry, color, national origin, cultural background or ethnicity (specifically involving harassment by employees), creed/religion, disability, sex (including sex discrimination, sexual harassment and sexual violence under Title IX of the Education Amendments of 1972, as amended, as well as student discrimination under Wisconsin Statutes Section 36.12), sexual orientation, gender identity and gender expression, marital status, pregnancy (including childbirth or related conditions), genetic testing, honesty testing, military obligations (including membership in the national guard, state defense force or any other reserve component of the military forces of the United States or the State of Wisconsin), Vietnam-era veterans, special disabled veterans, and veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized, arrest or conviction record, and use or nonuse of lawful products off the employer's premises during nonworking hours.

UW Colleges also prohibits any form of retaliation for engaging in a protected activity such as making a complaint of discrimination or harassment, taking part in an investigation related to unlawful activities or behavior, or performing mandatory reporting duties. Furthermore, UW Colleges will include provisions in all contracts that the contractor or subcontractor will comply with the non-discrimination provisions of University policies and federal and state laws as a condition of doing business with the University.

For more information on discrimination, harassment, or retaliation policies and associated complaint procedures, please visit the Office of Inclusion website at <http://inclusion.uwex.uwc.edu/policies> or call the Office of Inclusion at 608-262-0277.

A Message from the Chancellor

Dear students,

Welcome to the UW Colleges!

You have made one of the most important choices of your life – to pursue your education at a UW Colleges campus.

You have chosen an affordable pathway to your educational and career goals, with instruction from exceptional faculty to develop not only specific subject matter knowledge but other skills employers need and value. You have the opportunity to gain critical thinking skills, analyze data and materials, research and synthesize information, expand your appreciation of the fine arts and stretch your ability to think globally and deeply about issues of the day.

As a UW Colleges student, you have joined a teaching and learning community of faculty, staff and students with programs, customs and regulations that make the university an interesting and safe place to learn. You have the student rights and responsibilities detailed in this carefully prepared guide, so your serious participation is needed to make sure our community continues to thrive and support your efforts to learn.

Our academic community takes learning seriously, and our faculty and staff are committed to your success. I wish you all the best as you work together to reach your goals.

Ray Cross
Chancellor

Right to Participate in Governance

Students at the University of Wisconsin are encouraged to participate in the governance of each institution in accordance with Section 36.09(5), Wis. Stats., which states:

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

At the University of Wisconsin Colleges, student participation in the governance process is highly valued. If you are interested in becoming active in the governance of your campus or of the institution, you may wish to contact the student activities coordinator or the student government officers at your campus. In addition to the campus student government organizations, the University of Wisconsin Colleges also has a Student Governance Council which has representatives from each campus student government organization.

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UW Colleges Shared Vision Statement

Students, faculty, academic staff, classified staff and administrators of the UW Colleges, in partnership with area residents, form a community of learners. Together they share the responsibility of promoting the mission of the University of Wisconsin to expand and disseminate knowledge and enrich the culture. Within the supportive and challenging environments of the colleges, students of all ages and backgrounds are prepared for advanced educational and professional achievement, lifelong learning, leadership, and responsible citizenship.

In order to realize the mission, all members of the UW Colleges community have a responsibility to promote and a right to expect:

Respect for Persons: Basic to respect is the freedom of inquiry and expression - the right to be heard and the obligation to listen. Respect is mutual; it is founded on the recognition that members of the community are multi-faceted with many gifts and challenges and come from diverse cultural and socio-economic backgrounds. The campus environment should be free from intimidation and harassment. Disagreement within the community is expected to be resolved through a process of mutual respect.

Personal Integrity: All community members must meet high standards of personal and academic integrity. Recognizing the value of others' time and effort, they strive to be accurate, to be timely, and to evaluate critically. Views should be presented honestly; taking credit where credit is not due contradicts the goals of learning.

Individual Development: Initiative, critical thinking, the pursuit of truth and the exchange of ideas are essential to any academic experience. Community members should be committed to continuous improvement in themselves and others. All should be prepared to devote whatever time and effort is necessary both to educate and be educated. As the learning community fosters self-development, it should provide ample and accurate advising. Opportunities for professional development and training are essential for individual growth.

Considerate Assessment: The learning environment requires considerate assessment. The criteria for assessment should be mutually acknowledged, public and unambiguous. Assessment should be ongoing, focusing not only on individual community members, but also on the educational process itself. The community helps its members to identify and assess their various responsibilities.

Responsive Institution: Each member of the community has a right and a responsibility to contribute to the success of the institution. The university should provide a responsive curriculum, smooth transfer procedures, and fair grievance processes and policies. All segments should be involved in budgeting and other long-range planning. Leaders seek and respect input gained through the shared governance process, so that decisions are made in the best interests of all members. Institutional and campus policies contribute to the success of all members of the community.

UW Colleges Code of Conduct

At the beginning of the fall semester, all students are provided with links to this Handbook and the UW Colleges Code of Conduct which provides as follows:

Policy Statement: Respect for human dignity is essential to the university environment. The UW Colleges affirms its commitment to promoting the ideal that faculty, staff, students, and guests are free to engage in academic expression and debate, and to pursue their social and private lives in our communities, unthreatened by discrimination or harassment. All who come to the UW Colleges to work and to study will be accepted and judged as individuals; discrimination, disruption, or harassment on the basis of race, sex, religion, color, creed, disability, sexual orientation, gender, national origin, ancestry, or age will not be tolerated.

The UW Colleges accepts the responsibility of representing these values to our students, faculty, staff, and the communities we serve. The success of a policy which seeks to prevent harassment in all of its forms and to protect the educational environment of the university community depends on the willingness of faculty, staff, and students to make known when they encounter behavior and conduct which are defined as unacceptable in this policy.

Forms of Discriminatory Harassment or Conduct Which Will Be Grounds for Disciplinary

Action: Discriminatory conduct that will result in disciplinary action is intentional conduct, either verbal or physical, that explicitly demeans the race, sex, religion, color, creed, disability, sexual orientation, gender, national origin, ancestry, or age of an Individual or individuals, and (1) has the purpose or effect of interfering with the education, university-related work, or other university-authorized activity of a university student, employee, official, or guest; or (2) creates an intimidating, hostile or demeaning environment for education, university-related work, or other university-authorized activity.

Informal Resolution: A member of the university community may bring a complaint that one or more provisions of the code of conduct have been violated. The complaint may be brought to any appropriate member of the UW Colleges, including any academic or administrative officer such as the Dean of the campus, the Chancellor, the Vice Chancellor, the Office of Equity, Diversity and Inclusion, any faculty member, director, supervisor, or department head.

The person receiving the complaint may help the complainant understand his or her options and may: (1) help resolve the complaint informally; or (2) help draft a formal complaint if that is more acceptable.

A person filing a complaint under this policy will not be subject to retaliation by any member of the campus community. Persons against whom a complaint is filed will be guaranteed due process.

Investigation Prior to Formal Action: If the complainant wishes to make and pursue a formal action, a written complaint must be filed with the Office of Equity, Diversity and Inclusion. The complaint should explain the problem and include information about attempts that have been made to deal with the problem informally (if any). The Affirmative Action Officer will meet with the Vice Chancellor to determine the most appropriate investigator and the method by which an investigation will be conducted.

The purpose of the investigation is to establish whether there is reasonable basis for believing that a violation of this policy has occurred. In conducting the investigation, the appropriate administrator may interview the complainant, the alleged harasser, and other persons believed to have pertinent factual knowledge. At all times, the investigator will attempt to ensure confidentiality and will afford the accused a full opportunity to respond to the allegations.

Possible outcomes of the investigation are: (1) A judgment that the allegations are not warranted; or (2) A negotiated settlement of the complaint; or (3) A course of formal action.

Process of Taking Formal Action: If, after reviewing the report of the investigator, the Chancellor (or appropriate administrator) concludes that there is a reasonable basis for believing that the alleged violation has occurred and a negotiated settlement cannot be reached, he/she will recommend formal action.

Formal procedures will be resolved according to established university rules and regulations. For the most part, the procedures which will be followed depend on the status of the person against whom the complaint is being filed, not the status of the person bringing the complaint.

Complaint Against a Faculty Member: Chapter 6.06 of the UW Colleges Constitution at <http://www.uwc.edu/about/overview/constitution>

Complaint Against a Member of the Academic Staff: Chapter 9 of the UW Colleges Constitution: <http://www.uwc.edu/about/overview/constitution>

Complaint Against a Member of the Classified Staff: Appropriate collective bargaining agreement or the Rules of the Administrator for non-represented classified employees.

Chapter UWS 14, Wisconsin Administrative Code

STUDENT ACADEMIC DISCIPLINARY PROCEDURES

- [UWS 14.01](#) Statement of principles.
- [UWS 14.02](#) Definitions.
- [UWS 14.03](#) Academic misconduct subject to disciplinary action.
- [UWS 14.04](#) Disciplinary sanctions.
- [UWS 14.05](#) Disciplinary sanction imposed at the discretion of the instructor.
- [UWS 14.06](#) Disciplinary sanction imposed following a report of academic misconduct by the instructor.
- [UWS 14.07](#) Disciplinary sanction imposed following a report of academic misconduct by the investigating officer.
- [UWS 14.08](#) Hearing.
- [UWS 14.09](#) Appeal to the chancellor.
- [UWS 14.10](#) Discretionary appeal to the board of regents.
- [UWS 14.11](#) Settlement.
- [UWS 14.12](#) Effect of discipline within the university system.
- [UWS 14.13](#) Right to petition for readmission.
- [UWS 14.14](#) Investigating officer.
- [UWS 14.15](#) Academic misconduct hearing committee: institutional option.
- [UWS 14.16](#) Notice to students.
- [UWS 14.17](#) Notice to instructors.
- [UWS 14.18](#) Consistent institutional policies.

UWS 14.01 Statement of principles. The board of regents, administrators, faculty, academic staff and students of the university of Wisconsin system believe that academic honesty and integrity are fundamental to the mission of higher education and of the university of Wisconsin system. 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.

UWS 14.02 Definitions. In this chapter:

- (1) "Academic misconduct" means an act described in s. [UWS 14.03](#).
- (2) "Academic misconduct hearing committee" means the committee or hearing examiner appointed pursuant to s. [UWS 14.15](#) to conduct hearings under s. [UWS 14.08](#).
- (3) "Chancellor" means the chancellor or designee.
- (4) "Days" means calendar days.
- (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 for a specified period of time, not to exceed 2 semesters.
- (7) "Disciplinary sanction" means any action listed in s. [UWS 14.04](#) taken in response to student academic misconduct.
- (8) "Expulsion" means termination of student status with resultant loss of all student rights and privileges.
- (9) "Hearing examiner" means an individual appointed by the chancellor in accordance with s. [UWS 14.15](#) for the purpose of conducting a hearing under s. [UWS 14.08](#).
- (10) "Institution" means any university or center, or organizational equivalent designated by the board.
- (11) "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.
- (12) "Investigating officer" means an individual, or his or her designee, appointed by the chancellor of each institution to carry out certain responsibilities in the course of investigations of academic misconduct under this chapter.
- (13) "Student" means any person who is registered for study in an institution for the academic period in which the misconduct occurred.
- (14) "Student affairs officer" means the dean of students or student affairs officer designated by the chancellor to carry out duties described in this chapter.
- (15) "Suspension" means a loss of student status for a specified length of time, not to exceed 2 years, with resultant loss of all student rights and privileges.

UWS 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.

UWS 14.04 Disciplinary sanctions.

- (1) The following are the disciplinary sanctions that may be imposed for academic misconduct in accordance with the procedures of s. [UWS 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 sub. (1) may be imposed for an incident of academic misconduct.

UWS 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 s. [UWS 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 academic misconduct hearing committee under s. [UWS 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.

UWS 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 s. [UWS 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 s. [UWS 14.08](#), one or more of the disciplinary sanctions listed under s. [UWS 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 s. [UWS 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 academic misconduct hearing committee; and
 4. A copy of 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 academic misconduct hearing committee under s. [UWS 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 s. [UWS 14.04 \(1\) \(i\)](#) or [\(j\)](#) 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 s. [UWS 14.07](#), to impose a disciplinary sanction.

UWS 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 s. [UWS 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 s. [UWS 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 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 discussions under subs. (2) and (3), the investigating officer determines that academic misconduct did occur and that one or more of the disciplinary sanctions listed under s. [UWS 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 a hearing before the academic misconduct hearing committee; and
 4. A copy of the institutional procedures adopted to implement this section.
- (b) The written report shall be delivered personally to the student or 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 academic misconduct hearing committee under s. [UWS 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 s. [UWS 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.

UWS 14.08 Hearing.

- (1) If a student requests a hearing, or a hearing is required to be scheduled under s. [UWS 14.07 \(5\) \(c\) 2.](#), 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 ch. [UWS 14](#) 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 s. [UWS 14.09](#).

UWS 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.

UWS 14.10 Discretionary appeal to the board of regents. Institutional decisions under ss. [UWS 14.05](#) through [14.09](#) shall be final, except that the board of regents may, at its discretion, grant a review upon the record.

UWS 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.

UWS 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.

UWS 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.

UWS 14.14 Investigating officer. The chancellor of each institution, 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 s. [UWS 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.

UWS 14.15 Academic misconduct hearing committee: institutional option. The chancellor of each institution, 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 chapter.

- (1) A student academic misconduct hearing committee shall consist of at least 3 persons, including a student or students, and the presiding officer shall be appointed by the chancellor. The presiding officer and at least one other member shall constitute a quorum at any hearing held pursuant to due notice.

(2) A hearing examiner shall be selected by the chancellor from the faculty and staff of the institution.

UWS 14.16 Notice to students. Each institution shall publish and make freely available to students copies of ch. [UWS 14](#) and any institutional policies implementing ch. [UWS 14](#).

UWS 14.17 Notice to instructors. Each institution shall adopt procedures to ensure that instructors are familiar with these policies. Each institution shall provide instructors with copies of ch. [UWS 14](#) and any institutional policies implementing ch. [UWS 14](#) upon employment with the university, and each department chair shall be provided such copies upon assuming the duties of the chair.

UWS 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 system office of academic affairs.

Institutional Procedures Regarding Chapter UWS 14, Wis. Adm. Code, Academic Misconduct Disciplinary Procedures

Personnel: The Assistant Campus Dean of Student Affairs of each campus shall serve as the Student Affairs Officer and shall have all of the responsibilities assigned to this position under Chapter UWS 14 including:

- Receiving student requests for hearings before the Academic Misconduct Hearing Committee;
- Scheduling of hearings before the Academic Misconduct Hearing Committee as requested, or as mandated under UWS Sec. 14.07 (5) (c) 2.;
- Notifying the appropriate parties, including the Investigating Officer, of the time, date and place of the hearing; and
- Receiving written reports of misconduct from faculty or the Investigating Officer.

The Campus Steering Committee shall annually recommend to the Chancellor a faculty member who will serve for a one-year term as the Investigating Officer. As continuity is an important aspect of this position, the Investigating Officer should expect to serve more than the initial one-year term. In the event of a conflict of interest, the Campus Steering Committee shall designate another faculty member to serve as the Investigating Officer for a particular charge of academic misconduct. The Investigating Officer shall have all of the responsibilities assigned to this position under Chapter UWS 14 including:

- Receiving copies of all academic misconduct reports prepared by faculty;
- When the Investigating Officer receives a written report of academic misconduct, determining whether the student charged has previously been subject to disciplinary sanctions. If the student has been subject to such sanctions, the Investigating Officer should confer with the faculty member filing the report, and may recommend more severe sanctions;
- Not serving as a member of the Academic Misconduct Hearing Committee, the Investigating Officer may be called as a witness at a hearing conducted by such Committee;
- In the case of a hearing before the Academic Misconduct Hearing Committee, forwarding copies of any written reports prepared by faculty, or by the Investigating Officer, to the Chair of the Committee;
- Being responsible for any cases of Academic Misconduct arising during his or her tenure as Investigating Officer until such cases are closed, even if closure does not occur until after the expiration of the Investigating Officer's term; and
- Preparing an annual report summarizing the cases brought under Chapter UWS 14.

The campus Academic Action Committee shall serve as the Academic Misconduct Hearing Committee and shall have all of the responsibilities assigned to this committee under Chapter UWS 14.

Maintenance of Disciplinary Files: The Student Affairs Officer shall have responsibility for the maintenance of disciplinary files which shall include written reports prepared by faculty, the Investigating Officer, and the Academic Misconduct Hearing Committee.

Disciplinary files will be maintained separately from academic files and will be housed in the Office of Student Affairs.

A record shall be maintained of the final determination concerning an academic misconduct charge, including a determination by the Investigating Officer that no academic misconduct occurred. In the case of such a determination made by the Investigating Officer, the Investigating Officer shall so inform the Dean, the Assistant Campus Dean for Student Affairs, the faculty member and the student involved.

A sanction for academic misconduct shall not become part of the student's permanent academic record. When suspension or expulsion occurs, the Investigating Officer shall inform the Office of Academic Affairs. The Office of Academic Affairs shall inform the other University of Wisconsin Colleges campuses and the University of Wisconsin System Institutions.

Withdrawal Pending a Charge of Academic Misconduct: When a charge of academic misconduct is pending, a student may not withdraw from a course without the consent of the faculty member who has brought the charge.

In the event the faculty member permits the student to withdraw as a resolution to the charge of academic misconduct, the faculty member shall file a report with the Investigating Officer.

Conduct at Hearings: Under UWS Sec. 14.08 (3) (a), a student shall have the right to representation at a hearing. However, only the student, or his or her representative, and not both, shall have the right to present evidence and question witnesses. This shall not preclude the student's right to give testimony.

Written Reports: The original copy of any written report prepared by a faculty member, other than to submit a case to the jurisdiction of the Investigating Officer, shall be sent to the student either via personal delivery or through U.S. first class mail.

Faculty shall submit copies of written reports to the Student Affairs Officer and Investigating Officer. After the conclusion of a case or if no hearing is scheduled within 30 days, the Investigating Officer shall combine his/her copy of a written report with that of the Student Affairs Officer.

Readmission Following Suspension or Expulsion: 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 UW Colleges. 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 refer all such petitions to the Senate Academic Policy Committee for review. The Senate Academic Policy Committee shall make its recommendations to the Chancellor who shall communicate her/his decision to the student.

Senate Policy Number 206

Institutional Policy Regarding Students #206

(Revised 11/18/89; Reorganized and Renumbered 3/15/02)

Chapter UWS 17, Wisconsin Administrative Code

STUDENT NONACADEMIC DISCIPLINARY PROCEDURES

- [UWS 17.01](#) Policy statement.
- [UWS 17.02](#) Definitions.
- [UWS 17.03](#) Consistent institutional policies.
- [UWS 17.04](#) Notice to students.
- [UWS 17.05](#) Designation of investigating officer.
- [UWS 17.06](#) Nonacademic misconduct hearing examiner.
- [UWS 17.07](#) Nonacademic misconduct hearing committee.
- [UWS 17.08](#) Nonacademic misconduct occurring on or outside of university lands.
- [UWS 17.09](#) Conduct subject to disciplinary action.
- [UWS 17.10](#) Disciplinary sanctions.
- [UWS 17.11](#) Disciplinary procedure.
- [UWS 17.12](#) Hearing.
- [UWS 17.13](#) Appeal to the chancellor.
- [UWS 17.14](#) Discretionary appeal to the board of regents.
- [UWS 17.15](#) Settlement.
- [UWS 17.16](#) Effect of discipline within the institution.
- [UWS 17.17](#) Effect of suspension or expulsion within the university system.
- [UWS 17.18](#) Petition for restoration of rights after suspension or expulsion.
- [UWS 17.19](#) Emergency suspension.

UWS 17.01 Policy statement. The missions of the University of Wisconsin System and its individual institutions can be realized only 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 chapter defines nonacademic misconduct, provides university procedures for effectively addressing misconduct, and offers educational responses to misconduct. The University of Wisconsin System is committed to respecting students' constitutional rights. Nothing in this chapter is intended to restrict students' constitutional rights, including rights of freedom of speech or to peaceably assemble with others.

UWS 17.02 Definitions. In this chapter:

- (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 email 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 s. [UWS 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 s. [UWS 17.06 \(2\)](#) for the purpose of conducting a hearing under s. [UWS 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) "Nonacademic misconduct hearing committee" or "committee" means the committee appointed pursuant to s. UWS 17.07 to conduct hearings under s. [UWS 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.
- (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.

UWS 17.03 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 System office of academic affairs.

UWS 17.04 Notice to students. Each institution shall publish ch. [UWS 17](#) on its website and shall make ch. [UWS 17](#) and any institutional policies implementing ch. [UWS 17](#) freely available to students through the website or other means.

UWS 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 s. [UWS 17.11](#).

UWS 17.06 Nonacademic 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).

UWS 17.07 Nonacademic misconduct hearing committee.

- (1) The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student nonacademic misconduct hearing committee to fulfill the responsibilities of the nonacademic misconduct hearing committee in this chapter.
- (2) A student nonacademic misconduct hearing committee shall consist of at least three persons, including at least one student, except that no such committee shall be constituted with a majority of members who are students. The presiding officer shall be appointed by the chief administrative officer. The presiding officer and at least one other member shall constitute a quorum at any hearing held pursuant to due notice.

UWS 17.08 Nonacademic misconduct occurring on or outside of university lands.

(1) MISCONDUCT ON UNIVERSITY LANDS. Except as provided in s. [UWS 17.08 \(2\)](#), the provisions contained in this chapter shall apply to the student conduct described in s. [UWS 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 s. [UWS 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.

UWS 17.09 Conduct subject to disciplinary action. In accordance with s. [UWS 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. Conduct defined in s. [940.225](#), Stats.
- (3) STALKING. Conduct defined in s. [940.32](#), Stats.
- (4) HARASSMENT. Conduct defined in s. [947.013](#), Stats.
- (5) HAZING. Conduct defined in s. [948.51](#), Stats.
- (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. Unauthorized 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 CH. UWS 18. Conduct that violates ch. [UWS 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.

UWS 17.10 Disciplinary sanctions.

- (1) The disciplinary sanctions that may be imposed for nonacademic misconduct, in accordance with the procedures of ss. [UWS 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 nonacademic 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.

UWS 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 s. [UWS 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 nonacademic 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 nonacademic 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 NONACADEMIC MISCONDUCT OCCURRED.**
 - (a) If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did occur and that one or more of the disciplinary sanctions listed under s. [UWS 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.
 3. Specification of the sanction sought.
 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 s. [UWS 17.12](#) to contest the determination that nonacademic misconduct occurred, the choice of disciplinary sanctions, or both.
 1. Where the disciplinary sanction sought is one of those listed in s. [UWS 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 nonacademic 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 s. [UWS 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 s. [UWS 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.

UWS 17.12 Hearing.

- (1) A student who requests a hearing, or for whom a hearing is scheduled under s. [UWS 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 s. [UWS 17.11 \(4\) \(c\) 1.](#), or a hearing is required to be scheduled under s. [UWS 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 5 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 s. [UWS 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 nonacademic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in ch. [UWS 17](#).
 - (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 s. [UWS 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 s. [UWS 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 unduly 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 nonacademic 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 s. [UWS 17.10 \(1\) \(h\)](#) to [\(j\)](#).
 - 2. A preponderance of the evidence, when the sanction to be imposed is one of those listed in s. [UWS 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 s. [UWS 17.10 \(1\) \(a\)](#) to [\(g\)](#) that differs from the recommendation of the investigating officer. Sanctions under s. [UWS 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 s. [UWS 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.

UWS 17.13 Appeal to the chancellor.

- (1) Where the sanction prescribed by the hearing examiner or committee is one of those listed in s. [UWS 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 nonacademic 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 nonacademic 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.

UWS 17.14 Discretionary appeal to the board of regents. Institutional decisions under ss. [UWS 17.11](#) to [17.13](#) shall be final, except that the board of regents may, at its discretion, grant a review upon the record.

UWS 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.

UWS 17.16 Effect of discipline within the institution. A student who, at the time of commencement, is subject to a continuing disciplinary sanction under s. [UWS 17.10 \(1\)](#) or unresolved disciplinary charges as a result of a report under s. [UWS 17.11](#), shall not be awarded a degree during the pendency of the sanction or disciplinary proceeding.

UWS 17.17 Effect of suspension or expulsion within the university system.

- (1) Suspension or expulsion shall be systemwide 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 s. [UWS 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 s. [UWS 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 nonacademic 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.

UWS 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 s. [UWS 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 officer 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.

UWS 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 nonacademic 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 s. [UWS 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 s. [UWS 17.12](#).

Chapter UWS 18

CONDUCT ON UNIVERSITY LANDS

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UWS 18.01 Jurisdiction. These rules shall regulate conduct on all lands subject to the control of the board of regents of the University of Wisconsin System.

UWS 18.02 Definitions. For purposes of this chapter:

- (1) "Board of regents" or "board" means the board of regents of the University of Wisconsin System.
- (2) "Building" means any structure, including stadia, on university lands.
- (3) The "chief administrative officer" means the chancellor of an institution or dean of a campus or their designees.
- (4) "Discharge pollutants into storm sewers" means placing pollutants or water containing pollutants into any storm sewer on or serving university lands.
- (5) "Discharge pollutants to storm water" means placing pollutants onto university lands so that they are carried by storm water to waters of the state.
- (6) "Pollutants" has the meaning described in s. [283.01 \(13\)](#), Stats.
- (7) "University lands" means all real property owned by, leased by, or otherwise subject to the control of the board of regents.

UWS 18.03 Law enforcement.

- (1) The board may designate peace officers who are authorized to enforce these rules and regulations and to police all lands under the control of the board. These officers shall have all the powers provided in s. [36.11 \(2\)](#), Stats., except where such powers are specifically limited or modified by the board. These officers may accept concurrent appointments as deputy sheriffs.
- (2) Uniformed peace officers shall be identified by an appropriate shield or badge bearing the word "Police" and a number or name plate, which shall be conspicuously worn when enforcing this chapter. Peace officers

assigned to non-uniformed duties shall identify themselves with an appropriate badge or police identification card when enforcing this chapter.

- (3) Parking attendants are authorized to enforce the parking regulations in s. [UWS 18.05](#).

UWS 18.04 Traffic rules.

- (1) No person may operate any motor vehicle (self-propelled vehicle) on any roadway under the control of the board without a valid and current operator's license issued under ch. [343](#), Stats., except a person exempt under the provisions of s. [343.05](#), Stats.
- (2) No person may operate any motor vehicle on any roadway under the control of the regents unless the same has been properly registered as provided by ch. [341](#), Stats., unless exempt under the provisions of s. [341.05](#), Stats.
- (3) All provisions of ch. [346](#), Stats., entitled "Rules of the Road," which are applicable to highways as defined in s. [340.01 \(22\)](#), Stats., and which are not in conflict with any specific provisions of these regulations, are hereby adopted for the regulation of all vehicular traffic, including bicycles, on all roadways, including those off-street areas designated as parking facilities, under the control of the board and are intended to apply with the same force and effect. All traffic shall obey the posted signs approved by the chief administrative officer regulating such traffic.
- (4) All provisions of ch. [347](#), Stats., entitled "Equipment of Vehicles" which are applicable to highways as defined in s. [340.01 \(22\)](#), Stats., are hereby adopted for the regulation of all vehicular traffic on the roadways under the control of the board and are intended to apply with the same force and effect, except those provisions of ch. [347](#), Stats., which conflict with specific provisions of these regulations.
- (5) The chief administrative officer may require the registration of all student, faculty, or staff motor vehicles or bicycles on university lands under said officer's jurisdiction and may limit or prohibit their use in designated areas during designated hours. Any person who violates institutional regulations promulgated under this subsection may be fined up to \$25.

UWS 18.05 Parking rules.

- (1) Parking is prohibited at all times on roads, drives and fire lanes traversing university lands, except that the chief administrative officer is authorized to establish parking areas, parking limits, and methods of parking on the lands under said officer's jurisdiction, and may designate parking areas for specific groups at specific times, providing such areas are properly posted as parking areas. Parking in university parking facilities may be restricted or prohibited as required for reasons of maintenance and snow removal.
- (2) Except as provided in sub. (3), parking in university parking areas shall be prohibited during posted times to persons other than those specifically assigned to those areas. Motor vehicles so assigned to any parking areas shall be identified by a valid parking permit affixed to the vehicle in a manner prescribed by the chief administrative officer.
- (3)
 - (a) In order to provide parking in university parking facilities for patrons of public university events, motor vehicles may be permitted to park in facilities designated for this purpose by the chief administrative officer. Public events parking shall be for a limited time only, not exceeding 12 hours continuously, and appropriate fees may be established. Otherwise valid permits are voidable during this period.
 - (b) The chief administrative officer may establish visitor parking lots and set appropriate fees for parking in those lots.
 - (c) Unrestricted and unassigned parking areas for students, faculty, staff and visitors may be established by the chief administrative officer.
- (4)
 - (a) Parking shall be prohibited at all times in areas which must be kept clear for the passage of fire apparatus. These areas shall be designated by standard signs reading "Fire Zone, No Parking at Any Time, Day or Night" or "Fire Lane, No Parking at Any Time, Day or Night."
 - (b) Parking is prohibited at all times in areas which must be kept clear for vehicles to load and unload. These areas shall be designated by appropriate signs.
- (5) Motor vehicles parked in a restricted parking area without a valid permit or motor vehicles parked in a fire zone, fire lane, loading zone, or no parking zone, and unlicensed or partially dismantled motor vehicles may, at the owner's expense, be towed from the restricted parking areas and stored. Towed vehicles, if not claimed after notice to the owner, shall be considered abandoned and shall be disposed of as provided in s. [20.909 \(1\)](#), Stats.
- (6) Any person who violates any of the provisions of this section may be fined up to \$200. Each institution shall establish a schedule of fines, which may include penalties for late payment.

UWS 18.06 Protection of resources.

- (1) PROHIBITED ACTS; LAND. No person may remove any shrubs, vegetation, wood, timber, rocks, stone, earth, signs, fences, or other materials from university lands, unless authorized by the chief administrative officer.
- (2) PROHIBITED ACTS; WILDLIFE. No person may remove, destroy, or molest any bird, animal or fish life within the boundaries of university lands except as authorized by the chief administrative officer or except when this provision conflicts with a special order of the department of natural resources.
- (3) PROHIBITED DUMPING; PROHIBITED DISCHARGES TO STORM WATER.
 - (a) No person may dump or deposit any garbage, waste, hazardous material, rubbish, brush, earth or other debris or fill into any university dumpster or garbage receptacle or on any university lands unless authorized by the chief administrative officer.
 - (b) No person may discharge pollutants to storm water or storm sewers on or serving university lands, except where authorized by the chief administrative officer and in conformance with state law.

UWS 18.07 Use of campus facilities.

- (1) ACCESS TO ROOFS, SERVICE TUNNELS, AND MAINTENANCE FACILITIES PROHIBITED. No person may climb into, out of, or onto any university building, service tunnels or maintenance facilities, or walk or climb upon any university building or roof, except when emergency access to a fire escape is necessary, for required maintenance, or when authorized by the chief administrative officer.
- (2) CLOSING HOURS.
 - (a) Except as specifically provided in this code, the chief administrative officer may establish closing hours and closed periods for university lands, buildings, or portions thereof. These closing hours and closed periods shall be posted in at least one conspicuous place adjacent to or at the periphery of the area to be closed or, in the case of buildings, on the building.
 - (b) No person, unless authorized to be present during closed periods, may enter or remain within the designated university lands, buildings, or portions thereof during a closed period established under this section.
 - (c) For the purpose of par. (b), "person authorized to be present" means a person authorized to be present by an order issued pursuant to par. (a) or s. 36.35 (2), Stats.
 - (d) No person, except those authorized to be present after the posted closing hour, may enter or remain in any university arboretum or picnic area unless traversing those areas or on park roads at the times the roads are open to the public.
- (3) LIMITED ENTRANCE. The chief administrative officer may, by posting appropriate signs, limit or prohibit entrance to university lands, or portions thereof, in order to maintain or preserve an instruction or research area.
- (4) PICNICKING AND CAMPING. No person may picnic or camp on university lands, except in those areas specifically designated as picnic or camping grounds, or as authorized by the chief administrative officer. No person may violate any rules and regulations for picnicking or camping established and posted by the chief administrative officer. For purposes of this subsection, camping shall include the pitching of tents or the overnight use of sleeping bags, blankets, makeshift shelters, motor homes, campers or camp trailers.
- (5) PROHIBITIONS ON BLOCKING ENTRANCES. No person may intentionally physically block or restrict entrance to or exit from any university building or portion thereof with intent to deny to others their right of ingress to, egress from, or use of the building.
- (6) RESTRICTED USE OF STUDENT CENTERS OR UNIONS. No person, except members of the student center or union, university faculty and staff, invited guests, and university-sponsored conference groups, may use student center or union buildings and grounds except on occasions when, and in those areas where, the buildings or grounds are open to the general public.
- (7) STRUCTURES. No person may place or erect any facility or structure upon university lands unless authorized by the chief administrative officer.

UWS 18.08 Personal conduct prohibitions.

- (1) ANIMALS.
 - (a) The presence of dogs, cats, and other pets is prohibited in all university buildings and in arboretums at all times except as authorized by the chief administrative officer. The chief administrative officer may also prohibit the presence of dogs, cats, and other pets on other designated university lands.
 - (b) The presence of dogs, cats and other pets is prohibited on all university lands not described in par. (a) unless the animal is on a leash which is physically controlled by the individual responsible for the animal, except as authorized by the chief administrative officer.
 - (c) The chief administrative officer may not grant the exceptions allowed under par. (a) and (b) in any outdoor area where food is being served or where animals are otherwise prohibited by signage.

- (d) Any pet waste deposited on university lands shall be removed and properly disposed of by the individual responsible for the animal.
 - (e) Any individual found in violation of this subsection may have the animal for which they are responsible impounded and be subject to the penalty provisions in s. [UWS 18.13](#).
 - (f) This section does not apply to police and service animals when those animals are working.
- (2) ATHLETIC EVENTS.**
- (a) No person may enter onto the playing surface of an officially sanctioned athletic event while the event is in progress without prior authorization from the chief administrative officer. An event is in progress from the time when teams, officials, trainers, support staff, or bands first reach the playing surface until the time when they have left.
 - (b) As used in this subsection, "playing surface" means that area on which the event is contested, together with the contiguous area used by teams, officials, trainers, and support staff.
- (3) BICYCLES.** No person may park or store a bicycle in buildings, on sidewalks or driveways, or in motor vehicle parking spaces, except in areas designated for that purpose or in bicycle racks, or as authorized by university housing policies. Bicycles shall be parked so as not to obstruct free passage of vehicles and pedestrians. Bicycle riding is prohibited on university lands when and where the intent is to perform tricks or stunts and those tricks or stunts may result in injury to any person or cause damage to property.
- (4) DEPOSIT OF HUMAN WASTE PRODUCTS.** No person may deposit human waste products upon, nor urinate or defecate upon, any university lands or facilities other than into a toilet or other device designed and intended to be used to ultimately deposit such human waste products into a septic or sanitary sewer system.
- (5) IMPROPER USE OF UNIVERSITY IDENTIFICATION CARDS.**
- (a) No person may falsify, alter or duplicate, or request the unauthorized falsification, alteration or duplication, of a university identification card.
 - (b) No person may knowingly present a false, altered or duplicate university identification card with the intent that such card be relied upon by university employees, university agents, or state or local officials in connection with obtaining services, privileges or goods.
 - (c) No person may knowingly use or permit another person to use a university identification card for the purpose of making a false statement with respect to the identity of the user, and with the intent that such statement be relied upon by university employees or agents in connection with obtaining university services, privileges or goods.
 - (d) University officials may confiscate false, altered or duplicate university identification cards, or university identification cards used in violation of par. (c).
- (6) PHYSICAL SECURITY COMPLIANCE.**
- (a) No person may ignore, bypass, circumvent, damage, interfere with, or attempt to deceive by fraudulent means, any university authorized security measure or monitoring device, whether temporary or permanent, that is intended to prevent or limit access to, or enhance the security of, university lands, events, facilities or portions thereof.
 - (b) No person may duplicate, falsify or fraudulently obtain a university key or access control device, or make any unauthorized attempt to accomplish the same.
 - (c) No person who is authorized to possess a university key or access control device may transfer a university key or access control device to an unauthorized person, nor may any unauthorized person be in possession of a university key or access control device.
 - (d) Any university key or access control device in the possession of an unauthorized person may be confiscated by any authorized university official.
- (7) LOITERING.**
- (a) No minor person may loiter, idle, wander or play, either on foot or in or on any vehicle of any nature, on university lands between the hours of 11:00 p.m. and 5:00 a.m. on Sunday through Thursday, and the hours of midnight through 5:00 a.m. on Friday and Saturday, unless accompanied by a parent, guardian, or other adult person having care and custody of the minor.
 - (b) This subsection shall not apply to minors returning home from functions authorized by any school or religious organization and carrying proof of identification on their persons, or to currently enrolled university students.
- (8) MISUSE OF PARKING SERVICES.**
- (a) No person may falsify, alter or duplicate or request the unauthorized falsification, alteration or duplication of any type of university parking permit.
 - (b) No person may knowingly display on a vehicle, or knowingly allow another person to display on a vehicle, a falsified, altered, duplicated, stolen, lost or found parking permit.

- (c) No person may knowingly provide false information to any university employee or agent with the intent to obtain a valid university parking permit.
- (9) POSTINGS AND SIGNAGE.
 - (a) No person may erect, post or attach any notices, posters, pictures or any item of a similar nature in or on any building or upon other university lands except on regularly established bulletin boards, or as authorized by the provisions of this code or by the chief administrative officer.
 - (b) No person may fail to comply with a sign that reasonably conveys prohibited behavior and that has been approved and posted on university buildings or lands in compliance with the university's formal process for posting signs. This subsection does not apply to traffic related offenses (ch. [346](#), Stats.).
- (10) RECREATIONAL ACTIVITIES.
 - (a) No person may swim, fish, boat, snowmobile, ride horseback or use any type of all-terrain or off-road vehicle on university lands except in those areas and at times expressly designated by the chief administrative officer and denoted by official signs.
 - (b) No person may dock, moor, park, or store any boats, boating gear, snowmobiles, or similar equipment on university lands except under conditions specified by the chief administrative officer.
- (11) SMOKING.
 - (a) No person may smoke in any residence hall or other university-owned or university-leased student housing or in any location that is 25 feet or less from such residence hall or housing.
 - (b) No person may smoke in any nonresidential university building except in those areas designated for that purpose.
- (12) TICKET SCALPING.
 - (a) Every ticket or other evidence of the right of entry to any amusement, game, contest, exhibition, event, or performance given by or under the auspices of the University of Wisconsin System, or an institution or center of the University of Wisconsin System, shall be considered a revocable license to the person to whom the ticket has been issued and shall be transferable only on the terms and conditions prescribed on the ticket or other evidence of the right of entry.
 - (b) No person may buy or sell a ticket or other evidence of the right of entry for more than the price printed upon the face of the ticket.

UWS 18.09 Alcohol and drug prohibitions.

- (1) ALCOHOL BEVERAGES.
 - (a) The use or possession of alcohol beverages is prohibited on all university premises, except in faculty and staff housing and as permitted by the chief administrative officer, subject to statutory age restrictions. The chief administrative officer may generally permit the use or possession of alcohol beverages by promulgating institutional regulations in consultation with appropriate staff and students, or in specific instances by written permission.
 - (b) No person may procure, sell, dispense or give away alcohol beverages to any person contrary to the provisions of ch. [125](#), Stats.
 - (c) In this subsection, "alcohol beverages" means fermented malt beverages and intoxicating liquors containing 0.5% or more of alcohol by volume.
 - (d) Notwithstanding s. [UWS 18.14](#), institutional regulations developed pursuant to this subsection shall be reported to the president of the system for review and approval.
- (2) POSSESSION OF DRUG PARAPHERNALIA.
 - (a) No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of ch. [961](#), Stats.
 - (b) In this subsection, the term "drug paraphernalia" has the meaning specified in s. [961.571 \(1\)](#), Stats.; the term "controlled substance" has the meaning specified in s. [961.01 \(4\)](#), Stats.; and the term "controlled substance analog" has the meaning specified in s. [961.01 \(4m\)](#), Stats.
 - (c) In determining whether an object is drug paraphernalia under this subsection, the factors listed in s. [961.572](#), Stats., and all other legally relevant factors, shall be considered.
- (3) POSSESSION OF MARIJUANA.
 - (a) No person may intentionally use or possess marijuana on university lands, except when such use or possession is authorized under ch. [961](#), Stats., or is permitted under s. [961.34](#), Stats.
 - (b) In this subsection, the term "marijuana" has the meaning specified in s. [961.01 \(14\)](#), Stats.

UWS 18.10 Offenses against public safety.

- (1) ASSAULTIVE BEHAVIOR.

- (a) No person may intentionally strike, shove, hit, punch, kick or otherwise subject another person to physical contact or cause bodily harm without the consent of the person.
 - (b) This subsection shall not be applicable if the individuals involved have a relationship, as defined in s. [968.075 \(1\) \(a\)](#), Stats., which requires a law enforcement officer to investigate the matter as a domestic abuse incident.
- (2) CONTAINERS IN SPECTATOR FACILITIES. No person may carry or possess any disposable container within the confines of public areas in spectator facilities. As used in this subsection "disposable container" means any bottle, can, or other container designed or used for carrying liquids or solids, but does not include a personally owned container designed for reuse and originally sold or purchased exclusively as a refillable container. The provisions of this section shall not apply to containers used or supplied by authorized concessionaires who are required to dispense beverages to consumers in either paper or plastic containers.
- (3) DANGEROUS WEAPONS.
 - (a) No person may carry, possess or use any dangerous weapon on university lands or in university buildings or facilities, except with the written approval of the chief administrative officer or for law enforcement purposes.
 - (b) No person may display or portray as real any object that resembles a dangerous weapon on university lands or in university buildings or facilities, except with the written approval of the chief administrative officer.
 - (c) Dangerous weapons in violation of this subsection may be confiscated and removed from university lands by police.
 - (d) In this subsection, the term "dangerous weapon" has the meaning specified in s. [939.22 \(10\)](#), Stats.
- (4) FIRE SAFETY.
 - (a) No person may light, build or use, or cause another to light, build or use, any fires, including but not limited to burning candles, burning incense or gas or charcoal cooking appliances, on university lands or in university facilities except in such places as are established for these purposes and designated by the chief administrative officer.
 - (b) No person may handle burning material in a highly negligent manner. In this subsection, burning material is handled in a highly negligent manner if it is handled under circumstances in which the person should realize that a substantial and unreasonable risk of serious damage to another's property is created.
 - (c) No person may throw away any cigarette, cigar, pipe ash or other burning material without first extinguishing it.
 - (d) No person may interfere with, tamper with or remove, without authorization, any smoke detector, fire extinguisher, fire hose, fire hydrant or other fire fighting equipment.
 - (e) No person may intentionally give a false fire alarm, whether by means of a fire alarm system or otherwise.
 - (f) No person may deface, remove, tamper with or obstruct from view any sign which has been posted to provide directions for fire or emergency exits from university facilities.
 - (g) No person may remain in any university facility or on university lands when an audible or visual fire alarm has been activated or upon being notified by fire fighting, law enforcement or security personnel to evacuate.
- (5) OPERATION OF A MOTOR VEHICLE OFF ROADWAYS. No person shall operate an unauthorized motor vehicle or motorized device, including motorcycles, mopeds, motor scooters and self-balancing transportation devices, off designated roadways, paved or unpaved, or on service roads or pedestrian paths, regardless of the surface, on university lands. This subsection does not apply to motorized wheelchairs or other mobility devices which have the primary design function of assisting the physically challenged.
- (6) POSSESSION OF FIREWORKS.
 - (a) No person may possess or use fireworks on university lands without authorization from the chief administrative officer.
 - (b) In this subsection, the term "fireworks" has the meaning specified in s. [167.10 \(1\)](#), Stats.
- (7) RESISTING OR OBSTRUCTING POLICE OFFICERS.
 - (a) No person may knowingly resist or obstruct a university police officer while that officer is doing any act in an official capacity and with lawful authority.
 - (b) In this subsection, "obstruct" includes without limitation knowingly giving false information or knowingly placing physical evidence with the intent to mislead a university police officer in the performance of his or her duty.
- (8) PLAY VEHICLES. No person may use a skateboard, roller skates, roller blades, in-line skates, or any similar wheeled devices, a toboggan, or a sled anywhere on university lands, except as designated by the chief administrative officer.

- (9) **THROWING HARD OBJECTS.** No person may, in a manner likely to cause physical harm or property damage, throw, drop, kick, hit or otherwise project any hard object, bottle, can, container, snowball or other item of a similar nature on university lands or within or from within university buildings or facilities.

UWS 18.11 Offenses against public peace and order.

(1) COMPUTER USE.

- (a) No person may, with intent to harass, annoy or offend another person, send a message to the person on an electronic mail or other computerized communication system and in that message use any obscene, lewd or profane language or suggest any lewd or lascivious act.
 - (b) No person may, with intent to harass, annoy or offend another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message and in that message use any obscene, lewd or profane language or suggest any lewd or lascivious act.
 - (c) No person may, with intent solely to harass another person, send repeated messages to the person on an electronic mail or other computerized communication system.
 - (d) No person may, with intent solely to harass another person, send repeated messages on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the messages.
 - (e) No person may, with intent to harass or annoy another person, send a message to the person on an electronic mail or other computerized communication system while intentionally preventing or attempting to prevent the disclosure of his or her own identity.
 - (f) No person may, while intentionally preventing or attempting to prevent the disclosure of his or her identity and with intent to harass or annoy another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message.
 - (g) No person may knowingly permit or direct another person to send a message prohibited by this subsection from any computer terminal or other device that is used to send messages on an electronic mail or other computerized communication system and that is under his or her control.
- (2) **DISORDERLY CONDUCT.** No person may engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance, in university buildings or on university lands.

(3) IMPROPER USE OF TELEPHONES.

- (a) No person may make or cause the telephone of another repeatedly to ring with intent to harass any person at the called number.
- (b) No person may make repeated telephone calls, whether or not conversation ensues, with intent to harass any person at the called number.
- (c) No person may intentionally use an emergency telephone in a university building or on university lands when the person knows or reasonably should know that no emergency exists.
- (d) No person, with the intent to harass or offend, may telephone another and use any obscene, lewd or profane language or suggest any lewd or lascivious act.
- (e) No person, with the intent to harass any person at the called number, may make a telephone call, whether or not conversation ensues, without disclosing his or her identity.
- (f) No person may knowingly permit any telephone under his or her control to be used for any purpose prohibited by this subsection.

(4) PICKETING, RALLIES, PARADES, DEMONSTRATIONS AND OTHER ASSEMBLIES.

- (a) In order to preserve the order which is necessary for the enjoyment of freedom by members of the university community, and in order to prevent activities which physically obstruct access to university lands or buildings and prevent the university from carrying on its instructional, research, public service, or administrative functions, any picketing, rally, parade, demonstration, other assembly, or congregation of spectators to such activity may be declared unlawful if its participants:
 - 1. Intentionally gather or intentionally remain assembled outside any university building in such numbers, in such proximity to each other or in such fashion as to physically hinder entrance to, exit from, or normal use of the building.
 - 2. Intentionally congregate or assemble within any university building in such fashion as to obstruct or seriously impair university-sponsored or university-authorized activities, or in such fashion as to violate any of the following conditions:

- a. No group may be admitted into the private office of any faculty member or other university employee unless invited by the authorized occupant of that office, and then not in excess of the number designated or invited by that person.
 - b. No group may obstruct or seriously impair passage through corridors, stairways, doorways, building entrances, fire exits, and reception areas leading to offices.
 - c. No group, not authorized to do so by the person in immediate charge of the room, or by a person designated by the chief administrative officer to approve requests for the use of rooms for meetings, may enter or occupy any university building or part thereof.
 - d. No group may assemble immediately outside rooms at times when they are normally in use for classes, study, or research.
 - e. No signs supported by standards or sticks shall be permitted in any assembly in a university building.
- 3. Intentionally create a volume of noise that unreasonably interferes with university-sponsored or university-authorized activities.
 - 4. Intentionally employ force or violence, or intentionally constitute an immediate threat of force or violence, against members of the university community or university property.
- (b) For the purpose of par. (a), "intentionally" means that the participant or spectator knew or reasonably should have known that his/her conduct by itself or in conjunction with the conduct of others would have the prohibited effect.
 - (c) The chief administrative officer may designate a university official or officials who shall have primary authority to implement par. (a). He/she may prescribe limitations for any picketing, rally, parade, demonstration or other assembly in order that it will meet the requirements of par. (a). When informed of any picketing, rally, parade, demonstration, or other assembly which may not comply with par. (a), the chief administrative officer or the designee may proceed immediately to the site and determine if there is compliance with par. (a). If he/she finds a violation of par. (a), he/she may declare the assembly unlawful or he/she may prescribe those limitations on numbers, location or spacing of participants in the demonstration which are reasonably necessary to ensure compliance with par. (a). If he/she prescribes limitations, and if his/her limitations are not observed by the assembly, he/she may then declare the assembly unlawful. Any declaration of illegality or prescription of limitations shall be effective and binding upon the participants in the assembly unless and until modified or reversed.
 - (d) Any participant or spectator within the group constituting an unlawful assembly who intentionally fails or refuses to withdraw from the assembly after it has been declared unlawful under this section shall be subject to immediate arrest and liable to the penalties of s. [UWS 18.13](#).
- (5) SOUND-AMPLIFYING EQUIPMENT.**
- (a) In order to permit the use of sound-amplifying equipment on university lands, if needed for the dissemination of ideas to large audiences, but to prevent its use from interfering with university functions which inherently require quiet, the following provisions shall apply:
 - 1. No person may use sound-amplifying equipment on any lands without the permission of the chief administrative officer, except as provided in par. (b).
 - 2. In granting or denying permission, the following principles shall govern:
 - a. Except in extraordinary circumstances, permission may be granted to use the equipment only during the following hours, 12 noon to 1:30 p.m. and 5:00 p.m. to 7:00 p.m. every day, and only when the equipment is more than 50 feet from and directed away from any classroom building, residence hall, library or building being used as a study hall.
 - b. An applicant for permission shall have the burden of establishing the need for amplification to communicate with the anticipated audience. In particular, the applicant must show that the audience can reasonably be anticipated to include at least 250 people.
 - c. An applicant for permission shall have the burden of establishing that the volume and direction of the sound from the equipment will minimize interference with other activities.
 - 3. Any request for the permission required by this section must be submitted in writing to the chief administrative officer at least 24 hours prior to the intended use of the sound-amplifying equipment and must be signed by a student or employee of the institution where the equipment is to be used. The request shall contain:
 - a. The proposed hours, date and location where the equipment is to be used.
 - b. The size of the anticipated audience and the reasons why the equipment is needed.
 - c. A description of the proposed equipment which includes the manufacturer, model number, and wattage.

- d. The names of the owner of the equipment and of any person or persons, in addition to the person signing the application, who will be responsible for seeing that the equipment is operated in compliance with the terms of the permit and the provisions of this rule. The chief administrative officer may require the presence of additional persons if said officer believes this is necessary to ensure compliance.
 - (b) Permits issued by the chief administrative officer shall not be required for the use of university sound-amplifying equipment used with the permission of the university employee having control of the equipment for authorized university classes, research, or meetings in university buildings, or for university sponsored academic, recreational or athletic activities, or for crowd control by authorized university officials.
 - (c) For the purpose of this section, "sound-amplifying equipment" means any device or machine which is capable of amplifying sound and capable of delivering an electrical input of one or more watts to the loudspeaker.
- (6) PERSONS PROHIBITED FROM ENTERING UNIVERSITY BUILDINGS.
- (a) University buildings and the university-authorized activities that occur therein are primarily dedicated to the support of the university mission of teaching, research and service. No person may be present in any university building if his or her presence or behavior interferes with this purpose or with the university's administrative operations, is in violation of a university policy, rule, regulation or any other provision of this chapter, or is without the consent of an authorized university official or faculty member.
 - (b) Persons present in any class, lecture, laboratory, orientation, examination, or other instructional session shall be enrolled and in good standing or shall have the consent of an authorized university official or faculty member to be considered legally present.
- (7) PERSONS PROHIBITED FROM ENTERING UNIVERSITY LANDS.
- (a) No person, who is in a state of suspension or expulsion from the university under ch. [UWS 17](#), or who takes leave or resigns under charges after being charged by the university under ch. [UWS 17](#), may enter the university lands of any institution without the written consent of the chief administrative officer.
 - (b) No person who is convicted of any crime involving danger to property or persons as a result of conduct by him or her on university lands may enter any university lands within 2 years of the effective date of his or her conviction without the written consent of the chief administrative officer.
 - (c) In granting or denying consent to enter a campus under s. [36.35 \(3\)](#), Stats., or par. (a) or (b), the following shall be considered:
 - 1. The probability that the offensive conduct will be continued or repeated by the applicant.
 - 2. The need for the applicant to enter university lands, for example, to attend a university disciplinary hearing in which the applicant is being tried or is to be a witness, or to receive treatment in university hospitals.
 - (d) No person who has been determined to have committed serious or repeated violations of ss. [UWS 18.06](#) to [18.12](#) and to whom the chief administrative officer has issued a written order prohibiting entry on university lands may enter the university lands of that institution.
 - (e) The provisions of this section in no way limit the chief administrative officer from issuing a written order barring any person from entering the university lands of that institution in accordance with the chief administrative officer's responsibility for the health, safety, and welfare of the university.
 - (f) For the purposes of s. [36.35 \(3\)](#), Stats., and par. (b), "crime involving danger to property or persons" shall mean any crime defined in ch. [940](#), Stats. (crimes against life and bodily security); s. [941.12](#), Stats. (interfering with fire fighting); s. [941.13](#), Stats. (false alarms); s. [941.20](#), Stats. (endangering safety by use of dangerous weapon); s. [941.21](#), Stats. (disarming a peace officer); s. [941.23](#), Stats. (carrying concealed weapon); s. [941.235](#), Stats. (carrying firearm in public building); s. [941.24](#), Stats. (possession of switchblade knife); s. [941.26](#), Stats. (machine guns and other weapons); s. [941.28](#), Stats. (possession of short-barreled shotgun or short-barreled rifle); s. [941.29](#), Stats. (possession of firearm); s. [941.295](#), Stats. (possession of electric weapon); s. [941.30](#), Stats. (recklessly endangering safety); s. [941.32](#), Stats. (administering dangerous or stupefying drug); s. [941.37](#), Stats. (obstructing emergency or rescue personnel); s. [943.01](#), Stats. (criminal damage to property); s. [943.02](#), Stats. (arson of buildings; damage of property by explosives); s. [943.03](#), Stats. (arson of property other than building); s. [943.05](#), Stats. (placing of combustible materials an attempt); s. [943.06](#), Stats. (Molotov cocktails); s. [943.10](#), Stats. (burglary); s. [943.11](#), Stats. (entry into locked vehicle); s. [943.14](#), Stats. (criminal trespass to dwellings); s. [943.32](#), Stats. (robbery); s. [944.20](#), Stats. (lewd and lascivious behavior); s. [946.41](#), Stats. (resisting or obstructing officer); s. [947.015](#), Stats. (bomb scares); s. [167.10](#), Stats. (fireworks regulated); or attempts to commit any of the above crimes as defined in s. [939.32](#), Stats.

- (8) **SELLING, PEDDLING AND SOLICITING.** No person may sell, peddle or solicit for the sale of goods, services, or contributions on any university lands except in the case of:
- (a) Specific permission in advance from a specific university office or the occupant of a university house, apartment, or residence hall for a person engaged in that activity to come to that particular office, house, apartment, or residence hall for that purpose.
 - (b) Sales by an individual of personal property owned or acquired by the seller primarily for his/her own use pursuant to an allocation of space for that purpose by an authorized university official.
 - (c) Sales of newspapers and similar printed matter outside university buildings.
 - (d) Subscription, membership, ticket sales solicitation, fund-raising, selling, and soliciting activities by or under the sponsorship of a university or registered student organization pursuant to a contract with the university for the allocation or rental of space for that purpose.
 - (e) Admission events in a university building pursuant to contract with the university, and food, beverage or other concessions conducted pursuant to a contract with the university.
 - (f) Solicitation of political contributions under ch. [11](#), Stats., and institutional regulations governing time, place and manner.
- (9) **CAMPAIGNING IN STATE-OWNED RESIDENCE HALLS.**
- (a) The residence halls students of each institution, subject to the approval of the chief administrative officer, shall establish policies and procedures assuring that political literature may be distributed and political campaigning may be conducted in state-owned residence halls consistent with the rights of residence halls students, and prescribing the time, place and manner in which these activities may be conducted.
 - (b) Where appropriate and consistent with the rights of residence halls students, the policies and procedures developed under this subsection shall apply to all residence halls at an institution. Matters to be addressed in institutional policies and procedures shall include at least the following:
 - 1. The hours of the day and the time of year, if any, to which particular activities shall be limited.
 - 2. The locations in residence halls, if any, to which particular activities shall be limited.
 - 3. Any requirement for registering or obtaining permission to enter a residence hall before engaging in a particular activity.
 - (c) Notwithstanding s. [UWS 18.14](#), institutional policies and procedures developed pursuant to this subsection shall be reported to the board of regents for approval.
 - (d) Institutional policies and procedures developed pursuant to this subsection shall be available at each residence hall, at the office of each chief administrative officer of an institution, and at the office of the secretary to the board of regents.

UWS 18.12 Property offenses.

- (1) **COMPUTER DATA, PROGRAMS, EQUIPMENT OR SUPPLIES.** No person may willfully, knowingly and without authorization do or attempt to do any of the following:
- (a) Modify, destroy, access, take possession of or copy data, computer programs or supporting documentation;
 - (b) Disclose restricted access codes or other restricted access information to a person not authorized to possess such codes or information;
 - (c) Modify, destroy, use, take or damage a computer, computer system or computer network;
 - (d) Modify, destroy, use, take or damage any equipment or supplies used, or intended to be used, in a computer, computer system or computer network.
 - (e) Cause an interruption in service by submitting a message or multiple messages to a computer, computer program, computer system, or computer network that exceeds the processing capacity of the computer, computer program, computer system, or computer network.
- (2) **FRAUD IN UNIVERSITY ACCOMMODATIONS OR EATING PLACES.**
- (a) No person may, after having received any food, lodging or other service or accommodation at any university housing facility or eating place, intentionally abscond without paying for it.
 - (b) No person may, while in any university housing or lodging facility or eating place, intentionally defraud the university or its employees or agents in charge of the facility or eating place, in any transaction arising out of the relationship as a user of the housing or lodging facility or eating place.
 - (c) In this subsection, prima facie evidence that the person intentionally absconded without paying for the food, lodging or other service or intentionally defrauded the university or its employees or agents has the meaning and includes the items of proof set forth in s. [943.21 \(2\)](#), Stats.
- (3) **ISSUE OF WORTHLESS CHECK.**
- (a) No person may issue any check or other order for the payment of money in an amount not more than \$2,500 which, at the time of issuance, he or she intends shall not be paid.

- (b) In this subsection, prima facie evidence that the person, at the time he or she issued the check or other order for the payment of money, intended it should not be paid, has the meaning and includes the items of proof set forth in s. [943.24](#), Stats.
 - (c) This subsection does not apply to a postdated check or to a check given for past consideration, except a payroll check.
- (4) **LIBRARY MATERIALS.**
- (a) No person may intentionally take, carry away, transfer, conceal or retain possession of any library material without the consent of a library official, agent or employee and with the intent to deprive the library of possession of the material.
 - (b) The concealment of library material beyond the last station for borrowing library material in a library is evidence of intent to deprive the library of possession of the material. The discovery of library material which has not been borrowed in accordance with the library's procedures or taken with consent of a library official, agent or employee and which is concealed upon the person or among the belongings of the person or concealed by a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing the material.
- (5) **RETAIL THEFT.**
- (a) No person may intentionally alter indicia of price or value of merchandise or take and carry away, transfer, conceal or retain possession of merchandise held for resale by a merchant, or property of the merchant, without his or her consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.
 - (b) No person may intentionally remove a theft detection device from merchandise, or use a theft detection shielding device, without the merchant's consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.
 - (c) In this subsection, "merchant" includes any "merchant" as defined in s. [402.104 \(3\)](#), Stats., and any vendor or bookstore authorized to sell in university buildings or on university lands.
 - (d) In this subsection, "theft detection device" means any tag or other device that is used to prevent or detect theft and that is attached to merchandise held for resale by a merchant or to property of a merchant, and "theft detection shielding device" means any laminated or coated bag or device designed to shield such merchandise from detection by an electronic or magnetic theft alarm sensor.
- (6) **THEFT.**
- (a) No person may intentionally take and carry away, use, transfer, conceal, or retain possession of movable property of another with a value of under \$100, without consent and with the intent to deprive the owner permanently of such property.
 - (b) No person may intentionally take and carry away, use, transfer, conceal, or retain possession of movable property of another with a value of at least \$100 but not more than \$1,000, without consent and with the intent to deprive the owner permanently of such property.
- (7) **USE OF CHEATING TOKENS.** No person may obtain the property or services of another by depositing anything which he or she knows is not lawful money or is an unauthorized token in any receptacle used for the deposit of coins or tokens.
- (8) **VANDALISM.** No person may break, tear up, mar, destroy or deface any notice, tree, vine, shrub, flower or other vegetation, or dislocate any stones, or disfigure natural conditions, or deface, alter, destroy or damage in any way any other property, real or personal, within the boundaries of any university lands unless authorized by the chief administrative officer.

UWS 18.13 Penalties. Unless otherwise specified, the penalty for violating any of the rules in ss. [UWS 18.06](#) to [18.12](#) shall be a forfeiture of not more than \$500, as provided in s. [36.11 \(1\) \(c\)](#), Stats.

UWS 18.14 Institutional regulations. Institutional regulations promulgated under ss. [UWS 18.04](#) to [18.12](#) shall take effect when filed with the secretary of the board.

UWS 18.15 Additional statutory penalty provisions regulating conduct on university lands.

- (1) **CONTROLLED SUBSTANCES.** The use or possession of controlled substances as defined in s. [961.01 \(4\)](#), Stats., is prohibited on all university property with the specific exemptions set forth in ch. [961](#), Stats., and as permitted under s. [961.34](#), Stats. The penalty provisions of ch. [961](#), Stats., and chs. [UWS 17](#) and [18](#) may apply to violations occurring on university lands.
- (2) **STUDENT CONVICTED OF DANGEROUS AND OBSTRUCTIVE CRIME.** Section [36.35 \(3\)](#), Stats., provides: "Any person who is convicted of any crime involving danger to property or persons as a result of conduct by him which obstructs or seriously impairs activities run or authorized by an institution and who, as a result of such conduct, is in a state of suspension or expulsion from the institution, and who enters property of that

institution without permission of the chancellor of the institution or the chancellor's designee within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both."

Rights of Access to Student Records

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act of 1974, known as “FERPA” (20 U.S.C. § 1232g), governs access to student education records maintained by educational institutions, including those of the University of Wisconsin Colleges. FERPA’s purpose is to protect the privacy of students’ education records and to ensure that students have access to their own records.

Under FERPA, the presumption is that a student's records are private and not available to the public without the consent of the student. UW Colleges employees responding to requests for student information must be aware of the unique, protected status of such information. Employees must not provide requested information unless the student consents to the release, or the information falls within a specific FERPA provision permitting release without consent. Thus, FERPA analysis is the converse of the usual approach under the Wisconsin Public Records Law which presumes records to be open.

To Whom Does FERPA Apply? FERPA applies to “eligible students.” An eligible student is any individual who has been or is “in attendance” at an institution of post-secondary education at any time and about whom the institution maintains records. “In attendance” can include correspondence courses and on-line courses. The age of the student is irrelevant under FERPA.

What Records are Covered by FERPA? FERPA protects from disclosure “education records,” broadly defined to include all records directly related to a student *and* maintained by an educational institution or someone acting on its behalf (e.g., contractors). Records can be in any format, including email messages, other computer records, videos, etc.

However, the definition excludes, among other records: campus law enforcement records (if certain criteria are met); certain notes made by employees for their own personal use; certain employment records; certain medical treatment records; and alumni records containing information obtained *after* a student's graduation.

NOTE: “Education records” does not include information obtained through personal observation.

Who Has Access to Education Records? Generally, there are four categories of individuals who can obtain access to education records in the manner defined under FERPA: (1) Students; (2) Parents of Students; (3) School Officials; (4) Others.

How is Access Obtained?

Students: Students may have access to their own education records with few exceptions, including parental financial information, confidential letters of recommendation, and portions of their own education records containing information about other students.

Parents: Parents generally have no automatic right of access to the education records of their children. However, access can be obtained in the following ways:

- With the consent of their child (see below);
- If the child is identified as a dependent on the parents’ tax return;
- If there is a health and safety emergency involving their child;
- If their child has been found responsible for a drug or alcohol violation through the campus disciplinary proceedings.

School Officials: School officials who have a legitimate educational need to access students’ records may do so.

Others: Members of the public, employees of certain agencies, court officials and others may access education records when the following circumstances apply:

- The student has given consent (see below);
- The information has been designated directory information (see below);
- A health or safety emergency is involved;
- If the individual is a victim of certain types of violent offenses, s/he may obtain certain information;

- The recipient is an employee of an institution to which the student is seeking or has transferred;
- The final results of a disciplinary proceeding involving a crime of violence or non-forcible sex offense, under certain circumstances;
- Organizations conducting studies on behalf of the institution (if certain criteria are met);
- To comply with a subpoena or court order;
- For audit and evaluation by certain state and local officials.

NOTE: FERPA permits, but does not require, these disclosures. When disclosure is contemplated under these provisions of FERPA, it may be appropriate to consult with counsel to apply the balancing and notification requirements of the Wisconsin Public Records Law.

What Does it Mean for a Student to Consent? A student's valid consent means an informed, written consent which specifies the record(s) to be disclosed, states the reason for disclosing the records, and identifies the person(s) to whom disclosure may be made.

What is "Directory Information"? "Directory information" is personally identifiable student information which the U.S. Department of Education has concluded is permissible for institutions to release without a student's consent. Such information may include the students':

- Name;
- Address;
- Telephone number;
- Date and place of birth;
- Major field of study;
- Dates of attendance;
- Grade level;
- Enrollment status;
- Participation in activities and sports;
- Weight and height of athletes;
- Degrees, honors, awards;
- Most recent education institution(s) attended;
- Photograph.
- Note: Directory information may *never* include social security number.

What Must an Institution Do Under FERPA?

Annual Notice: Annually, the institution must advise students of:

- **Right to inspect and review their own records.** Students should submit written requests to the Assistant Campus Dean for Student Services that identify the record(s) they wish to inspect. The Assistant Campus Dean for Student Services will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Assistant Campus Dean for Student Services, the Director shall advise the student of the correct officer to whom the request should be directed.
- **Right to seek amendment of their records.** Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing. If the decision is not to amend, the student will have the right to place a statement in the record commenting about the contested information.
- **Right to consent to disclosure.** One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, National Student Clearinghouse or collection agent); a person serving on the Board of

Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the University may disclose educational records without consent to officials of another school in which a student seeks or intends to enroll.

- **Right to file a complaint with the Department of Education.** The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U. S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-5920
www.ed.gov/policy/gen/guid/fpco
1-(800) USA-LEARN (1-(800) 872-5327)

- **Right to opt out of directory information.** The University of Wisconsin Colleges construes the following to be directory information which is available to the public: name, address (including e-mail address), telephone number, date of birth, dates of attendance, part-time/full-time status, degrees and awards received, major field of study, participation in officially recognized activities and sports, and previous educational institution attended. No other information will be released to a third party, except as provided by law, without your prior consent. In addition, you have the right to inform the University of Wisconsin Colleges that the above information cannot be released without your prior consent. If you choose to have directory information restricted, you should file the appropriate request form in the campus Student Services Office. Each University of Wisconsin Colleges campus may publish a Dean's List to honor students with high grade point averages. You may request that your name be deleted from the public announcement of the Dean's List.

Record of Disclosures: As part of the education record of each student, each institution must maintain a record of disclosures which contains the following information: The names of all individuals, agencies, or organizations that have requested, or obtained, access to the student's records and the legitimate educational interest of those accessing the information; and any disclosures that are made under the health and safety emergency exception, the circumstances surrounding that decision to disclose and to whom disclosures were made. However, there is no need to record: access by the institution's own employees; release of "directory information"; or release of information with a student's written consent.

Authentication of Requestors: Institutions must use "reasonable methods" to identify and authenticate the identity of those who access records. Such methods may include requesting a combination of some of the following: the requestor's photo identification; all or part of the student's ID number; the student's date of birth; the student's PIN; a password; a personal security question.

What Other Information is Important to Know Under FERPA?

Military Access to Education Records: The Solomon Amendment (10 U.S.C. § 982) is not a part of FERPA, but it allows military organizations access to information ordinarily restricted under FERPA for the purpose of military recruiting. Specifically, the Solomon Amendment permits Department of Defense entities to physically access institutional facilities to recruit students, and to obtain students' names, addresses, phone numbers, age, class, and degree program once every term. Institutions are exempt from these requirements if they do not collect this information, or if they do not normally provide this information to prospective employers. The Solomon Amendment only applies to enrolled students over age 17.

Student Discrimination Prohibited

Section 36.12 (1), Wis. Stats.

36.12 Student discrimination prohibited.

(1) No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility of the system or its institutions because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

UW Colleges Policies and Procedures, Pursuant to Section 36.12 (1), Wis. Stats.

No student may be denied admission to, participation in, or the benefits of, or be discriminated against in any service, program, course, or facility of the system or its institutions or colleges because of the student's race, color, creed, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status, or parental status.

Criteria for Determining Whether the Prohibition on Discrimination has Been Violated: In determining whether discrimination in violation of Section 36.12, Wis. Stats., has occurred, the University of Wisconsin Colleges, through the Office of the Dean, shall apply state and federal statutes, regulations, and case law relevant to the basis of discrimination being alleged, including but not limited to such legal materials and precedents as Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Section 101.223, Wis. Stats., Section 36.11(3)(a), Wis. Stats., the United States Constitution, the Wisconsin Constitution, and related regulations and case law. In any case whether there is a question as to whether the action or conduct in question violated Section 36.12, Wis. Stats., UW System legal counsel will be consulted.

Deadline for Filing Complaints: Complaints alleging a violation of Section 36.12, Wis. Stats., must be filed with the Office of the Dean within 300 days of the alleged violation.

Procedures and Remedies for Violation of Section 36.12, Wis. Stats.: The Office of the Dean shall be responsible for:

- (1) The Office of the Dean shall be responsible for:
 - (a) Reviewing each complaint;
 - (b)- Providing procedural advice and counsel to the complainant, and referring the complainant to any other more relevant complaint or grievance process, if appropriate (as for example, if the complaint alleges sex discrimination, referring the matter to the grievance process established under Title IX);
 - (c)- Conducting investigations of complaints, where no other complaint or grievance mechanism applies to the subject matter of the complaint.
- (2) Where the Office of the Dean refers a complainant to another relevant complaint or grievance procedure, further action on the matter will be taken in accordance with that other procedure.
- (3)- Where the Office of the Dean determines after investigation that no discrimination in violation of Section 36.12 has occurred, the complaint shall be dismissed, and the complainant and any other interested parties will be so advised.
- (4)- Where the Office of the Dean determines after investigation that discrimination in violation of Section 36.12 has occurred, the Dean may:
 - (a) Attempt to resolve the matter through mediation among the involved parties; or
 - (b) Recommend remedial action to eliminate the discrimination to the appropriate administrators; or

- (c)- Refer the matter to the appropriate administrators for review and consideration of possible disciplinary action, where misconduct by faculty, staff or students appears to be involved.
- (5)- The Office of the Dean shall complete its processing of a complaint within 90 days of receipt.
 - (a) In the event a complaint is dismissed under paragraph (3) above, the complainant may appeal to the chancellor within 10 days of the dismissal.
 - (b) In the event attempts at mediation under paragraph (4)(a) fail, or a recommended remedial action under paragraph (4)(b) is rejected, the complainant may appeal to the chancellor within 10 days of the action.
 - (c) In the event the matter is referred under paragraph (4)(c) above, the time limitations and procedures applicable to employee or student disciplinary matters shall apply.
- (6) In all matters involving an alleged violation of Section 36.12, the chancellor's decision shall be final, except that the Board of Regents may, consistent with the Bylaws of the Board of Regents of the University of Wisconsin System, conduct a review on the record.

Student Accessibility Services

Students with documented disabilities have the right to request information and necessary accommodation services from the university as stipulated within Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

Students who feel they might have a disability which may need accommodation should direct inquiries to the Campus Contact for Student Accessibility Services who is located in the Student Services Office on each of the University of Wisconsin Colleges campuses. Students may also contact the Director of Student Accessibility Services (DSAS):

Brian Schultz
Director of Student Accessibility Services (DSAS)
University of Wisconsin Colleges
780 Regent Street
Madison, WI 53715-2635
Voice: 608-262-2001
Fax: 608-265-6784
Brian.schultz@uwc.edu

The DSAS should also be contacted to address student issues related to Section 504 and the ADA.

Students who believe they have been discriminated against on the basis of their disability should follow the institutional procedures which implement s 36.12(1), Wis. Stats., Student Discrimination Prohibited. Complaints must be filed with the Office of the Dean within 300 days of the alleged violation.

Equity in Athletics Disclosure Act

The Equity in Athletics Disclosure Act requires co-educational institutions of postsecondary education that participate in a Title IV, federal student financial assistance program, and have an intercollegiate athletic program, to prepare an annual report to the Department of Education on athletic participation, staffing, and revenues and expenses, by men's and women's teams. The Department will use this information in preparing its required report to the Congress on gender equity in intercollegiate athletics.

Equity in athletics data is now available on the web at: <http://ope.ed.gov/athletics>. This site provides data from thousands of colleges and universities in a convenient searchable form.

The following are various sections of the Wisconsin Statutes that relate to sexual harassment and sexual assault. If you have been assaulted, see Student Affairs. In their absence, contact the Campus Dean.

CHAPTER 111 EMPLOYMENT RELATIONS

SUBCHAPTER II FAIR EMPLOYMENT

111.32 Definitions. When used in this subchapter:

(13) "Sexual harassment" means unwelcome sexual advances, unwelcome requests for sexual favors, unwelcome physical contact of a sexual nature or unwelcome verbal or physical conduct of a sexual nature. "Sexual harassment" includes conduct directed by a person at another person of the same or opposite gender. "Unwelcome verbal or physical conduct of a sexual nature" includes but is not limited to the deliberate, repeated making of unsolicited gestures or comments of a sexual nature; the deliberate, repeated display of offensive sexually graphic materials which is not necessary for business purposes; or deliberate verbal or physical conduct of a sexual nature, whether or not repeated, that is sufficiently severe to interfere substantially with an employee's work performance or to create an intimidating, hostile or offensive work environment.

CHAPTER 940 CRIMES AGAINST LIFE AND BODILY SECURITY

SUBCHAPTER II BODILY SECURITY

940.22 Sexual exploitation by therapist; duty to report.

(1) DEFINITIONS. In this section:

- (a)** "Department" means the department of safety and professional services.
- (b)** "Physician" has the meaning designated in s. [448.01 \(5\)](#).
- (c)** "Psychologist" means a person who practices psychology, as described in s. [455.01 \(5\)](#).
- (d)** "Psychotherapy" has the meaning designated in s. [455.01 \(6\)](#).
- (e)** "Record" means any document relating to the investigation, assessment and disposition of a report under this section.
- (f)** "Reporter" means a therapist who reports suspected sexual contact between his or her patient or client and another therapist.
- (g)** "Sexual contact" has the meaning designated in s. [940.225 \(5\) \(b\)](#).
- (h)** "Subject" means the therapist named in a report or record as being suspected of having sexual contact with a patient or client or who has been determined to have engaged in sexual contact with a patient or client.
- (i)** "Therapist" means a physician, psychologist, social worker, marriage and family therapist, professional counselor, nurse, chemical dependency counselor, member of the clergy or other person, whether or not licensed or certified by the state, who performs or purports to perform psychotherapy.

(2) SEXUAL CONTACT PROHIBITED. Any person who is or who holds himself or herself out to be a therapist and who intentionally has sexual contact with a patient or client during any ongoing therapist-patient or therapist-client relationship, regardless of whether it occurs during any treatment, consultation, interview or examination, is guilty of a Class F felony. Consent is not an issue in an action under this subsection.

(3) REPORTS OF SEXUAL CONTACT.

- (a)** If a therapist has reasonable cause to suspect that a patient or client he or she has seen in the course of professional duties is a victim of sexual contact by another therapist or a person who holds himself or herself out to be a therapist in violation of sub. (2), as soon thereafter as practicable the therapist shall ask the patient or client if he or she wants the therapist to make a report under this subsection. The therapist shall explain that the report need not identify the patient or client as the victim. If the patient or client wants the therapist to make the report, the patient or client shall provide the therapist with a written consent to the report and shall specify whether the patient's or client's identity will be included in the report.
- (b)** Within 30 days after a patient or client consents under par. (a) to a report, the therapist shall report the suspicion to:

1. The department, if the reporter believes the subject of the report is licensed by the state. The department shall promptly communicate the information to the appropriate examining board or affiliated credentialing board.
 2. The district attorney for the county in which the sexual contact is likely, in the opinion of the reporter, to have occurred, if subd. [1.](#) is not applicable.
 - (c) A report under this subsection shall contain only information that is necessary to identify the reporter and subject and to express the suspicion that sexual contact has occurred in violation of sub. [\(2\)](#). The report shall not contain information as to the identity of the alleged victim of sexual contact unless the patient or client requests under par. [\(a\)](#) that this information be included.
 - (d) Whoever intentionally violates this subsection by failing to report as required under pars. [\(a\)](#) to [\(c\)](#) is guilty of a Class A misdemeanor.
- (4) CONFIDENTIALITY OF REPORTS AND RECORDS.**
- (a) All reports and records made from reports under sub. [\(3\)](#) and maintained by the department, examining boards, affiliated credentialing boards, district attorneys and other persons, officials and institutions shall be confidential and are exempt from disclosure under s. [19.35 \(1\)](#). Information regarding the identity of a victim or alleged victim of sexual contact by a therapist shall not be disclosed by a reporter or by persons who have received or have access to a report or record unless disclosure is consented to in writing by the victim or alleged victim. The report of information under sub. [\(3\)](#) and the disclosure of a report or record under this subsection does not violate any person's responsibility for maintaining the confidentiality of patient health care records, as defined in s. [146.81 \(4\)](#) and as required under s. [146.82](#). Reports and records may be disclosed only to appropriate staff of a district attorney or a law enforcement agency within this state for purposes of investigation or prosecution.
 - (b)
 1. The department, a district attorney, an examining board or an affiliated credentialing board within this state may exchange information from a report or record on the same subject.
 2. If the department receives 2 or more reports under sub. [\(3\)](#) regarding the same subject, the department shall communicate information from the reports to the appropriate district attorneys and may inform the applicable reporters that another report has been received regarding the same subject.
 3. If a district attorney receives 2 or more reports under sub. [\(3\)](#) regarding the same subject, the district attorney may inform the applicable reporters that another report has been received regarding the same subject.
 4. After reporters receive the information under subd. [2.](#) or [3.](#), they may inform the applicable patients or clients that another report was received regarding the same subject.
 - (c) A person to whom a report or record is disclosed under this subsection may not further disclose it, except to the persons and for the purposes specified in this section.
 - (d) Whoever intentionally violates this subsection, or permits or encourages the unauthorized dissemination or use of information contained in reports and records made under this section, is guilty of a Class A misdemeanor.
- (5) IMMUNITY FROM LIABILITY.** Any person or institution participating in good faith in the making of a report or record under this section is immune from any civil or criminal liability that results by reason of the action. For the purpose of any civil or criminal action or proceeding, any person reporting under this section is presumed to be acting in good faith. The immunity provided under this subsection does not apply to liability resulting from sexual contact by a therapist with a patient or client.

940.225 Sexual assault.

- (1) FIRST DEGREE SEXUAL ASSAULT.** Whoever does any of the following is guilty of a Class B felony:
 - (a) Has sexual contact or sexual intercourse with another person without consent of that person and causes pregnancy or great bodily harm to that person.
 - (b) 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.
 - (c) 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.
- (2) SECOND DEGREE SEXUAL ASSAULT.** Whoever does any of the following is guilty of a Class C felony:
 - (a) Has sexual contact or sexual intercourse with another person without consent of that person by use or threat of force or violence.

- (b) 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.
- (c) 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.
- (cm) 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.
- (3) 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.
- (3m) 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.
- (4) 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 \(2\)](#):
 - (b) A person suffering from a mental illness or defect which impairs capacity to appraise personal conduct.
 - (c) A person who is unconscious or for any other reason is physically unable to communicate unwillingness to an act.
- (5) DEFINITIONS. In this section:
 - (abm) "Client" means an individual who receives direct care or treatment services from an entity.
 - (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 \(10r\)](#).
 - (ad) "Correctional staff member" means an individual who works at a correctional institution, including a volunteer.
 - (ag) "Inpatient facility" has the meaning designated in s. [51.01 \(10\)](#).
 - (ai) "Intoxicant" means any alcohol beverage, controlled substance, controlled substance analog, or other drug or any combination thereof.
 - (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.
 - (am) "Patient" means any person who does any of the following:
 1. 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.

2. 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 [\(k\)](#).
- (ar) "Resident" means any person who resides in a facility under s. [940.295 \(2\) \(b\)](#), [\(c\)](#), [\(h\)](#) or [\(k\)](#).
- (b) "Sexual contact" means any of the following:
 1. 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 \(1\)](#):
 - a. 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.
 - b. 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.
 2. 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.
 3. 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.
- (c) "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.
- (d) "State treatment facility" has the meaning designated in s. [51.01 \(15\)](#).
- (6) 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.
- (7) DEATH OF VICTIM. This section applies whether a victim is dead or alive at the time of the sexual contact or sexual intercourse.

CHAPTER 947

CRIMES AGAINST PUBLIC PEACE, ORDER AND OTHER INTERESTS

947.013 Harassment.

- (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](#).

CHAPTER 948 CRIMES AGAINST CHILDREN

948.02 Sexual assault of a child.

- (1) FIRST DEGREE SEXUAL ASSAULT.
 - (am) Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 13 years and causes great bodily harm to the person is guilty of a Class A felony.
 - (b) Whoever has sexual intercourse with a person who has not attained the age of 12 years is guilty of a Class B felony.
 - (c) Whoever has sexual intercourse with a person who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony.
 - (d) Whoever has sexual contact with a person who has not attained the age of 16 years by use or threat of force or violence is guilty of a Class B felony if the actor is at least 18 years of age when the sexual contact occurs.
 - (e) Whoever has sexual contact with a person who has not attained the age of 13 years is guilty of a Class B felony.
- (2) SECOND DEGREE SEXUAL ASSAULT. Whoever has sexual contact or sexual intercourse with a person who has not attained the age of 16 years is guilty of a Class C felony.
- (3) FAILURE TO ACT. A person responsible for the welfare of a child who has not attained the age of 16 years is guilty of a Class F felony if that person has knowledge that another person intends to have, is having or has had sexual intercourse or sexual contact with the child, is physically and emotionally capable of taking action which will prevent the intercourse or contact from taking place or being repeated, fails to take that action and the failure to act exposes the child to an unreasonable risk that intercourse or contact may occur between the child and the other person or facilitates the intercourse or contact that does occur between the child and the other person.
- (4) 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.
- (5) DEATH OF VICTIM. This section applies whether a victim is dead or alive at the time of the sexual contact or sexual intercourse.

948.025 Engaging in repeated acts of sexual assault of the same child.

- (1) Whoever commits 3 or more violations under s. [948.02 \(1\)](#) or [\(2\)](#) within a specified period of time involving the same child is guilty of:
 - (a) A Class A felony if at least 3 of the violations were violations of s. [948.02 \(1\) \(am\)](#).
 - (b) A Class B felony if at least 3 of the violations were violations of s. [948.02 \(1\) \(am\)](#), [\(b\)](#), or [\(c\)](#).
 - (c) A Class B felony if at least 3 of the violations were violations of s. [948.02 \(1\) \(am\)](#), [\(b\)](#), [\(c\)](#), or [\(d\)](#).
 - (d) A Class B felony if at least 3 of the violations were violations of s. [948.02 \(1\)](#).
 - (e) A Class C felony if at least 3 of the violations were violations of s. [948.02 \(1\)](#) or [\(2\)](#).
- (2)
 - (a) If an action under sub. [\(1\) \(a\)](#) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. [948.02 \(1\) \(am\)](#) occurred within the specified period of time but need not agree on which acts constitute the requisite number.
 - (b) If an action under sub. [\(1\) \(b\)](#) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. [948.02 \(1\) \(am\)](#), [\(b\)](#), or [\(c\)](#) occurred within the specified period of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. [948.02 \(1\) \(am\)](#), [\(b\)](#), or [\(c\)](#).
 - (c) If an action under sub. [\(1\) \(c\)](#) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. [948.02 \(1\) \(am\)](#), [\(b\)](#), [\(c\)](#), or [\(d\)](#) occurred

- within the specified period of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. [948.02 \(1\) \(am\)](#), [\(b\)](#), [\(c\)](#), or [\(d\)](#).
- (d) If an action under sub. [\(1\) \(d\)](#) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. [948.02 \(1\)](#) occurred within the specified period of time but need not agree on which acts constitute the requisite number.
 - (e) If an action under sub. [\(1\) \(e\)](#) is tried to a jury, in order to find the defendant guilty the members of the jury must unanimously agree that at least 3 violations of s. [948.02 \(1\)](#) or [\(2\)](#) occurred within the specified period of time but need not agree on which acts constitute the requisite number and need not agree on whether a particular violation was a violation of s. [948.02 \(1\)](#) or [\(2\)](#).
- (3) The state may not charge in the same action a defendant with a violation of this section and with a violation involving the same child under s. [948.02](#) or [948.10](#), unless the other violation occurred outside of the time period applicable under sub. [\(1\)](#). This subsection does not prohibit a conviction for an included crime under s. [939.66](#) when the defendant is charged with a violation of this section.

CHAPTER 950

RIGHTS OF VICTIMS AND WITNESSES OF CRIME

950.01 Legislative intent. In recognition of the civic and moral duty of victims and witnesses of crime to fully and voluntarily cooperate with law enforcement and prosecutorial agencies, and in further recognition of the continuing importance of such citizen cooperation to state and local law enforcement efforts and the general effectiveness and well-being of the criminal justice system of this state, the legislature declares its intent, in this chapter, to ensure that all victims and witnesses of crime are treated with dignity, respect, courtesy and sensitivity; and that the rights extended in this chapter to victims and witnesses of crime are honored and protected by law enforcement agencies, prosecutors and judges in a manner no less vigorous than the protections afforded criminal defendants. Nothing in this chapter shall be construed to impair the exercise of prosecutorial discretion.

950.02 Definitions. In this chapter:

- (1) Except in sub. [\(3\)](#), "child" means a person who is less than 18 years of age.
- (1m) "Crime" means an act committed in this state which, if committed by a competent adult, would constitute a crime, as defined in s. [939.12](#).
- (1t) "Custodial agency" means any person authorized to arrest or take into actual physical custody an individual who is alleged to have committed a crime. "Custodial agency" includes a law enforcement agency, a sheriff, superintendent or other keeper of a jail and a person authorized to take custody of a juvenile under s. [938.19](#) or [938.20 \(4\)](#).
- (2) "Department" means the department of justice.
- (2m) "District attorney" means any of the following:
 - (a) The district attorney or other person authorized to prosecute a criminal case or a delinquency proceeding under ch. [938](#).
 - (b) A person designated by a person specified in par. [\(a\)](#) to perform the district attorney's duties under this chapter.
- (3) "Family member" means spouse, minor child, adult child, sibling, parent, or legal guardian.
- (3m) "Law enforcement agency" has the meaning given in s. [165.83 \(1\) \(b\)](#).
- (4)
 - (a) "Victim" means any of the following:
 - 1. A person against whom a crime has been committed.
 - 2. If the person specified in subd. [1](#), is a child, a parent, guardian or legal custodian of the child.
 - 3. If a person specified in subd. [1](#) is physically or emotionally unable to exercise the rights granted under s. [950.04](#) or article I, section 9m, of the Wisconsin constitution, a person designated by the person specified in subd. [1](#), or a family member of the person specified in subd. [1](#).
 - 4. If a person specified in subd. [1](#) is deceased, any of the following:
 - a. A family member of the person who is deceased.
 - b. A person who resided with the person who is deceased.
 - 5. If a person specified in subd. [1](#) has been adjudicated incompetent in this state, the guardian of the person appointed for him or her.
 - (b) "Victim" does not include the person charged with or alleged to have committed the crime.
- (4m) "Victim and witness office" means an organization or program that provides services for which the county receives reimbursement under this chapter.

- (5) "Witness" means any person who has been or is expected to be summoned to testify for the prosecution, or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution, whether or not any action or proceeding has yet been commenced.

950.03 Eligibility of victims. A victim has the rights and is eligible for the services under this chapter only if the crime has been reported to law enforcement authorities.

950.04 Basic bill of rights for victims and witnesses.

- (1v) RIGHTS OF VICTIMS. Victims of crimes have the following rights:
- (ag) To be treated with fairness, dignity, and respect for his or her privacy by public officials, employees, or agencies. This paragraph does not impair the right or duty of a public official or employee to conduct his or her official duties reasonably and in good faith.
 - (ar) To have his or her interest considered when the court is deciding whether to grant a continuance in the case, as provided under ss. [938.315 \(2\)](#) and [971.10 \(3\) \(b\) 3](#).
 - (b) To attend court proceedings in the case, subject to ss. [906.15](#) and [938.299 \(1\)](#). The court may require the victim to exercise his or her right under this paragraph using telephone or live audiovisual means, if available, if the victim is under arrest, incarcerated, imprisoned or otherwise detained by any law enforcement agency or is admitted or committed on an inpatient basis to a treatment facility under ch. [51](#), [971](#) or [980](#), and the victim does not have a person specified in s. [950.02 \(4\) \(a\) 3](#), to exercise the victim's right under this paragraph.
 - (bm) To be provided with appropriate intercession services to ensure that employers of victims will cooperate with the criminal justice process and the juvenile justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearances.
 - (c) To be accompanied by a service representative, as provided under s. [895.45](#).
 - (d) To request an order for, and to be given the results of, testing to determine the presence of a communicable disease, as provided under ss. [938.296](#) or [968.38](#).
 - (dL) To not be the subject of a law enforcement officer's or district attorney's order, request, or suggestion that he or she submit to a test using a lie detector, as defined in s. [111.37 \(1\) \(b\)](#), if he or she claims to have been the victim of a sexual assault under s. [940.22 \(2\)](#), [940.225](#), [948.02 \(1\) or \(2\)](#), or [948.085](#), except as permitted under s. [968.265](#).
 - (dr) To not have his or her personal identifiers, as defined in s. [85.103 \(1\)](#) and including an electronic mail address, used or disclosed by a public official, employee, or agency for a purpose that is unrelated to the official responsibilities of the official, employee, or agency.
 - (e) To be provided a waiting area under ss. [938.2965](#) and [967.10](#).
 - (em) To have his or her interests considered by the court in determining whether to exclude persons from a preliminary hearing, as provided under s. [970.03 \(4\)](#).
 - (er) To not be compelled to submit to a pretrial interview or deposition by a defendant or his or her attorney as provided under s. [971.23 \(6c\)](#).
 - (f) To have the parole commission make a reasonable attempt to notify the victim of applications for parole, as provided under s. [304.06 \(1\)](#).
 - (g) To have reasonable attempts made to notify the victim of hearings or court proceedings, as provided under ss. [302.113 \(9g\) \(g\) 2](#), [302.114 \(6\)](#), [938.27 \(4m\)](#) and [\(6\)](#), [938.273 \(2\)](#), [971.095 \(3\)](#) and [972.14 \(3\) \(b\)](#).
 - (gm) To have reasonable attempts made to notify the victim of petitions for sentence adjustment as provided under s. [973.09 \(3m\)](#), [973.195 \(1r\) \(d\)](#), or [973.198](#).
 - (i) To have, at his or her request, the opportunity to consult with intake workers, district attorneys and corporation counsel in cases under ch. [938](#), as provided under ss. [938.245 \(1m\)](#), [938.265](#) and [938.32 \(1\) \(am\)](#).
 - (j) To have, at his or her request, the opportunity to consult with the prosecution in a case brought in a court of criminal jurisdiction, as provided under s. [971.095 \(2\)](#).
 - (k) To a speedy disposition of the case in which they are involved as a victim in order to minimize the length of time they must endure the stress of their responsibilities in connection with the matter.
 - (L) To have the district attorney or corporation counsel, whichever is applicable, make a reasonable attempt to contact the victim concerning the victim's right to make a statement, as provided under ss. [938.32 \(1\) \(b\) 2](#), [938.335 \(3m\) \(b\)](#) and [972.14 \(3\) \(b\)](#).
 - (m) To provide statements concerning sentencing, disposition, or parole, as provided under ss. [304.06 \(1\) \(e\)](#), [938.32 \(1\) \(b\) 1g](#), [938.335 \(3m\) \(ag\)](#), and [972.14 \(3\) \(a\)](#).
 - (n) To have direct input in the parole decision-making process, as provided by the rules promulgated under s. [304.06 \(1\) \(em\)](#).
 - (nn) To attend parole interviews or hearings and make statements as provided under s. [304.06 \(1\) \(eg\)](#).

- (nt) To attend a hearing on a petition for modification of a bifurcated sentence and provide a statement concerning modification of the bifurcated sentence, as provided under s. [302.113 \(9g\) \(d\)](#).
- (nx) To attend a hearing on a petition for modification of a term of probation under s. [973.09 \(3\) \(d\)](#) and provide a statement to the court concerning modification of the term of probation as provided under s. [973.09 \(3m\)](#).
- (o) To have information concerning the impact of a delinquent act on the victim included in a court report under s. [938.33](#) and to have the person preparing the court report attempt to contact the victim, as provided under s. [938.331](#).
- (p) To have the person preparing a presentence investigation under s. [972.15](#) make a reasonable attempt to contact the victim, as provided in s. [972.15 \(2m\)](#).
- (pm) To have the court provided with information pertaining to the economic, physical and psychological effect of the crime upon the victim and have the information considered by the court.
- (q) To restitution, as provided under ss. [938.245 \(2\) \(a\) 5.](#), [938.32 \(1t\)](#), [938.34 \(5\)](#), [938.345](#), [943.212](#), [943.23 \(6\)](#), [943.245](#), [943.51](#) and [973.20](#).
- (qm) To recompense as provided under s. [969.13 \(5\) \(a\)](#).
- (r) To a judgment for unpaid restitution, as provided under ss. [895.035 \(2m\)](#) and [973.09 \(3\) \(b\)](#).
- (rm) To compensation, as provided under subch. [1 of ch. 949](#).
- (s) To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence, subject to s. [968.205](#). If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis, property subject to preservation under s. [968.205](#), and property the ownership of which is disputed, shall be returned to the person within 10 days of being taken.
- (t) To receive information from law enforcement agencies, as provided under s. [950.08 \(2g\)](#).
- (u) To receive information from district attorneys, as provided under s. [950.08 \(2r\)](#).
- (um) To have district attorneys make a reasonable attempt to notify the victim under s. [971.17 \(4m\)](#) regarding conditional releases under s. [971.17](#).
- (v) To have the department of corrections make a reasonable attempt to notify the victim under s. [301.046 \(4\)](#) regarding community residential confinements, under s. [301.048 \(4m\)](#) regarding participation in the intensive sanctions program, under s. [301.38](#) regarding escapes from a Type 1 prison, under s. [301.46 \(3\)](#) regarding persons registered under s. [301.45](#), under s. [302.105](#) regarding release upon expiration of certain sentences, under s. [304.063](#) regarding extended supervision and parole releases, and under s. [938.51](#) regarding release or escape of a juvenile from correctional custody.
- (vm) To have the appropriate clerk of court send the victim a copy of an inmate's petition for extended supervision and notification of the hearing on that petition under s. [302.114 \(6\)](#).
- (w) To have the department of corrections make a reasonable attempt to notify the victim under s. [303.068 \(4m\)](#) regarding leave granted to qualified inmates under s. [303.068](#).
- (x) To have the department of health services make a reasonable attempt to notify the victim under s. [971.17 \(6m\)](#) regarding termination or discharge under s. [971.17](#) and under s. [51.37 \(10\)](#) regarding home visits under s. [51.37 \(10\)](#).
- (xm) To have the department of health services make a reasonable attempt to notify the victim under s. [980.11](#) regarding supervised release under s. [980.08](#) and discharge under s. [980.09 \(4\)](#).
- (y) To have reasonable attempts made to notify the victim concerning actions taken in a juvenile proceeding, as provided under ss. [938.24 \(5m\)](#), [938.25 \(2m\)](#), [938.312](#) and [938.346](#).
- (yd) To have the appropriate clerk of court make a reasonable attempt to send the victim a copy of a motion made under s. [974.07 \(2\)](#) for postconviction deoxyribonucleic acid testing of certain evidence and notification of any hearing on that motion, as provided under s. [974.07 \(4\)](#).
- (ym) To have the governor make a reasonable attempt to notify the victim of a pardon application, as provided under s. [304.09 \(2\)](#) and [\(3\)](#).
- (z) To make a written statement concerning pardon applications, as provided under s. [304.10 \(2\)](#).
- (zm) To request information from a district attorney concerning the disposition of a case involving a crime of which he or she was a victim, as provided under s. [971.095 \(6\)](#).
- (zx) To complain to the department of justice concerning the treatment of crime victims, as provided under s. [950.08 \(3\)](#), and to request review by the crime victims rights board of the complaint, as provided under s. [950.09 \(2\)](#).
- (2w) RIGHTS OF WITNESSES.** Witnesses of crimes have the following rights:
 - (a) To request information from the district attorney about the final disposition of the case.
 - (b) To be notified that a court proceeding to which they have been subpoenaed will not go on as scheduled, in order to save the person an unnecessary trip to court.
 - (c) To receive protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available.

- (d) To be informed of financial assistance and other social services available as a result of being a witness of a crime, including information on how to apply for the assistance and services.
- (dm) To not have his or her personal identifiers, as defined in s. [85.103 \(1\)](#) and including an electronic mail address, used or disclosed by a public official, employee, or agency for a purpose that is unrelated to the official responsibilities of the official, employee, or agency.
- (e) To be informed of the procedure to be followed in order to apply for and receive any witness fee to which they are entitled.
- (f) To be provided a waiting area under ss. [938.2965](#) and [967.10](#).
- (fm) To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis and property the ownership of which is disputed, shall be returned to the person within 10 days of being taken.
- (g) To be provided with appropriate intercession services to ensure that employers of witnesses will cooperate with the criminal justice process and the juvenile justice process in order to minimize an employee's loss of pay and other benefits resulting from court appearances.
- (h) To be entitled to a speedy disposition of the case in which they are involved as a witness in order to minimize the length of time they must endure the stress of their responsibilities in connection with the matter.

950.055 Child victims and witnesses; rights and services.

- (1) LEGISLATIVE INTENT. The legislature finds that it is necessary to provide child victims and witnesses with additional consideration and different treatment than that usually afforded to adults. The legislature intends, in this section, to provide these children with additional rights and protections during their involvement with the criminal justice or juvenile justice system. The legislature urges the news media to use restraint in revealing the identity of child victims or witnesses, especially in sensitive cases.
- (2) ADDITIONAL SERVICES. In addition to all rights afforded to victims and witnesses under s. [950.04](#) and services provided under s. [950.06 \(1m\)](#), counties are encouraged to provide the following additional services on behalf of children who are involved in criminal or delinquency proceedings as victims or witnesses:
 - (a) Explanations, in language understood by the child, of all legal proceedings in which the child will be involved.
 - (b) Advice to the judge, when appropriate and as a friend of the court, regarding the child's ability to understand proceedings and questions. The services may include providing assistance in determinations concerning the taking of depositions by audiovisual means under s. [908.08](#) or [967.04 \(7\)](#) and [\(8\)](#) and the duty to expedite proceedings under s. [971.105](#).
 - (c) Advice to the district attorney concerning the ability of a child witness to cooperate with the prosecution and the potential effects of the proceedings on the child.
 - (d) Information about and referrals to appropriate social services programs to assist the child and the child's family in coping with the emotional impact of the crime and the subsequent proceedings in which the child is involved.
- (3) PROGRAM RESPONSIBILITY. In each county, the county board is responsible for the provision of services under this section. A county may seek reimbursement for services provided under this section as part of its program plan submitted to the department under s. [950.06](#). To the extent possible, counties shall utilize volunteers and existing public resources for the provision of these services.

950.06 Reimbursement for services.

- (1m) To be eligible for reimbursement under this section for the provision of services to victims and witnesses, a county shall provide all of the following services to victims and witnesses:
 - (a) Court appearance notification services, including cancellation of appearances.
 - (b) Victim compensation and social services referrals, including witness fee collection, case-by-case referrals and public information.
 - (c) Escort and other transportation services related to the investigation or prosecution of the case, if necessary or advisable.
 - (d) Case progress notification services which may be combined with services under par. [\(a\)](#).
 - (dm) Assistance in providing the court with information pertaining to the economic, physical and psychological effect of the crime upon the victim of a felony.
 - (e) Employer intercession services.
 - (f) Expedited return of property services.
 - (g) Protection services.
 - (h) Family support services, including child and other dependent care services.

- (i) Waiting facilities.
- (2) The costs of providing services under sub. (1m) shall be paid for by the county, but the county is eligible to receive reimbursement from the state for not more than 90% of the costs incurred in providing those services. The department shall determine the level of services for which a county may be reimbursed. The county board shall file a claim for reimbursement with the department. The department shall reimburse counties under this subsection from the appropriation under s. [20.455 \(5\) \(k\)](#), [\(kk\)](#) and [\(kp\)](#) and, on a semiannual basis, from the appropriations under s. [20.455 \(5\) \(c\)](#) and [\(g\)](#).
- (3) The county board shall provide for the implementation of the county's plan under sub. (4). Two or more counties may submit a joint plan under sub. (4).
- (4) If the county seeks reimbursement under sub. (2), the county board shall submit a program plan to the department for its approval. The county is eligible for reimbursement under sub. (2) only if the department has approved the plan. The program plan shall describe the level of services to victims and witnesses that the county intends to provide; the personnel or agencies responsible for related administrative programs and individual services; proposed staffing for the program; proposed education, training and experience requirements for program staff and the staff of agencies providing related administrative programs and individual services; the county's budget for implementing the program and other information the department determines to be necessary for its review. The plan shall provide that the district attorney, local law enforcement agencies and the courts shall make available to the person or agency responsible for administering the program all reports or files, except reports or files which are required by statute to be kept confidential, if the reports or files are required by the person or agency to carry out program responsibilities. Each year, the county board shall submit a report to the department on the operation of the plan, including the provision of services under sub. (1m).
- (5) The department shall review and approve the implementation and operation of programs and the annual reports under this section. The department may suspend or terminate reimbursement under sub. (2) if the county fails to comply with its duties under this section. The department shall promulgate rules under ch. [227](#) for implementing and administering county programs approved under this section.

950.07 Intergovernmental cooperation. The county board, district attorney, local law enforcement agencies, local social service agencies, victim and witness offices and courts shall all cooperate with each other to ensure that victims and witnesses of crimes receive the rights and services to which they are entitled under this chapter.

950.08 Information and mediation services.

- (1) DUTIES OF DEPARTMENT; TOLL-FREE TELEPHONE NUMBER. The department shall maintain a toll-free telephone number to provide crime victims and witnesses with all of the following services:
 - (a) Information and referral to available services.
 - (b) Crisis counseling and emotional support.
 - (c) Assistance in securing resources and protection.
- (2) DUTIES OF DEPARTMENT; GENERAL INFORMATIONAL PROGRAM. The department shall provide an informational program to inform crime victims, the general public, criminal justice officials and related professionals about crime victim rights and services.
- (2g) INFORMATION TO BE PROVIDED BY LAW ENFORCEMENT AGENCIES. No later than 24 hours after a law enforcement agency has initial contact with a victim of a crime that the law enforcement agency is responsible for investigating, the law enforcement agency shall make a reasonable attempt to provide to the victim written information on all of the following:
 - (a) A list of the rights of victims under s. [950.04 \(1v\)](#).
 - (b) The availability of compensation under subch. [I of ch. 949](#) and the address and telephone number at which to contact the department for information concerning compensation under subch. [I of ch. 949](#).
 - (c) The address and telephone number of the intake worker, corporation counsel or district attorney whom the victim may contact to obtain information concerning the rights of victims and to request notice of court proceedings under ss. [938.27 \(4m\)](#) and [\(6\)](#), [938.273 \(2\)](#), [938.299 \(1\) \(am\)](#) and [938.335 \(3m\) \(b\)](#) or ss. [971.095 \(3\)](#) and [972.14 \(3\) \(b\)](#), whichever is applicable, and to request the opportunity to confer under ss. [938.245 \(1m\)](#), [938.265](#) or [938.32 \(1\) \(am\)](#) or s. [971.095 \(2\)](#), whichever is applicable.
 - (d) The address and telephone number of the custodial agency that the victim may contact to obtain information concerning the taking into custody or arrest of a suspect in connection with the crime of which he or she is a victim.
 - (e) The address and telephone number of the custodial agency that the victim may contact for information concerning release under s. [938.20](#) or [938.21](#) or ch. [969](#), whichever is appropriate, of a person arrested or taken into custody for the crime of which he or she is a victim.

- (f) Suggested procedures for the victim to follow if he or she is subject to threats or intimidation arising out of his or her cooperation with law enforcement and prosecution efforts relating to a crime of which he or she is a victim.
 - (g) The address and telephone number at which the victim may contact the department or any local agency that provides victim assistance in order to obtain further information about services available for victims, including medical services.
- (2r) INFORMATION TO BE PROVIDED BY A DISTRICT ATTORNEY IN CRIMINAL CASES. As soon as practicable, but in no event later than 10 days after the initial appearance under s. [970.01](#) or 24 hours before a preliminary examination under s. [970.03](#), whichever is earlier, of a person charged with a crime in a court of criminal jurisdiction, a district attorney shall make a reasonable attempt to provide to each victim of the crime written information on all of the following:
- (a) A brief statement of the procedure for prosecuting a crime.
 - (b) A list of the rights of victims under s. [950.04 \(1v\)](#) and information about how to exercise those rights.
 - (c) The person or agency to notify if the victim changes his or her address and wants to continue to receive notices and services under s. [950.04](#) or [971.095 \(3\)](#).
 - (d) The availability of compensation under subch. [I of ch. 949](#), including information concerning eligibility for compensation and the procedure for applying for compensation.
 - (e) The person to contact for further information about a case involving the prosecution of a crime of which he or she is a victim.
- (2s) INFORMATION CONCERNING JUVENILE CASES. Notification of a victim of an act committed by a juvenile concerning the rights of victims under ch. [938](#) shall be provided as specified in s. [938.346](#).
- (2w) INFORMATION TO BE PROVIDED BY DISTRICT ATTORNEYS TO SCHOOLS IN CRIMINAL CASES. If a criminal complaint is issued under s. [968.02](#) or if a petition for waiver is granted pursuant to s. [938.18](#), and the district attorney reasonably believes the person charged is a pupil enrolled in a school district, a private school, or a charter school established pursuant to 118.40 (2r), the district attorney shall make a reasonable attempt to notify the school board, private school governing body, or charter school governing body of the charges pending against the pupil. The district attorney shall also notify the school board, private school governing body, or charter school governing body of the final disposition of the charges.
- (3) DUTIES OF DEPARTMENT; MEDIATION. The department may receive complaints, seek to mediate complaints and, with the consent of the involved parties, actually mediate complaints regarding the treatment of crime victims and witnesses by public officials, employees or agencies or under crime victim and witness assistance programs. The department may act as a liaison between crime victims or witnesses and others when seeking to mediate these complaints and may request a written response regarding the complaint from the subject of a complaint. If asked by the department to provide a written response regarding a complaint, the subject of a complaint shall respond to the department's request within a reasonable time.

950.09 Crime victims rights board.

- (1) In this section, "board" means the crime victims rights board.
- (2) At the request of one of the involved parties, the board may review a complaint made to the department under s. [950.08 \(3\)](#) regarding a violation of the rights of a crime victim. A party may not request the board to review a complaint under this subsection until the department has completed its action on the complaint under s. [950.08 \(3\)](#). In reviewing a complaint under this subsection, the board may not begin any investigation or take any action specified in pars. [\(a\)](#) to [\(d\)](#) until the board first determines that there is probable cause to believe that the subject of the complaint violated the rights of a crime victim. Based on its review of a complaint under this subsection, the board may do any of the following:
 - (a) Issue private and public reprimands of public officials, employees or agencies that violate the rights of crime victims provided under this chapter, ch. [938](#) and article I, section 9m, of the Wisconsin constitution.
 - (b) Refer to the judicial commission a violation or alleged violation by a judge of the rights of crime victims provided under this chapter, ch. [938](#) and article I, section 9m, of the Wisconsin constitution.
 - (c) Seek appropriate equitable relief on behalf of a victim if such relief is necessary to protect the rights of the victim. The board may not seek to appeal, reverse or modify a judgment of conviction or a sentence in a criminal case.
 - (d) Bring civil actions to assess a forfeiture under s. [950.11](#). Notwithstanding s. [778.06](#), an action or proposed action authorized under this paragraph may be settled for such sum as may be agreed upon between the parties. In settling actions or proposed actions, the board shall treat comparable situations in a comparable manner and shall assure that any settlement bears a reasonable relationship to the severity

of the offense or alleged offense. Forfeiture actions brought by the board shall be brought in the circuit court for the county in which the violation is alleged to have occurred.

- (3) In addition to its powers under sub. (2), the board may issue reports and recommendations concerning the securing and provision of crime victims rights and services.
- (4) Actions of the board are not subject to approval or review by the attorney general.
- (5) The board shall promulgate rules establishing procedures for the exercise of its powers under this section.

950.095 Confidentiality of complaints.

(1)

- (a) The records of the department relating to a complaint made under s. [950.08 \(3\)](#) are confidential unless the subject of the complaint waives the right to confidentiality in writing to the department.
 - (am) Before a finding of probable cause under s. [950.09 \(2\)](#), a complaint referred to the crime victims rights board under s. [950.09 \(2\)](#) is confidential unless the subject of the complaint waives the right to confidentiality in writing to the crime victims rights board.
 - (b) If a complaint becomes known to the public before the completion of action by the department under s. [950.08 \(3\)](#) or a finding of probable cause by the crime victims rights board under s. [950.09 \(2\)](#), the department or the crime victims rights board, whichever is applicable, may issue statements in order to confirm that a complaint has been made or is being reviewed, to clarify the procedural aspects of actions taken under ss. [950.08 \(3\)](#) and [950.09 \(2\)](#), to explain the right of the subject of the complaint to respond to the complaint, to state that the subject of the complaint denies the allegations, if applicable, to state that action under ss. [950.08 \(3\)](#) and [950.09 \(2\)](#) has been completed and no basis for the complaint was found or to correct public misinformation.
- (1m) In investigating a complaint made under s. [950.08 \(3\)](#) or being reviewed under s. [950.09 \(2\)](#), the department or the crime victims rights board, whichever is applicable, shall do all of the following:
- (a) Act to avoid unnecessary embarrassment to and publicity for the subject of the complaint.
 - (b) Request any person contacted for information not to disclose that an investigation is being conducted or the nature of any inquiries made by the department or the crime victims rights board.
- (2) This section does not preclude the department or the crime victims rights board from doing any of the following:
- (a) Informing the person who made the complaint of the outcome of any action by the department or review by the crime victims rights board.
 - (b) Referring to the judicial commission information relating to alleged misconduct by or an alleged disability of a judge or court commissioner.
 - (c) Referring to an appropriate law enforcement authority information relating to possible criminal conduct or otherwise cooperating with a law enforcement authority in matters of mutual interest.
 - (d) Referring to an attorney disciplinary agency information relating to the possible misconduct or incapacity of an attorney or otherwise cooperating with an attorney disciplinary agency in matters of mutual interest.
 - (e) Disclosing to the chief justice or director of state courts information relating to matters affecting the administration of the courts.

950.10 Limitation on liability; grounds for appeal.

- (1) No cause of action for money damages may arise against the state, any political subdivision of the state or any employee or agent of the state or a political subdivision of the state for any act or omission in the performance of any power or duty under this chapter or under article I, section 9m, of the Wisconsin constitution or for any act or omission in the performance of any power or duty under ch. [938](#) relating to the rights of, services for or notices to victims.
- (2) A failure to provide a right, service or notice to a victim under this chapter or ch. [938](#) or under article I, section 9m, of the Wisconsin constitution is not a ground for an appeal of a judgment of conviction or sentence and is not grounds for any court to reverse or modify a judgment of conviction or sentence.

950.11 Penalties. A public official, employee or agency that intentionally fails to provide a right specified under s. [950.04 \(1v\)](#) to a victim of a crime may be subject to a forfeiture of not more than \$1,000.

Sexual Assault Prevention: You can take some simple precautions that may help prevent sexual assault:

- Understand that rape is not a sexual act but an act of violence.
- Consider your value system. Do you possess self-esteem, and do you respect the rights of others?
- Communicate clearly with the person who demonstrates interest in you. Interpreting friendliness as an invitation or assuming your friend feels the same way you do can lead to unwanted sexual contact.
- Explain sexual expectations to your partner. Sex without mutual agreement is rape.
- Listen to and respect the other person's words. No means no. Yes means yes.
- Do not believe the myth that rapists are strangers.
- Avoid isolated areas and be alert to your immediate surroundings. Notice people, lighting, and access to telephones and exits.
- Make sure you and others have a safe way home at the end of a work shift, class, or meeting, and avoid walking alone.
- Have your keys ready on the way to your vehicle, and once in the vehicle, lock the doors and do not stop for strangers.
- When you are at home, do not open your door to strangers and check identification of individuals who say they may be governmental officials, service people, or salespersons.
Be aware that alcohol and other drugs can distort your judgment and that of your date and other friends. Alcohol and drugs frequently contribute to sexual assault.
- Refuse verbally, clearly, and with determination, to participate in sexual activities which are against your will.
- Reinforce your refusal by using physical resistance.
- Report any suspicious person on campus to the appropriate authorities.

Consensual Relations: The University of Wisconsin Colleges considers an amorous, romantic or sexual consensual relationship, in which both parties appear to have consented but where there is a definite power differential between parties (such as between instructor and student or supervisor and employee), to not only fall within the category of "conflict of interest" situation, but also has the potential for additional serious consequences.

In the case of instructor and student, the respect and trust accorded the instructor in assigning grades, performing evaluations, and recommending the student for further study or future employment may diminish the student's ability to avoid a consensual amorous or sexual relationship. One of the things that can happen is a transition from a consensual relationship to a case of sexual harassment, based on the power differential between the instructor and the student.

The University of Wisconsin Colleges is committed to fostering the development of an environment based on professionally ethical behavior and free of discriminatory attitudes. Therefore, consenting amorous or sexual relationships between instructor and student or supervisor and employee are unacceptable.

Campus Sexual Assault Statistics: The following incidents were reported by each campus:

Campus	2009	2010	2011
Baraboo/Sauk	0	0	0
Barron	0	0	0
Fond du Lac	0	0	0
Fox Valley	0	0	0
Manitowoc	0	0	0
Marathon	0	2	5
Marinette	0	0	0
Marshfield/Wood	0	0	0
Richland	0	0	0
Rock	0	0	0
Sheboygan	0	1	0
Washington	0	1	0
Waukesha	0	0	0

University of Wisconsin Colleges and University of Wisconsin-Extension Unlawful Discrimination, Sexual Harassment, Protected Status Harassment, and Retaliation

Reason for this policy

The University of Wisconsin Colleges and the University of Wisconsin Extension (hereafter referred to as UWC & UWEX) share a vision of providing maximum access to the University of Wisconsin educational resources and research for the benefit of Wisconsin's residents. Acts of discrimination, harassment, and retaliation undermine that shared vision, as well as the missions of the individual institutions, by threatening the careers, educational experience, and/or well-being of faculty, staff, students, applicants for employment, program participants, volunteers, and members of the public.

Policy statement

Pursuant to the authority of the UW System Board of Regents Policy, Section 14, and state and federal civil rights and employment laws, UWC and UWEX prohibit members of the university community from engaging in any form of unlawful discrimination or harassment in employment, education, or participation in programs or activities. UWC & UWEX is fully committed to equal opportunity and affirmative action, and to being in compliance with all applicable federal and state laws, executive orders, policies, plans, rules and regulations. UWC and UWEX also prohibit any form of retaliation for engaging in a protected activity such as making a complaint of discrimination or harassment, taking part in an investigation related to unlawful activities or behavior, or performing mandatory reporting duties. Furthermore, UWEX & UWC will include provisions in all contracts that the contractor or subcontractor will comply with the non-discrimination provisions of University policies and federal and state laws as a condition of doing business with the University. UWC & UWEX prohibit discrimination on the following basis, as required by relevant UW System Board of Regents policy, executive orders, policies, plans, rules and regulations, and state and federal law:

Employment:

Age, ancestry, arrest record, color, conviction record, creed, disability, ethnicity, gender identity, gender expression, marital status, genetic testing, honesty testing, military obligations (including membership in the national guard; state defense force or any other reserve component of the military forces of the United States or the state of Wisconsin), national origin, pregnancy (including childbirth or related conditions), race, religion, retaliation for making a complaint of discrimination or taking part in an investigation relating to discrimination, sex, sexual orientation, or use or nonuse of lawful products off the employer's premises during nonworking hours.

University Programs and Activities:

Age, color, disability, national origin, race, retaliation for opposing discrimination making a complaint of discrimination, taking part in investigations of discrimination, or sex.

Students:

Age, ancestry, color, creed, disability, ethnicity, marital or parental status, national origin, pregnancy race, religion, retaliation for making a complaint of discrimination, taking part in an investigation relating to discrimination, sex, or sexual orientation.

Who can file a complaint of unlawful discrimination, harassment, or retaliation?

Any member of the university community including faculty, staff (all appointment types), students, program participants, applicants for employment or educational programs, volunteers, and members of the public may file a complaint under this policy.

Reporting a concern or filing a complaint

In order to successfully prevent, address and /or remedy discrimination and harassment in all its forms, and protect the educational and working environments of the university community, the university community must take an active role in reporting actual or perceived discrimination, harassment or retaliation. Please visit the Office of Inclusion website for the most current version of complaint procedures related to this policy. University administrators, faculty, department chairs, and supervisors¹ are considered designated officials for the purpose of this policy, and are responsible for accepting any informal complaint or concern of behavior or conduct that may violate or lead to a violation of this policy, take prompt action to address the behavior or conduct, remediate any effects that arise, and keep detailed notes of the concern and all actions taken. Any member of the university community may also contact the Office of Inclusion with questions or concerns. If an individual wishes to file a formal complaint, the complaint must be filed with the Office of Inclusion within 300 days of the alleged act of discrimination, harassment, or retaliation. This timeframe will only be extended in unusual circumstances by the investigator, primarily when personal or family illness prevented an individual from filing in a timely manner, or when the complainant could not reasonably have known that he or she was being discriminated against within the 300 days.

NOTE! The timeframes for filing under state or federal law may differ. Filing a complaint with the Office of Inclusion does not extend the timeframe for filing with external agencies.

Coordination of Response

If a complaint or grievance is filed by a complainant under multiple campus policies and involves the same or similar issues, the institution may process the complaint in accordance with the most applicable policy and procedure to assure a prompt review, investigation, determination and remedy, if applicable, of the of issues raised in an efficient and effective manner. The University will assure that all applicable procedural and substantive rights are provided to the complainant and respondent(s) in a reasonable and fair manner.

1 For the purpose of this policy, an individual qualifies as a "supervisor" if the individual has the authority to recommend tangible employment decisions affecting the employee or if the individual has the authority to direct the employee's daily work activities, even if that individual does not have an official supervisory title (i.e., department chairs, unit leads who direct the work of student employees, volunteer coordinators, etc.)

Appeal Process

The complainant or respondent may appeal the outcome of complaint filed under this policy within 10 business days to the applicable Provost Office. If the appeal is rejected, you will be notified of the decision in writing in a timely manner (ideally within 10 business days). If the appeal is accepted, any new evidence and/or previously presented documents will be reviewed and a decision will be rendered in writing in a timely manner (ideally within 45 days). If additional information is needed, you will receive a request for the information in writing. Failure to provide the information requested within 10 business days may be grounds for dismissing the appeal. Any party disciplined as an outcome of the complaint or review process may resort to regular grievance procedures afforded by applicable personnel or governance policies. Discipline is not appealable through this process. The decision of the Provost or his/her designee is final.

Contact information

If you have questions about anything contained in this document, if you would like to file a complaint, or if you need a copy of this policy in an alternative format as an accommodation for a disability, please contact the Office of Inclusion at: UW Colleges & UW-Extension Office of Inclusion 432 N. Lake St., Room 501 Madison, WI 53706 608-262-0277 7-1-1 Wisconsin Relay inclusion@uwex.uwc.edu <http://inclusion.uwex.uwc.edu>

Policy updated and approved March, 2013 by Raymond Cross, Chancellor, UW Colleges and UW-Extension

Alcohol and Other Drug Information

Health Effects of Alcohol and Other Drug Use: The abuse of alcohol and the use of other drugs are 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 can disturb their academic interests. The use of alcohol or 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 interest of the student, employee and the university.

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%. Prolonged abuse of alcohol can lead to alcoholism, malnutrition and cirrhosis.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse.

Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

Controlled Substances Act: The Controlled Substances Act (CSA) places all substances which were in some manner regulated under existing federal law into one of five schedules. The placement is based upon the substance's medical use, potential for abuse, and safety or dependency liability. The Act also provides a mechanism for substances to be controlled (added to or transferred between schedules) or decontrolled (removed from control). The procedure for these actions is found in Section 201 of the Act (21 U.S.C. § 811).

- **Schedule I:** (1) The drug or other substance has a high potential for abuse; (2) The drug or other substance has no currently accepted medical use in treatment in the United States; (3) There is a lack of accepted safety for use of the drug or other substance under medical supervision; (4) Examples of Schedule I substances include heroin, gamma hydroxybutyric acid (GHB), lysergic acid diethylamide (LSD), marijuana, and methaqualone.
- **Schedule II:** (1) The drug or other substance has a high potential for abuse; (2) The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions; (3) Abuse of the drug or other substance may lead to severe psychological or physical dependence; (4) Examples of Schedule II substances include morphine, phencyclidine (PCP), cocaine, methadone, hydrocodone, fentanyl, and methamphetamine.
- **Schedule III:** (1) The drug or other substance has less potential for abuse than the drugs or other substances in Schedules I and II; (2) The drug or other substance has a currently accepted medical use in treatment in the United States; (3) Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence; (4) Anabolic steroids, codeine and hydrocodone products with aspirin or Tylenol®, and some barbiturates are examples of Schedule III substances.
- **Schedule IV:** (1) The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule III; (2) The drug or other substance has a currently accepted medical use in treatment in the United States; (3) Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III; (4) Examples of drugs included in Schedule IV are alprazolam, clonazepam, and diazepam.
- **Schedule V:** (1) The drug or other substance has a low potential for abuse relative to the drugs or other substances in Schedule IV; (2) The drug or other substance has a currently accepted medical use in treatment in the United States; (3) Abuse of the drug or other substances may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule IV; (4) Cough medicines with codeine are examples of Schedule V drugs.

Controlled Substance Analogues: A new class of substances was created by the Anti-Drug Abuse Act of 1986. Controlled substance analogues are substances that are not controlled substances, but may be found in illicit trafficking. They are structurally or pharmacologically similar to Schedule I or II controlled substances and have no legitimate medical use. A substance that meets the definition of a controlled substance analogue and is intended for human consumption is treated under the CSA as if it were a controlled substance in Schedule I. (21 U.S.C. § 802(32), 21 U.S.C. § 813)

User Accountability/Personal Use Penalties: On November 19, 1988, Congress passed the Anti-Drug Abuse Act of 1988, P. L. 100-690. Two sections of this Act represent the U.S. Government's attempt to reduce drug abuse by dealing not just with the person who sells the illegal drug, but also with the person who buys it. The first new section is titled "User Accountability," and is codified at 21 U.S.C. § 862 and various sections of Title 42, U.S.C. The second involves "personal use amounts" of illegal drugs, and is codified at 21 U.S.C. § 844a.

- **User Accountability:** The purpose of User Accountability is to not only make the public aware of the Federal Government's position on drug abuse, but to describe new programs intended to decrease drug abuse by holding drug abusers personally responsible for their illegal activities, and imposing civil penalties on those who violate drug laws. It is important to remember that these penalties are in addition to the criminal penalties drug abusers are already given, and do not replace those criminal penalties.

- **Personal Use Amounts:** This section of the 1988 Act allows the government to punish minor drug offenders without giving the offender a criminal record if the offender is in possession of only a small amount of drugs. This law is designed to impact the “user” of illicit drugs, while simultaneously saving the government the costs of a full-blown criminal investigation. Under this section, the government has the option of imposing only a civil fine on individuals possessing only a small quantity of an illegal drug. Possession of this small quantity, identified as a “personal use amount,” carries a civil fine of up to \$10,000.

In determining the amount of the fine in a particular case, the drug offender’s income and assets will be considered. This is accomplished through an administrative proceeding rather than a criminal trial, thus reducing the exposure of the offender to the entire criminal justice system, and reducing the costs to the offender and the government.

The value of this section is that it allows the government to punish a minor drug offender, gives the drug offender the opportunity to fully redeem himself or herself, and have all public record of the proceeding destroyed. If this was the drug offender’s first offense, and the offender has paid all fines, can pass a drug test, and has not been convicted of a crime after three years, the offender can request that all proceedings be dismissed. If the proceeding is dismissed, the drug offender can lawfully say he or she had never been prosecuted, either criminally or civilly, for a drug offense.

Congress has imposed two limitations on this section’s use. It may not be used if (1) the drug offender has been previously convicted of a Federal or state drug offense; or (2) the offender has already been fined twice under this section.

Introduction to Drug Classes: The Controlled Substances Act (CSA) regulates 5 classes of drugs. Although marijuana is classified in the CSA as a hallucinogen, a separate section is dedicated to that topic.

Narcotics: Also known as “opioids,” the term “narcotic” comes from the Greek word for “stupor” and originally referred to a variety of substances that dulled the senses and relieved pain. Though some people still refer to all drugs as “narcotics,” today “narcotic” refers to opium, opium derivatives, and their semi-synthetic substitutes. A more current term for these drugs, with less uncertainty regarding its meaning, is “opioid.” Examples include the illicit drug heroin and pharmaceutical drugs like OxyContin®, Vicodin®, codeine, morphine, methadone, and fentanyl.

- **Street Names:** Smack, Horse, Mud, Brown Sugar, Junk, Black Tat, Big H, Paregoric, Dover’s Powder, MPTP (New Heroin), Hilbilly Heroin, Lean or Purple Drank, OC, Ox, Oxy, Oxycotton, Sippin Syrup.
- **What do they look like?** Tablets, capsules, skin patches, powder, chunks in varying colors (from white to shades of brown and black), liquid form for oral use and injection, syrups, suppositories, and lollipops.
- **How are they abused?** Narcotics/opioids can be swallowed, smoked, sniffed, or injected.
- **What is their effect on the mind?** Narcotic/opioid use comes with a variety of unwanted effects including drowsiness, inability to concentrate, and apathy.
- **What is their effect on the body?** Negative effects include slowed physical activity, constriction of the pupils, flushing of the face and neck, constipation, nausea, vomiting, and slowed breathing. Physical dependence is a consequence of chronic opioid use.
- **What are their overdose effects?** Overdoses of narcotics are not uncommon and can be fatal. Physical signs of narcotics/opioid overdose include: constricted (pinpoint) pupils, cold clammy skin, confusion, convulsions, extreme drowsiness, and slowed breathing.
- **Which drugs cause similar effects?** With the exception of pain relief and cough suppression, most central nervous system depressants (like barbiturates, benzodiazepines, and alcohol) have similar effects, including slowed breathing, tolerance, and dependence.
- **What is their legal status in the United States?** Narcotics/opioids are controlled substances that vary from Schedule I to Schedule V, depending on their medical usefulness, abuse potential, safety, and drug dependence profile. Schedule I narcotics, like heroin, have no medical use in the U.S. and are illegal to distribute, purchase, or use outside of medical research.

Stimulants: Stimulants speed up the body's systems. This class of drugs includes: Prescription drugs such as amphetamines (Adderall® and Dexedrine®), methylphenidate (Concerta® and Ritalin®), diet aids (such as Didrex®, Bontril®, Preludin®, Fastin®, Adipex P®, Ionomin®, and Meridia®) and illicitly produced drugs such as methamphetamine, cocaine, and methcathinone. Stimulants are diverted from legitimate channels and clandestinely manufactured exclusively for the illicit market.

- **Street Names:** Bennies, Black Beauties, Cat, Coke, Crank, Crystal, Flake, Ice, Pellets, R-Ball, Skippy, Snow, Speed, Uppers, and Vitamin R.
- **What do they look like?** Pills, powder, rocks, and injectable liquids.
- **How are they abused?** Stimulants can be pills or capsules that are swallowed. Smoking, snorting, or injecting stimulants produces a sudden sensation known as a “rush” or a “flash.” Abuse is often associated with a pattern of binge use — sporadically consuming large doses of stimulants over a short period of time. Heavy users may inject themselves every few hours, continuing until they have depleted their drug supply or reached a point of delirium, psychosis, and physical exhaustion. During heavy use, all other interests become secondary to recreating the initial euphoric rush.
- **What is their effect on the mind?** When used as drugs of abuse and not under a doctor's supervision, stimulants are frequently taken to produce a sense of exhilaration, enhance self-esteem, improve mental and physical performance, increase activity, reduce appetite, extend wakefulness for a prolonged period, and “get high”. Chronic, high-dose use is frequently associated with agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia, sometimes accompanied by both auditory and visual hallucinations, may also occur. Tolerance, in which more and more drug is needed to produce the usual effects, can develop rapidly, and psychological dependence occurs. In fact, the strongest psychological dependence observed occurs with the more potent stimulants, such as amphetamine, methylphenidate, methamphetamine, cocaine and methcathinone. Abrupt cessation is commonly followed by depression, anxiety, drug craving, and extreme fatigue, known as a “crash.”
- **What is their effect on the body?** Stimulants are sometimes referred to as uppers and reverse the effects of fatigue on both mental and physical tasks. Therapeutic levels of stimulants can produce exhilaration, extended wakefulness, and loss of appetite. These effects are greatly intensified when large doses of stimulants are taken. Taking too large a dose at one time or taking large doses over an extended period of time may cause dizziness, tremors, headache, flushed skin, chest pain with palpitations, excessive sweating, vomiting, and abdominal cramps.
- **What are their overdose effects?** In overdose, unless there is medical intervention, high fever, convulsions, and cardiovascular collapse may precede death. Because accidental death is partially due to the effects of stimulants on the body's cardiovascular and temperature-regulating systems, physical exertion increases the hazards of stimulant use.
- **Which drugs cause similar effects?** Some hallucinogenic substances, such as Ecstasy, have a stimulant component to their activity.
- **What is their legal status in the United States?** Many stimulants have a legitimate medical use for the treatment of conditions such as obesity, narcolepsy, and attention deficit and hyperactivity disorder. Such stimulants vary in their level of control from Schedules II to IV, depending on their potential for abuse and dependence. A number of stimulants have no medical use in the United States but have a high potential for abuse. These stimulants are controlled in Schedule I. Some prescription stimulants are not controlled, and some stimulants like tobacco and caffeine don't require a prescription, though society's recognition of their adverse effects has resulted in a proliferation of caffeine-free products and efforts to discourage cigarette smoking. Stimulant chemicals in over-the-counter products, such as ephedrine and pseudoephedrine can be found in allergy and cold medicine. As required by The Combat Methamphetamine Epidemic Act of 2005, a retail outlet must store these products out of reach of customers, either behind the counter or in a locked cabinet. Regulated sellers are required to maintain a written or electronic form of a logbook to record sales of these products. In order to purchase these products, customers must now show a photo identification issued by a state or federal government. They are also required to write or enter into the logbook: their name, signature, address, date, and time of sale. In addition to the above, there are daily and monthly sales limits set for customers.

Depressants: Depressants will put you to sleep, relieve anxiety and muscle spasms, and prevent seizures. Barbiturates are older drugs and include butalbital (Fiorina®), phenobarbital, Pentothal®, Seconal® and Nembutal®. You can rapidly develop dependence on and tolerance to barbiturates, meaning you need more and more of them to feel and function normally. This makes them unsafe, increasing the likelihood of coma or death. Benzodiazepines were developed to replace barbiturates, though they still share many of the undesirable side effects. Some examples are Valium®, Xanax®, Halcion®, Ativan®, Klonopin® and Restoril®. Rohypnol® is a benzodiazepine that is not manufactured or legally marketed in the United States, but it is used illegally. Ambien® and Sonata® are sedative-hypnotic medications approved for the short-term treatment of insomnia that share many of the properties of benzodiazepines. Other CNS depressants include meprobamate, methaqualone (Quaalude®), and the illicit drug GHB. Generally, legitimate pharmaceutical products are diverted to the illicit market.

- **Street Names:** Barbs, Benzos, Downers, Georgia Home Boy, GHB, Grievous Bodily Harm, Liquid X, Nerve Pills, Phennies, R2, Reds, Roofies, Rophies, Tranks, and Yellows.
- **What do they look like?** Depressants come in the form of pills, syrups, and injectable liquids.
- **How are they abused?** Individuals abuse depressants to experience euphoria. Depressants are also used with other drugs to add to the other drugs' high or to deal with their side effects. Abusers take higher doses than people taking the drugs under a doctor's supervision for therapeutic purposes. Depressants like GHB and Rohypnol® are also misused to facilitate sexual assault.
- **What is their effect on the mind?** Depressants used therapeutically do what they are prescribed for: to put you to sleep, relieve anxiety and muscle spasms, and prevent seizures. They also: cause amnesia, leaving no memory of events that occur while under the influence, reduce your reaction time, impair mental functioning and judgment, and cause confusion. Long-term use of depressants produces psychological dependence and tolerance.
- **What is their effect on the body?** Some depressants can relax the muscles. Unwanted physical effects include: slurred speech, loss of motor coordination, weakness, headache, lightheadedness, blurred vision, dizziness, nausea, vomiting, low blood pressure, and slowed breathing. Prolonged use of depressants can lead to physical dependence even at doses recommended for medical treatment. Unlike barbiturates, large doses of benzodiazepines are rarely fatal unless combined with other drugs or alcohol. But unlike the withdrawal syndrome seen with most other drugs of abuse, withdrawal from depressants can be life threatening.
- **What are the overdose effects?** High doses of depressants or use of them with alcohol or other drugs can slow heart rate and breathing enough to cause death.
- **Which drugs cause similar effects?** Some antipsychotics, antihistamines, and antidepressants produce sedative effects. Alcohol's effects are similar to those of depressants.
- **What is their legal status in the United States?** Most depressants are controlled substances that range from Schedule I to Schedule IV under the Controlled Substances Act, depending on their risk for abuse and whether they currently have an accepted medical use. Many of the depressants have FDA-approved medical uses. Rohypnol® is not manufactured or legally marketed in the United States.

Hallucinogens: Hallucinogens are found in plants and fungi or are synthetically produced and are among the oldest known group of drugs used for their ability to alter human perception and mood. Hallucinogens can be synthetically produced in illicit laboratories or are found in plants.

- **Street Names:** Acid, Blotter, Blotter Acid, Cubes, Doses, Fry, Mind Candy, Mushrooms, Shrooms, Special K, STP, X, and XTC.
- **What do they look like?** Hallucinogens come in a variety of forms. MDMA or ecstasy tablets are sold in many colors with a variety of logos to attract young abusers. LSD is sold in the form of impregnated paper (blotter acid), typically imprinted with colorful graphic designs.
- **How are they abused?** The most commonly abused hallucinogens are hallucinogenic mushrooms, LSD, and MDMA or ecstasy. Hallucinogens are typically taken orally or can be smoked.

- **What is their effect on the mind?** Sensory effects include perceptual distortions that vary with dose, setting, and mood. Psychic effects include distortions of thought associated with time and space. Time may appear to stand still, and forms and colors seem to change and take on new significance. Weeks or even months after some hallucinogens have been taken, the user may experience flashbacks — fragmentary recurrences of certain aspects of the drug experience in the absence of actually taking the drug. The occurrence of a flashback is unpredictable, but is more likely to occur during times of stress and seems to occur more frequently in younger individuals. With time, these episodes diminish and become less intense.
- **What is their effect on the body?** Physiological effects include elevated heart rate, increased blood pressure, and dilated pupils.
- **What are the overdose effects?** Deaths exclusively from acute overdose of LSD, magic mushrooms, and mescaline are extremely rare. Deaths generally occur due to suicide, accidents, and dangerous behavior, or due to the person inadvertently eating poisonous plant material. A severe overdose of PCP and ketamine can result in respiratory depression, coma, convulsions, seizures, and death due to respiratory arrest.
- **What is their legal status in the United States?** Many hallucinogens are Schedule I under the Controlled Substances Act, meaning that they have a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision.

Marijuana/Cannabis: Marijuana is a mind-altering (psychoactive) drug, produced by the Cannabis sativa plant. Marijuana contains over 480 constituents. THC (delta-9-tetrahydrocannabinol) is believed to be the main ingredient that produces the psychoactive effect. Marijuana is grown in the United States, Canada, Mexico, South America, and Asia. It can be cultivated in both outdoor and indoor setting.

- **Street Names:** Aunt Mary, BC Bud, Blunts, Boom, Chronic, Dope, Gangster, Ganja, Grass, Hash, Herb, Hydro, Indo, Joint, Kif, Mary Jane, Mota, Pot, Reefer, Sinsemilla, Skunk, Smoke, Weed, and Yerba.
- **What does it look like?** Marijuana is a dry, shredded green/brown mix of flowers, stems, seeds, and leaves from the Cannabis sativa plant. The mixture typically is green, brown, or gray in color and may resemble tobacco.
- **How is it abused?** Marijuana is usually smoked as a cigarette (called a joint) or in a pipe or bong. It is also smoked in blunts, which are cigars that have been emptied of tobacco and refilled with marijuana, sometimes in combination with another drug. Marijuana is also mixed with foods or brewed as a tea.
- **What is its effect on the mind?** When marijuana is smoked, the THC passes from the lungs and into the bloodstream, which carries the chemical to the organs throughout the body, including the brain. In the brain, the THC connects to specific sites called cannabinoid receptors on nerve cells and influences the activity of those cells. Many of these receptors are found in the parts of the brain that influence pleasure, memory, thought, concentration, sensory and time perception, and coordinated movement. The short-term effects of marijuana include: problems with memory and learning, distorted perception, difficulty in thinking and problem-solving, and loss of coordination. The effect of marijuana on perception and coordination are responsible for serious impairments in learning, associative processes, and psychomotor behavior (driving abilities). Long term, regular use can lead to physical dependence and withdrawal following discontinuation, as well as psychic addiction or dependence. Clinical studies show that the physiological, psychological, and behavioral effects of marijuana vary among individuals and present a list of common responses to cannabinoids, as described in the scientific literature: dizziness, nausea, tachycardia, facial flushing, dry mouth and tremor initially; merriment, happiness, and even exhilaration at high doses; disinhibition, relaxation, increased sociability, and talkativeness; enhanced sensory perception, giving rise to increased appreciation of music, art, and touch; heightened imagination leading to a subjective sense of increased creativity; time distortions; illusions, delusions, and hallucinations are rare except at high doses; impaired judgment, reduced coordination, and ataxia, which can impede driving ability or lead to an increase in risk-taking behavior; emotional lability, incongruity of affect, dysphoria, disorganized thinking, inability to converse logically, agitation, paranoia, confusion, restlessness, anxiety, drowsiness, and panic attacks may occur, especially in inexperienced users or in those who have taken a large dose; increased appetite and short-term memory impairment are common. Researchers have also found an association between marijuana use and an increased risk of depression, an increased risk and earlier onset of schizophrenia, and other psychotic disorders, especially for teens that have a genetic predisposition.

- **What is its effect on the body?** Short-term physical effects from marijuana use may include: sedation, blood-shot eyes, increased heart rate, coughing from lung irritation, increased appetite, and decreased blood pressure. Like tobacco smokers, marijuana smokers experience serious health problems such as bronchitis, emphysema, and bronchial asthma. Extended use may cause suppression of the immune system. Because marijuana contains toxins and carcinogens, marijuana smokers increase their risk of cancer of the head, neck, lungs, and respiratory tract. Withdrawal from chronic use of high doses of marijuana causes physical signs including headache, shakiness, sweating, and stomach pains and nausea. Withdrawal symptoms also include behavioral signs such as: restlessness, irritability, sleep difficulties, and decreased appetite.
- **What are its overdose effects?** No death from overdose of marijuana has been reported.
- **Which drugs cause similar effects?** Hashish and hashish oil are drugs made from the cannabis plant that are like marijuana, only stronger. **Hashish** (hash) consists of the THC-rich resinous material of the cannabis plant, which is collected, dried, and then compressed into a variety of forms, such as balls, cakes, or cookie like sheets. Pieces are then broken off, placed in pipes or mixed with tobacco and placed in pipes or cigarettes, or smoked. The main sources of hashish are the Middle East, North Africa, Pakistan, and Afghanistan. **Hashish Oil** (hash oil, liquid hash, cannabis oil) is produced by extracting the cannabinoids from the plant material with a solvent. The color and odor of the extract will vary, depending on the solvent used. A drop or two of this liquid on a cigarette is equal to a single marijuana joint. Like marijuana, hashish and hashish oil are both Schedule I drugs.
- **What is its legal status in the United States?** Marijuana is a Schedule I substance under the Controlled Substances Act, meaning that it has a high potential for abuse, no currently accepted medical use in treatment in the United States, and a lack of accepted safety for use under medical supervision. Marinol, a synthetic version of THC, the active ingredient found in the marijuana plant, can be prescribed for the control of nausea and vomiting caused by chemotherapeutic agents used in the treatment of cancer and to stimulate appetite in AIDS patients. Marinol is a Schedule III substance under the Controlled Substances Act.

Anabolic Steroids: Anabolic steroids are synthetically produced variants of the naturally occurring male hormone testosterone that are abused in an attempt to promote muscle growth, enhance athletic or other physical performance, and improve physical appearance. Testosterone, nandrolone, stanozolol, methandienone, and boldenone are some of the most frequently abused. Most illicit steroids are smuggled into the U.S. from abroad. Steroids are also illegally diverted from legitimate sources (theft or inappropriate prescribing). The Internet is the most widely used means of buying and selling anabolic steroids. Steroids are also bought and sold at gyms, bodybuilding competitions, and schools from teammates, coaches, and trainers.

- **Street Names:** Arnolds, Juice, Pumpers, Roids, Stackers, and Weight Gainers.
- **What do they look like?** Tablets and capsules, sublingual-tablets, liquid drops, gels, creams, transdermal patches, subdermal implant pellets, and water-based and oil-based injectable solutions. The appearance of these products varies depending on the type and manufacture.
- **How are they abused?** Steroids are ingested orally, injected intramuscularly, or applied to the skin. The doses abused are often 10 to 100 times higher than the approved therapeutic and medical treatment dosages. Users typically take two or more anabolic steroids at the same time in a cyclic manner, believing that this will improve their effectiveness and minimize the adverse effects.
- **What is their effect on the mind?** Case studies and scientific research indicate that high doses of anabolic steroids may cause mood and behavioral effects. In some individuals, steroid use can cause dramatic mood swings, increased feelings of hostility, impaired judgment, and increased levels of aggression (often referred to as “roid rage”). When users stop taking steroids, they may experience depression that may be severe enough to lead one to commit suicide. Anabolic steroid use may also cause psychological dependence and addiction.
- **What is their effect on the body?** A wide range of adverse effects is associated with the use or abuse of anabolic steroids. These effects depend on several factors including age, sex, the anabolic steroid used, amount used, and duration of use. In adolescents, anabolic steroid use can stunt the ultimate height that an individual achieves. In boys, steroid use can cause early sexual development, acne, and stunted growth. In adolescent girls and women, anabolic steroid use can induce permanent physical changes, such as deepening of the voice, increased facial and body hair growth, menstrual irregularities, male pattern baldness, and lengthening of the

clitoris. In men, anabolic steroid use can cause shrinkage of the testicles, reduced sperm count, enlargement of the male breast tissue, sterility, and an increased risk of prostate cancer. In both men and women, anabolic steroid use can cause high cholesterol levels, which may increase the risk of coronary artery disease, strokes, and heart attacks. Anabolic steroid use can also cause acne and fluid retention. Oral preparations of anabolic steroids, in particular, can damage the liver. Abusers who inject steroids run the risk of contracting various infections due to non-sterile injection techniques, sharing of contaminated needles, and the use of steroid preparations manufactured in non-sterile environments. All these factors put users at risk for contracting viral infections such as HIV/AIDS or hepatitis B or C, and bacterial infections at the sight of injection. Abusers may also develop endocarditis, a bacterial infection that causes a potentially fatal inflammation of the heart lining.

- **What are their overdose effects?** Anabolic steroids are not associated with overdoses. The adverse effects a user would experience develop from the use of steroids over time.
- **Which drugs cause similar effects?** There are several substances that produce effects similar to those of anabolic steroids. These include human growth hormone (hHG), clenbuterol, gonadotropins, and erythropoietin.
- **What is their legal status in the United States?** Anabolic steroids are Schedule III substances under the Controlled Substances Act. Only a small number of anabolic steroids are approved for either human or veterinary use. Steroids may be prescribed by a licensed physician for the treatment of testosterone deficiency, delayed puberty, low red blood cell count, breast cancer, and tissue wasting resulting from AIDS.

INHALANTS: Inhalants are invisible, volatile substances found in common household products that produce chemical vapors that are inhaled to induce psychoactive or mind altering effects. There are more than 1,000 products that are very dangerous when inhaled — things like typewriter correction fluid, air conditioning refrigerant, felt tip markers, spray paint, air freshener, butane, and even cooking spray. See products abused as inhalants at www.inhalants.org/product.htm (National Inhalant Prevention Coalition).

- **Street Names:** Gluey, Huff, Rush, and Whippets.
- **What do they look like?** Common household products such as glue, lighter fluid, cleaning fluids, and paint all produce chemical vapors that can be inhaled.
- **How are they abused?** Although other abused substances can be inhaled, the term “inhalants” is used to describe a variety of substances whose main common characteristic is that they are rarely, if ever, taken by any route other than inhalation. Inhalants are breathed in through the nose or the mouth in a variety of ways, such as “sniffing” or “snorting”, “bagging” (sniffing or inhaling fumes from substances sprayed or deposited inside a plastic or paper bag), “huffing” from an inhalant-soaked rag stuffed in the mouth, or inhaling from balloons filled with nitrous oxide.
- **What is their effect on the mind?** Inhalant abuse can cause damage to the parts of the brain that control thinking, moving, seeing, and hearing. Cognitive abnormalities can range from mild impairment to severe dementia.
- **What is their effect on the body?** Inhaled chemicals are rapidly absorbed through the lungs into the bloodstream and quickly distributed to the brain and other organs. Nearly all inhalants produce effects similar to anesthetics, which slow down the body’s function. Depending on the degree of abuse, the user can experience slight stimulation, feeling of less inhibition or loss of consciousness. Within minutes of inhalation, the user experiences intoxication along with other effects similar to those produced by alcohol. These effects may include slurred speech, an inability to coordinate movements, euphoria, and dizziness. After heavy use of inhalants, abusers may feel drowsy for several hours and experience a lingering headache. Additional symptoms exhibited by long-term inhalant abusers include weight loss, muscle weakness, disorientation, inattentiveness, lack of coordination, irritability, depression, and damage to the nervous system and other organs. Some of the damaging effects to the body may be at least partially reversible when inhalant abuse is stopped; however, many of the effects from prolonged abuse are irreversible. Prolonged sniffing of the highly concentrated chemicals in solvents or aerosol sprays can induce irregular and rapid heart rhythms and lead to heart failure and death within minutes. There is a common link between inhalant use and problems in school, such as failing grades, chronic absences, and general apathy. Other signs include paint or stains on body or

clothing; spots or sores around the mouth; red or runny eyes or nose; chemical breath odor; drunk, dazed, or dizzy appearance; nausea; loss of appetite; anxiety; excitability; and irritability.

- **What are their overdose effects?** Because intoxication lasts only a few minutes, abusers try to prolong the high by continuing to inhale repeatedly over the course of several hours, which is a very dangerous practice. With successive inhalations, abusers may suffer loss of consciousness and/or death. “Sudden sniffing death” can result from a single session of inhalant use by an otherwise healthy young person. Sudden sniffing death is particularly associated with the abuse of butane, propane, and chemicals in aerosols. Inhalant abuse can also cause death by asphyxiation from repeated inhalations, which lead to high concentrations of inhaled fumes displacing the available oxygen in the lungs, suffocation by blocking air from entering the lungs when inhaling fumes from a plastic bag placed over the head, and choking from swallowing vomit after inhaling substances.
- **Which drugs cause similar effects?** Most inhalants produce a rapid high that is similar to the effects of alcohol intoxication.

DRUGS OF CONCERN: Even though some substances are not currently controlled by the Controlled Substances Act, they pose risks to individuals who abuse them. The following are some drugs of concern: Bath Salts or Designer Cathinones (Synthetic Stimulants), DXM, Salvia Divinorum. For more information on these drugs of concern and more detailed information on the above, please see: “Drugs of Abuse”, 2011 Edition, A DEA Resource Guide at: http://www.justice.gov/dea/pr/multimedia-library/publications/drug_of_abuse.pdf

Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500-4999 gms mixture	First Offense: Not less than 5 yrs and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	First Offense: Not less than 10 yrs and not more than life. If death or serious injury, not less than 20 yrs or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment.
Cocaine Base (Schedule II)	28-279 gms mixture		280 gms or more mixture	
Fentanyl (Schedule II)	40-399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10-99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100-999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1-9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5-49 gms pure or 50-499 gms mixture		50 gms or more pure or 500 gms or more mixture	
PCP (Schedule II)	10-99 gms pure or 100-999 gms mixture		100 gm or more pure or 1 kg or more mixture	
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxy-butyric Acid)	Any amount	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious injury, not more than 15 yrs. Fine \$2 million if an individual, \$10 million if not an individual.		
Other Schedule III drugs	Any amount	First Offense: Not more than 10 yrs. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1.5 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.		
Flunitrazepam (Schedule IV)	Less than 1 gm	Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Federal Trafficking Penalties – Marijuana

DRUG	QUANTITY	FIRST OFFENSE	SECOND OFFENSE
Marijuana (Schedule I)	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million if an individual, \$10 million if other than an individual.	Not less than 20 years, not more than life. If death or serious injury, mandatory life. Fine not more than \$8 million if an individual, \$20 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg mixture; or 100 to 999 plants	Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million if an individual, \$5 million if other than an individual.	Not less than 10 years, not more than life. If death or serious injury, mandatory life. Fine not more than \$4 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	More than 10 kg hashish; 50 to 99 kg mixture. More than 1 kg of hashish oil; 50 to 99 plants.	Not more than 20 years If death or serious injury, not less than 20 years, not more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 years If death or serious injury, mandatory life. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	1 to 49 plants; less than 50 kg	Not more than 5 years Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 years Fine \$500,000 if an individual, \$2 million if other than an individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

For more information, please see “Drugs of Abuse”, 2011 Edition, A DEA Resource Guide at:
http://www.justice.gov/dea/pubs/drugs_of_abuse.pdf

Substance Abuse Resources

Federal Drug Prevention Agencies and Programs: A partial list of federal drug prevention agencies and programs follows. There are many other outstanding efforts which are ongoing across the nation; it is impossible to include them all. Some programs are aimed at particular populations or specific drugs. Within a given agency, there may be many prevention programs which are aimed at different audiences.

- **Drug Enforcement Administration (DEA):** In addition to dismantling the major drug trafficking organizations, the DEA is committed to reducing the demand for drugs in America. DEA’s Demand Reduction Program is carried out by Special Agents across the United States who work in communities to share expertise and information on drug trends, emerging problems, and the dangers of drugs.

www.dea.gov

www.JustThinkTwice.com

www.GetSmartAboutDrugs.com

- **Office of National Drug Control Policy (ONDCP):** This office reports to the President of the United States. ONDCP administers the Youth Anti-Drug Media Campaign.

www.mediacampaign.org

www.whitehousedrugpolicy.gov

- **Substance Abuse and Mental Health Services Administration (SAMHSA):** This organization is responsible for overseeing and administering mental health, drug prevention, and drug treatment programs

around the nation. The Center for Substance Abuse Prevention (CSAP) and the Center for Substance Abuse Treatment (CSAT) are part of SAMHSA.

www.samhsa.gov

www.samhsa.gov/prevention

www.samhsa.gov/about/csap.aspx

- **U.S. Department of Education (ED):** ED has many anti-drug programs. www.ed.gov
- **National Institute on Drug Abuse (NIDA):** NIDA conducts and disseminates the results of research about the effects of drugs on the body and the brain. NIDA is an excellent source of information on drug addiction. www.nida.nih.gov

- **Other Anti-Drug Organizations:**

National Institute On Alcohol Abuse and Alcoholism <http://www.niaaa.nih.gov/>

The National Institute on Drug Abuse <http://www.drugabuse.gov/>

National Association of State Alcohol and Drug Abuse Directors (NASADAD) www.nasadad.org

Community Anti-Drug Coalitions of America (CADCA) www.cadca.org

National Crime Prevention Council (NCPC) www.ncpc.org

National Families in Action (NFIA) www.nationalfamilies.org

- **You can obtain free anti-drug information from:**

The National Center on Addiction and Substance Abuse at Columbia University (CASA) www.casacolumbia.org

Elks Drug Awareness Program www.elks.org/dap

Partnership for a Drug-Free America (PDFA) www.drugfree.org

American Council for Drug Education (ACDE) www.acde.org

Drug Strategies www.drugstrategies.org

- **Youth Anti-Drug Organizations:**

Learning for Life www.learning-for-life.org

PRIDE Youth Programs www.prideyouthprograms.org

Drug Abuse Resistance Education (DARE America) (DARE) www.dare.com

Students Against Destructive Decisions (SADD) www.sadd.org

Law Enforcement Exploring www.learning-for-life.org/exploring/lawenforcement

For more information, please see “Drugs of Abuse”, 2011 Edition, A DEA Resource Guide at: http://www.justice.gov/dea/pubs/drugs_of_abuse.pdf

Off-Campus Resources: The Wisconsin Department of Health Services, through its Substance Abuse Services, provides additional information including national, state and local resources for drug and alcohol abuse treatment which can be found at www.dhs.wisconsin.gov/subst Abuse/consumer.htm.

Prevention Speaks is a project of the Wisconsin Clearinghouse for Prevention Resources. Their mission is to empower professionals and communities to articulate the power of prevention and take action to win health improvements in their lives. They provide an array of services to nonprofit, private and public sector organizations and educators throughout Wisconsin. Services include disseminating alcohol and drug abuse awareness and prevention-related materials, lending curricula, videos and books, providing technical assistance in such areas as grant writing and program evaluation, offering models for effective programming, opportunity to do electronic database searches, and conducting program and policy research. For additional information, please visit their website at www.preventionspeaks.org.

Additional off-campus resources:

Alcoholics Anonymous (AA) at 212-870-3400, www.aa.org

Al-Anon Family Groups at 1-888-425-2666, www.al-anon.alateen.org

Adult Children of Alcoholics (ACA) at 562-595-7831, www.adultchildren.org

Narcotics Anonymous (NA) at 818-700-0700, www.na.org

Treatment: Contact your insurance provider or HMO to find out the substance abuse provider, services and the referral process. For a listing of directories for Wisconsin certified mental health and substance abuse treatment programs, please visit the Wisconsin Department of Health Services website at http://www.dhs.wisconsin.gov/bqaconsumer/AODA_MH/AODAmhDirs.htm.

On-Campus Resources: The Alcohol and Other Drug Education Program of UW Colleges (Smart and Healthy Website for Students) may be found at www.uwc.edu/aode. Students who are concerned about their own use of alcohol and other drugs, or about the use of someone close to them, may contact the UW Colleges Alcohol and Other Drug Education (AODE) Program Manager:

Wendy Seegers
Director, Alcohol and Other Drug Education
UW Colleges
(920) 832-2820
Wendy.seegers@uwc.edu

Employees who have problems with alcohol or controlled substances are encouraged to contact the Employee Assistance Program (EAP) coordinator for information and referral to counseling or treatment programs. Early diagnosis and treatment of substance abuse are in the best interest of the university and the employee. Contact with the EAP coordinator is voluntary and may remain confidential. You can contact the EAP Coordinator via phone or email:

Patrick DuCharme
Employee Assistance Consultant
UW Colleges and UW-Extension
(608) 265-5127
(800) 385-8511
Patrick.ducharme@uwc.edu

Warning Signs: If you know someone who has problems related to drinking alcohol or other drug use, you're not alone. You don't have to be an expert to know if your friend has a problem. If he or she has these kinds of troubles related to alcohol or other drugs, your friend may need to talk with someone. Does he or she:

- Try to hide his or her drinking or other drug use?
- Not remember what happened while he or she was using drugs or drinking?
- Have problems with job or school performance?
- Take physical risks, such as having unprotected sex, driving, biking or swimming, while intoxicated?
- Think about getting high a lot?
- Limit friends to those who drink or use drugs a lot?
- Seem unable to have a good time or to party unless alcohol or drugs are available?
- Say he or she sometimes NEEDS a drink or drug?
- Get angry when you mention your concerns and deny that there's anything wrong?
- Have a history of alcohol or other drug problems in the family?

How You Can Help: First, learn more about alcohol and other drug abuse. Libraries, alcohol and other drug information agencies and treatment programs are good places to get more information.

Next, find out where your friend can get help on campus or in your community. Having this information available if and when your friend needs it will pay off: most people who seek help for alcohol or drug problems get better.

Let your friend know how much you care. Explain how his or her drinking and/or other drug use affects you and your friendship. Use your own words and say what is right for you. Be honest and specific. Say exactly what makes you unhappy and how those problems relate to drinking and/or drugs.

Don't get discouraged if your friend gets angry, refuses to listen or denies the problem. These reactions are common in people who have alcohol or other drug problems. All you can do is say how you feel, show that you care and suggest ways to get help. Feel okay if you do that. Only your friend can make the final decision to get help.

State of Wisconsin Legal Sanctions

Chapter 961 of the Wisconsin Statutes (the Uniform Controlled Substances Act) regulates controlled substances. Subchapter IV of Chapter 961 outlines the offenses and penalties. See, Chapter 961, Wis. Stats. at <http://docs.legis.wisconsin.gov/statutes/statutes/961> for the full text of the Chapter and additional information. Penalties vary according to the type of drug involved, the amount of drug confiscated, the number of previous convictions, and the presence of any aggravating factors. The distribution of a controlled substance to a minor can lead to an increase of not more than 5 years, s. 961.46, Stats. Depending on the circumstances of a case, the following sections of the Wisconsin Statutes may apply:

961.472 Assessment; certain possession or attempted possession offenses.

- (1) In this section, "facility" means an approved public treatment facility, as defined under s. [51.45 \(2\) \(c\)](#).
- (2) Except as provided in sub. [\(5\)](#), if a person pleads guilty or is found guilty of possession or attempted possession of a controlled substance or controlled substance analog under s. [961.41 \(3g\) \(am\)](#), [\(c\)](#), [\(d\)](#), or [\(g\)](#), the court shall order the person to comply with an assessment of the person's use of controlled substances. The court's order shall designate a facility that is operated by or pursuant to a contract with the county department established under s. [51.42](#) and that is certified by the department of health services to provide assessment services to perform the assessment and, if appropriate, to develop a proposed treatment plan. The court shall notify the person that noncompliance with the order limits the court's ability to determine whether the treatment option under s. [961.475](#) is appropriate. The court shall also notify the person of the fee provisions under s. [46.03 \(18\) \(fm\)](#).
- (3) The facility shall submit an assessment report within 14 days to the court. At the request of the facility, the court may extend the time period by not more than 20 additional workdays. The assessment report may include a proposed treatment plan.
- (4) The court shall consider the assessment report in determining whether the treatment option under s. [961.475](#) is appropriate.
- (5) The court is not required to enter an order under sub. [\(2\)](#) if any of the following applies:
 - (a) The court finds that the person is already covered by or has recently completed an assessment under this section or a substantially similar assessment.
 - (b) The person is participating in a substance abuse treatment program that meets the requirements of s. [16.964 \(12\) \(c\)](#), as determined by the office of justice assistance under s. [16.964 \(12\) \(i\)](#).

961.475 Treatment option. Whenever any person pleads guilty to or is found guilty of possession or attempted possession of a controlled substance or controlled substance analog under s. [961.41 \(3g\)](#), the court may, upon request of the person and with the consent of a treatment facility with special inpatient or outpatient programs for the treatment of drug dependent persons, allow the person to enter the treatment programs voluntarily for purposes of treatment and rehabilitation. Treatment shall be for the period the treatment facility feels is necessary and required, but shall not exceed the maximum sentence allowable unless the person consents to the continued treatment. At the end of the necessary and required treatment, with the consent of the court, the person may be released from sentence. If treatment efforts are ineffective or the person ceases to cooperate with treatment rehabilitation efforts, the person may be remanded to the court for completion of sentencing.

961.48 Second or subsequent offenses.

- (1) If a person is charged under sub. [\(2m\)](#) with a felony offense under this chapter that is a 2nd or subsequent offense as provided under sub. [\(3\)](#) and the person is convicted of that 2nd or subsequent offense, the maximum term of imprisonment for the offense may be increased as follows:
 - (a) By not more than 6 years, if the offense is a Class C or D felony.
 - (b) By not more than 4 years, if the offense is a Class E, F, G, H, or I felony.
- (2m)
 - (a) Whenever a person charged with a felony offense under this chapter may be subject to a conviction for a 2nd or subsequent offense, he or she is not subject to an enhanced penalty under sub. [\(1\)](#) unless any applicable prior convictions are alleged in the complaint, indictment or information or in an amended complaint, indictment or information that is filed under par. [\(b\) 1](#). A person is not subject to an enhanced penalty under sub. [\(1\)](#) for an offense if an allegation of applicable prior convictions is withdrawn by an amended complaint filed under par. [\(b\) 2](#).
 - (b) Notwithstanding s. [971.29 \(1\)](#), at any time before entry of a guilty or no contest plea or the commencement of a trial, a district attorney may file without leave of the court an amended complaint, information or indictment that does any of the following:
 1. Charges an offense as a 2nd or subsequent offense under this chapter by alleging any applicable prior convictions.

2. Withdraws the charging of an offense as a 2nd or subsequent offense under this chapter by withdrawing an allegation of applicable prior convictions.

(3) For purposes of this section, a felony offense under this chapter is considered a 2nd or subsequent offense if, prior to the offender's conviction of the offense, the offender has at any time been convicted of any felony or misdemeanor offense under this chapter or under any statute of the United States or of any state relating to controlled substances or controlled substance analogs, narcotic drugs, marijuana or depressant, stimulant or hallucinogenic drugs.

(5) This section does not apply if the person is presently charged with a felony under s. [961.41 \(3g\) \(c\), \(d\), \(e\), or \(g\)](#).

961.49 Offenses involving intent to deliver or distribute a controlled substance on or near certain places.

(1m) If any person violates s. [961.41 \(1\) \(cm\), \(d\), \(e\), \(f\), \(g\) or \(h\)](#) by delivering or distributing, or violates s. [961.41 \(1m\) \(cm\), \(d\), \(e\), \(f\), \(g\) or \(h\)](#) by possessing with intent to deliver or distribute, cocaine, cocaine base, heroin, phencyclidine, lysergic acid diethylamide, psilocin, psilocybin, amphetamine, methamphetamine, methcathinone or any form of tetrahydrocannabinols or a controlled substance analog of any of these substances and the delivery, distribution or possession takes place under any of the following circumstances, the maximum term of imprisonment prescribed by law for that crime may be increased by 5 years:

(a) While the person is in or on the premises of a scattered-site public housing project.

(b) While the person is in or on or otherwise within 1,000 feet of any of the following:

1. A state, county, city, village or town park.

2. A jail or correctional facility.

3. A multiunit public housing project.

4. A swimming pool open to members of the public.

5. A youth center or a community center.

6. Any private or public school premises and any premises of a tribal school, as defined in s. [115.001 \(15m\)](#).

7. A school bus, as defined in s. [340.01 \(56\)](#).

(c) While the person is in or on the premises of an approved treatment facility, as defined in s. [51.01 \(2\)](#), that provides alcohol and other drug abuse treatment.

(d) While the person is within 1,000 feet of the premises of an approved treatment facility, as defined in s. [51.01 \(2\)](#), that provides alcohol and other drug abuse treatment, if the person knows or should have known that he or she is within 1,000 feet of the premises of the facility or if the facility is readily recognizable as a facility that provides alcohol and other drug abuse treatment.

(2m) If any person violates s. [961.65](#) and, during the violation, the person intends to deliver or distribute methamphetamine or a controlled substance analog of methamphetamine under any of the circumstances listed under sub. [\(1m\) \(a\), \(b\), \(c\), or \(d\)](#), the maximum term of imprisonment for that crime is increased by 5 years.

961.495 Possession or attempted possession of a controlled substance on or near certain places.

If any person violates s. [961.41 \(3g\)](#) by possessing or attempting to possess a controlled substance included in schedule I or II, a controlled substance analog of a controlled substance included in schedule I or II or ketamine or flunitrazepam while in or on the premises of a scattered-site public housing project, while in or on or otherwise within 1,000 feet of a state, county, city, village, or town park, a jail or correctional facility, a multiunit public housing project, a swimming pool open to members of the public, a youth center or a community center, while in or on or otherwise within 1,000 feet of any private or public school premises or of any premises of a tribal school, as defined in s. [115.001 \(15m\)](#), or while in or on or otherwise within 1,000 feet of a school bus, as defined in s. [340.01 \(56\)](#), the court shall, in addition to any other penalties that may apply to the crime, impose 100 hours of community service work for a public agency or a nonprofit charitable organization. The court shall ensure that the defendant is provided a written statement of the terms of the community service order and that the community service order is monitored. Any organization or agency acting in good faith to which a defendant is assigned pursuant to an order under this section has immunity from any civil liability in excess of \$25,000 for acts or omissions by or impacting on the defendant.

961.50 Suspension or revocation of operating privilege.

(1) If a person is convicted of any violation of this chapter, the court may, in addition to any other penalties that may apply to the crime, suspend the person's operating privilege, as defined in s. [340.01 \(40\)](#), for not less than 6 months nor more than 5 years. If a court suspends a person's operating privilege under this subsection, the court may take possession of any suspended license. If the court takes possession of a license, it shall destroy the license. The court shall forward to the department of transportation the record of conviction and notice of the suspension. The person is eligible for an occupational license under s. [343.10](#) as follows:

- (a) For the first such conviction, at any time.
- (b) For a 2nd conviction within a 5-year period, after the first 60 days of the suspension or revocation period.
- (c) For a 3rd or subsequent conviction within a 5-year period, after the first 90 days of the suspension or revocation period.
- (2) For purposes of counting the number of convictions under sub. (1), convictions under the law of a federally recognized American Indian tribe or band in this state, federal law or the law of another jurisdiction, as defined in s. [343.32 \(1m\) \(a\)](#), for any offense therein which, if the person had committed the offense in this state and been convicted of the offense under the laws of this state, would have required suspension or revocation of such person's operating privilege under this section, shall be counted and given the effect specified under sub. (1). The 5-year period under this section shall be measured from the dates of the violations which resulted in the convictions.
- (3) If the person's license or operating privilege is currently suspended or revoked or the person does not currently possess a valid operator's license issued under ch. [343](#), the suspension or revocation under this section is effective on the date on which the person is first eligible for issuance, renewal, or reinstatement of an operator's license under ch. [343](#).

Subchapter IV of Chapter 961 of the Wisconsin Statutes provides as follows:

939.50 Classification of felonies.

- (1) Felonies in the statutes are classified as follows:
 - (a) Class A felony.
 - (b) Class B felony.
 - (c) Class C felony.
 - (d) Class D felony.
 - (e) Class E felony.
 - (f) Class F felony.
 - (g) Class G felony.
 - (h) Class H felony.
 - (i) Class I felony.
- (2) A felony is a Class A, B, C, D, E, F, G, H, or I felony when it is so specified in the statutes.
- (3) Penalties for felonies are as follows:
 - (a) For a Class A felony, life imprisonment.
 - (b) For a Class B felony, imprisonment not to exceed 60 years.
 - (c) For a Class C felony, a fine not to exceed \$100,000 or imprisonment not to exceed 40 years, or both.
 - (d) For a Class D felony, a fine not to exceed \$100,000 or imprisonment not to exceed 25 years, or both.
 - (e) For a Class E felony, a fine not to exceed \$50,000 or imprisonment not to exceed 15 years, or both.
 - (f) For a Class F felony, a fine not to exceed \$25,000 or imprisonment not to exceed 12 years and 6 months, or both.
 - (g) For a Class G felony, a fine not to exceed \$25,000 or imprisonment not to exceed 10 years, or both.
 - (h) For a Class H felony, a fine not to exceed \$10,000 or imprisonment not to exceed 6 years, or both.
 - (i) For a Class I felony, a fine not to exceed \$10,000 or imprisonment not to exceed 3 years and 6 months, or both.

Chapter 125 of the Wisconsin Statutes regulates alcohol beverages. For the entire Chapter 125 or for further information, please see <http://docs.legis.wisconsin.gov/statutes/statutes/125/l/07>. Wisconsin has formidable legal sanctions that restrict the use of alcohol in various situations:

Section 125.07(1)(a), Wis. Stats., provides that it is illegal to procure for, sell, dispense or give away any alcohol beverages to any underage person not accompanied by his or her parent, guardian or spouse who has attained the legal drinking age of 21 years.

Section 125.07(1)(a)(3), Wis. Stats., provides that no adult may knowingly permit or fail to take action to prevent the illegal consumption of alcohol beverages by an underage person on premises owned by the adult or under the adult's control.

The penalties for a violation of Section 125.07(1)(a), Wis. Stats., above are set forth in Section 125.07(1)(b)(2), Wis. Stats., which provides that a person who commits a violation may be:

- Required to forfeit not more than \$500 if the person has not committed a previous violation within 30 months of the violation.
- Fined not more than \$500 or imprisoned for not more than 30 days or both if the person has committed a previous violation within 30 months of the violation.
- Fined not more than \$1,000 or imprisoned for not more than 90 days or both if the person has committed 2 previous violations within 30 months of the violation.
- Fined not more than \$10,000 or imprisoned for not more than 9 months or both if the person has committed 3 or more previous violations within 30 months of the violation.

In addition, it is a violation of Section 125.07(4)(a), Wis. Stats., for an underage person to:

- Procure or attempt to procure alcohol beverages;
- To possess or consume alcohol beverages on licensed premises unless accompanied by a parent, guardian or spouse who has attained the legal drinking age.
- To enter, or knowingly attempt to enter, premises licensed to sell alcohol beverages;
- To falsely represent his or her age for the purpose of receiving alcohol beverages.

Further, it is a violation of Section 125.07(4)(b), Wis. Stats., for an underage person to knowingly possess or consume alcohol beverages.

The penalties for a violation of Section 125.07(4)(a), Wis. Stats., above are set forth in Section 125.07(4)(bs), Wis. Stats., which provides that a person who commits a violation is subject to the following penalties:

- For a first violation, a forfeiture of not less than \$250 nor more than \$500, suspension of the person's operating privilege as provided under s. [343.30\(6\)\(b\)1.](#), participation in a supervised work program or other community service work under par. [\(cg\)](#) or any combination of these penalties.
- For a violation committed within 12 months of one previous violation, either a forfeiture of not less than \$300 nor more than \$500, participation in a supervised work program or other community service work under par. [\(cg\)](#) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. [343.30\(6\)\(b\)2.](#), except that if the violation of par. [\(a\)](#) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. [343.30\(6\)\(b\)2.](#)
- For a violation committed within 12 months of 2 previous violations, either a forfeiture of not less than \$500 nor more than \$750, participation in a supervised work program or other community service work under par. [\(cg\)](#) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. [343.30\(6\)\(b\)3.](#), except that if the violation of par. [\(a\)](#) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. [343.30\(6\)\(b\)3.](#)
- For a violation committed within 12 months of 3 or more previous violations, either a forfeiture of not less than \$750 nor more than \$1,000, participation in a supervised work program or other community service work under par. [\(cg\)](#) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. [343.30\(6\)\(b\)3.](#), except that if the violation of par. [\(a\)](#) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. [343.30\(6\)\(b\)3.](#)

The penalties for a violation of Section 125.07(4)(b), Wis. Stats., above are set forth in Section 125.07(4)(c), Wis. Stats., which provides that a person who commits a violation is subject to the following penalties:

- For a first violation, a forfeiture of not less than \$100 nor more than \$200, suspension of the person's operating privilege as provided under s. [343.30\(6\)\(b\)1.](#), participation in a supervised work program or other community service work under par. [\(cg\)](#) or any combination of these penalties.
- For a violation committed within 12 months of one previous violation, either a forfeiture of not less than \$200 nor more than \$300, participation in a supervised work program or other community service work under par. [\(cg\)](#) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. [343.30\(6\)\(b\)2.](#), except that if the violation of par. [\(b\)](#) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. [343.30\(6\)\(b\)2.](#)
- For a violation committed within 12 months of 2 previous violations, either a forfeiture of not less than \$300 nor more than \$500, participation in a supervised work program or other community service work under par. [\(cg\)](#) or any combination of these penalties. In addition, the person's operating privilege may be suspended as

provided under s. [343.30\(6\)\(b\)3.](#), except that if the violation of par. [\(b\)](#) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. [343.30\(6\)\(b\)3.](#)

- For a violation committed within 12 months of 3 or more previous violations, either a forfeiture of not less than \$500 nor more than \$1,000, participation in a supervised work program or other community service work under par. [\(cg\)](#) or any combination of these penalties. In addition, the person's operating privilege may be suspended as provided under s. [343.30\(6\)\(b\)3.](#), except that if the violation of par. [\(b\)](#) involved a motor vehicle the person's operating privilege shall be suspended as provided under s. [343.30\(6\)\(b\)3.](#)
- The supervised work program or other community service work shall be of a constructive nature designed to promote the person's rehabilitation, shall be appropriate to the person's age level and physical ability and shall be combined with counseling from a member of the staff of the county department, community agency, public agency or nonprofit charitable organization or other qualified person. The supervised work program or other community service work may not conflict with the person's regular attendance at school. The amount of work required shall be reasonably related to the seriousness of the person's offense.

After ordering a penalty under par. [\(bs\)](#) or [\(c\)](#), the court, with the agreement of the defendant, may enter an additional order staying the execution of the penalty order and suspending or modifying the penalty imposed, except that the court may not stay, suspend or modify the suspension of a person's operating privilege required under par. [\(bs\)](#) or [\(c\)](#). The order under this subdivision shall require the defendant to do any of the following:

- Submit to an alcohol abuse assessment that conforms to the criteria specified under s. [938.547\(4\)](#) and that is conducted by an approved treatment facility. The order shall designate an approved treatment facility to conduct the alcohol abuse assessment and shall specify the date by which the assessment must be completed.
- Participate in an outpatient alcohol abuse treatment program at an approved treatment facility, if an alcohol abuse assessment conducted under subd. [2.a.](#) recommends treatment.
- Participate in a court-approved alcohol abuse education program.
- If the approved treatment facility, with the written informed consent of the defendant, notifies the agency primarily responsible for providing services to the defendant that the defendant has submitted to an assessment under subd. [2.a.](#) and that the defendant does not need treatment or education, the court shall notify the defendant of whether or not the penalty will be reinstated.
- If the defendant completes the alcohol abuse treatment program or court-approved alcohol abuse education program, the approved treatment facility or court-approved alcohol abuse education program shall, with the written informed consent of the defendant, notify the agency primarily responsible for providing services to the defendant that the defendant has complied with the order and the court shall notify the defendant of whether or not the penalty will be reinstated. If the court had ordered the suspension of the defendant's operating privilege under par. [\(bs\)](#) or [\(c\)](#), the court may order the secretary of transportation to reinstate the operating privilege of the defendant if he or she completes the alcohol abuse treatment program or court-approved alcohol abuse education program.
- If an approved treatment facility or court-approved alcohol abuse education program, with the written informed consent of the defendant, notifies the agency primarily responsible for providing services to the defendant that the defendant is not participating in the program or that the defendant has not satisfactorily completed a recommended alcohol abuse treatment program or an education program, the court shall hold a hearing to determine whether the penalties under par. [\(bs\)](#) or [\(c\)](#) should be imposed.

Pursuant to Section 125.085(3), Wis. Stats., additional penalties may apply for falsification of proof of age. Any underage person who does any of the following is guilty of a violation:

- Intentionally carries an official identification card not legally issued to him or her, an official identification card obtained under false pretenses or an official identification card which has been altered or duplicated to convey false information.
- Makes, alters or duplicates an official identification card purporting to show that he or she has attained the legal drinking age.
- Presents false information to an issuing officer in applying for an official identification card.

- Intentionally carries an official identification card or other documentation showing that the person has attained the legal drinking age, with knowledge that the official identification card or documentation is false.

The penalties for a violation of Section 125.085(3), Wis. Stats., above are set forth in Section 125.085(b), Wis. Stats., which provides that a person who commits a violation is subject to the following penalties:

- A forfeiture of not less than \$300 nor more than \$1,250, suspension of the person's operating privilege under s. [343.30\(6\)\(bm\)](#), participation in a supervised work program or other community service work under par. [\(bh\)](#) or any combination of these penalties.
- The supervised work program or other community service work shall be of a constructive nature designed to promote the person's rehabilitation, shall be appropriate to the person's age level and physical ability and shall be combined with counseling from a member of the staff of the county department, community agency, public agency or nonprofit charitable organization or other qualified person. The supervised work program or other community service work may not conflict with the person's regular attendance at school. The amount of work required shall be reasonably related to the seriousness of the person's offense.

University Sanctions

The University of Wisconsin System and University of Wisconsin Colleges prohibit the unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol by students and employees on university property or as part of university activities.

Wis. Adm. Code UWS 18.09, Alcohol and drug prohibitions: The use or possession of alcohol beverages is prohibited on all university premises, except in faculty and staff housing and as permitted by the chief administrative officer, subject to statutory age restrictions. The chief administrative officer may generally permit the use or possession of alcohol beverages by promulgating institutional regulations in consultation with appropriate staff and students, or in specific instances by written permission but without exception, alcohol consumption and procurement are governed by Wisconsin statutory age restrictions, all as set forth in UWS 18.09(1)(a), Wis. Adm. Code.

In accordance with UWS 18.09(2)(a), Wis. Adm. Code, no person may use or possess, with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog on university property, in violation of Chapter 961, Wis. Stats.

Violation of these provisions by a student may lead to the imposition of a disciplinary sanction, up to and including suspension or expulsion, under UWS 17.10, Wis. Adm. Code. University employees are also subject to disciplinary sanctions for violation of these provisions occurring on university property, the worksite 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 the Wisconsin Statutes, administrative rules, faculty and academic staff policies, and collective bargaining agreements. Referral for prosecution under criminal law is also possible. Employees who are convicted of any criminal drug statute violation occurring in the workplace must notify their dean, director or department chair within 5 days of the conviction if the employees are employed by the university at the time of the conviction. Further, violations may result in the following additional penalties.

Wis. Adm. Code UWS 18.13, Penalties: Unless otherwise specified, the penalty for violating any of the rules in ss. [UWS 18.06](#) to [18.12](#) shall be a forfeiture of not more than \$500, as provided in s. [36.11\(1\)\(c\)](#), Stats.

Wis. Adm. Code UWS 18.15, Additional statutory penalty provisions regulating conduct on university lands.

(1) CONTROLLED SUBSTANCES. The use or possession of controlled substances as defined in s. [961.01 \(4\)](#), Stats., is prohibited on all university property with the specific exemptions set forth in ch. [961](#), Stats., and as permitted under s. [961.34](#), Stats. The penalty provisions of ch. [961](#), Stats., and chs. [UWS 17](#) and [18](#) may apply to violations occurring on university lands.

(2) STUDENT CONVICTED OF DANGEROUS AND OBSTRUCTIVE CRIME. Section [36.35\(3\)](#), Stats., provides: "Any person who is convicted of any crime involving danger to property or persons as a result of conduct by him which obstructs or seriously impairs activities run or authorized by an institution and who, as a result of such conduct, is in a state of suspension or expulsion from the institution, and who enters property of that institution without permission of the chancellor of the institution or the chancellor's designee within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both."

Federal Sanctions

See charts at pages 62 and 63.

Computing and Networking Usage Guidelines

Access to computing and networking resources is a privilege normally extended to University faculty, staff, and students. Accompanying that privilege is an obligation, on the part of users, to understand and abide by the responsibilities and regulations that govern the computing environment in the University of Wisconsin Colleges. These guidelines reflect the general ethical principles of the University community and indicate what responsibilities are characteristic of the University computing environment. The University of Wisconsin Colleges guidelines on the use of computer data networks and University-owned computer facilities and UW System policies can be found online at: <http://cits.uwex.uwc.edu/policies>. It is the responsibility of the student to read and abide by the appropriate use policies for the University of Wisconsin Colleges and the UW System Policy.

Accommodating Students' Religious Beliefs

This policy is intended to help meet the needs of students by reducing conflicts between educational requirements and the students' free exercise of religion. The purpose is to treat all students and all religions as fairly as possible.

Notice to students and instructors: Course schedules and/or other means will be used to inform students and instructors of this policy.

No mandatory requirements on major observances: Faculty are strongly encouraged not to schedule mandatory academic exercises (examinations, field trips, assigned class presentation, etc.), or require class attendance on religious occasions such as Rosh Hashanah, Yom Kippur, Christmas Eve and Christmas Day, Good Friday, Passover Eve and the first day of Passover, Easter, and the first day of Ramadan.

Resolution of conflicts between academic requirements and religious observances: A student with a conflict between an academic requirement and a religious observance must be given an alternative means of meeting the academic requirement subject to the following:

- Students must notify their instructors, within the first three weeks of class and within the first week of summer session, of the specific days or dates on which they will request relief from an academic requirement.
- Instructors are not obligated to schedule make-ups before the regularly scheduled requirements.

Resolution of complaints. Complaints of failure to provide reasonable accommodation of a student's sincerely-held religious beliefs as required by Chapter UWS 22, Accommodation of Religious Beliefs, Wis. Adm. Code, may be filed under UWC Complaint and Grievance procedures adopted pursuant to Chs. UWCS 6 and 9.

In addition, failure to provide reasonable accommodation of a student's sincerely-held religious beliefs may constitute discrimination (Section 36.12, Wis. Stats.). Students should contact the Office of Inclusion for more information or to file a formal complaint of discrimination.

UW Colleges and UW-Extension
Office of Equity, Diversity and Inclusion
432 N. Lake St., Room 501
Madison WI 53706
(608) 262-0277 or 7-1-1 Wisconsin Relay
inclusion@uwex.uwc.edu

Student Right to Know

For those full-time students who first entered the UW Colleges in fall of 2008, the graduation rate is 21%. A student is considered to graduate if he or she earned an associate degree within 150% (3 years) of the normal time for completion of their program.

For those full-time students who first entered the UW Colleges in fall of 2008, the transfer-out rate is 58%. A student is considered to have transferred out if within 150% of the normal time for completion of a degree (3 years) the student subsequently enrolls in any program of an eligible institution for which its program provides substantial preparation. This transfer-out rate is based on data from the National Student Clearinghouse (NSCH). However, the NSCH only includes 92% of total enrollments in the United States.

Resources Listed by Campus

BARABOO/SAUK COUNTY

Alcohol and Other Drug Abuse (AODA) Resources

Crisis Helpline — Sauk County

608-355-4200 (Days)

1 (800) 533-5692 (After-Hours)

Pauquette Center

2901 Hunter's Trail, Portage

608-742-5344 and

1002 Lincoln Ave., Baraboo

608-356-9055

Sauk Prairie Memorial Hospital & Clinics

80 1st St., Prairie du Sac

608-643-3311

Pathway Clinic

560 4th St., Prairie du Sac

608-643-3663

Sauk County Human Services

505 Broadway, 4th Floor, Baraboo

608-355-4200 and

425 6th St., Reedsburg

608-355-4200

St. Clare Center

1510 Jefferson St., Baraboo

608-356-1533 (24 hours)

1 (800) 433-2688 (24 hours)

Sexual Assault Resources

Student Services Office

1006 Connie Rd., Baraboo

608-355-5230

Pauquette Center

222 N. Walnut St., Ste. B, Reedsburg

608-524-5151 and

2901 Hunter's Trail, Portage

608-742-5518 and

1002 Lincoln Ave., Baraboo

608-356-9055

Sauk County Human Services

505 Broadway, 4th Floor, Baraboo

608-355-4200 and

425 6th St., Reedsburg

608-355-4200

Hope House Crisis Line

608-356-7500 (24 hours)

1-800-584-6790 (24 hours)

Pathway Clinic

560 4th St., Prairie du Sac

608-643-3663 and

635 15th St., Baraboo

608-356-9884

Sauk Prairie Memorial Hospital & Clinics

80 1st St., Prairie du Sac

608-643-3311

BARRON COUNTY

Alcohol and Other Drug Abuse (AODA) Resources

ABR Counseling Services

12 W. Marshall St., Ste. 100, Rice Lake

715-234-3301

1-800-608-4578 (24 hours)

Alcoholics Anonymous Hayward

715-634-3768

Barron County Health & Human Services

330 E. LaSalle Ave., Rm. 338, Barron

715-537-5691

Caillier Clinic

320 Main St., Rice Lake

715-234-5388 or 1-800-880-3303

Alcoholics Anonymous Amery

715-268-8431

Chetek Area Alano Club

216 Stout St., Chetek

715-924-2355

Libertas Center of St. Joseph's Hospital

2661 Hwy. I, Chippewa Falls

1-800-680-4578

Sexual Assault Resources

Caillier Clinic

320 Main St., Rice Lake
715-234-5388

Blue Hills Counseling

1035 N. Main St., Rice Lake
715-234-4313

Time-Out Family Abuse Shelter

Ladysmith
1-800-924-0556 (24-hour Crisis Line) or 715-532-6976
Washburn County Outreach Office
715-635-5245
Price County Outreach Office
715-339-4521

First Things First, Inc.

2125 Heights Dr., Ste. 2D, Eau Claire
715-832-8432

Northwoods Women Inc. New Day Shelter

715-682-9565 or 1-800-924-4132

FOND DU LAC

Alcohol and Other Drug Abuse (AODA) Resources

Alcoholics Anonymous and Al-Anon

280 N. Main St., Fond du Lac
920-922-7512 (24 hours)

Fond du Lac County Dept. of Community Programs

459 E. First St., Fond du Lac
920-929-3565

The Counseling CenterOn-Campus:

UW-Fond du Lac
400 University Dr.
Classroom Building C-208
Fond du Lac
920-929-1182

Off-Campus:

IntegNet
56 Camelot Dr., Fond du Lac
920-929-1182

Nova Counseling Services

3240 Jackson, Oshkosh
920-231-0143

St. Agnes Hospital Behavioral Health Services

430 E. Division St., Fond du Lac
920-926-4290 (24 hours)

Sexual Assault Resources

St. Agnes Hospital

430 E. Division St., Fond du Lac
920-926-4290 (24 hours)
Domestic Violence Program
920-926-4207 or
920-926-4290 (24 hours)

ASTOP - Sexual Abuse Center

920-921-7657 (24 hours)
1-800-418-0270 (24 hours)

Fond du Lac County Dept. of Community Programs

459 E. First St., Fond du Lac
920-929-3565

FAVR—Friends Aware of Violent Relationships

920-923-1700 (24 hours)

Offices of Student Services (On campus, for further information, to report incidences of harassment and assault, assistance in community referral, and short-term counseling intervention)

920-929-3607 or 920-929-3606

FOX VALLEY

Alcohol and Other Drug Abuse (AODA) Resources

Affinity Behavioral Health

1531 S. Madison St., Ste. 850, Appleton
920-730-4411

Boys & Girls Clubs of the Fox Valley

117 S. Locust Ave., Appleton
920-731-0555

Calumet County Human Services

206 Court St., Chilton
920-849-1400

Children's Service Society of Wisconsin

1820 Appleton Rd, Menasha
920-996-2205

Family Services of Northeast Wisconsin

1810 Appleton Rd., Menasha
920-739-4226 (Fox Cities)

Lutheran Social Services of WI and Upper MI

3003A N. Richmond St., Appleton
920-730-1321 (Counseling)

NAMI of Oshkosh, Inc.

500 N. Main St., Oshkosh
920-651-1148

Outagamie County Crisis Intervention

401 S. Elm St., Appleton
920-832-4646

Outagamie County Veterans Services

227 S. Walnut St., Appleton
920-832-5697

Reach Counseling Services

1370 S. Commercial St., Neenah
920-722-8150

ThedaCare Behavioral Health-Fox Cities

1095 Midway Rd., Menasha
920-720-2300

ThedaCare Behavioral Health-Waupaca County

902 Riverside Dr. Ste. 204, Waupaca
920-256-1475

Winnebago County Crisis Intervention

220 Washington Ave., Oshkosh
920-233-7707 Oshkosh Area
920-722-7707 Fox Cities

Winnebago County Veterans Services

504 Algoma Blvd., Oshkosh
920-236-4898 and 211 N. Commercial St., Neenah
920-729-4820

Affinity Behavioral Health-Oshkosh

515 S. Washburn St., Ste. 104, Oshkosh
920-236-8570

Brown County Mental Health Center

2900 St. Anthony Dr., Green Bay
920-391-4700

Calumet County Veterans Services

206 Court St., Chilton
920-849-1452

Christine Ann Domestic Abuse Services

206 Algoma Blvd., Oshkosh
920-729-6395

Harbor House Domestic Abuse Services

720 W. 5th St., Oshkosh
920-832-1666

NAMI Fox Valley, Inc.

516 W. 6th St., Appleton
920-954-1550

Options Treatment Programs, Inc.

4000 W. Spencer St., Appleton
920-735-9010 (Appleton Office)

Outagamie Co. Dept. of Health & Human Services

401 S. Elm St., Appleton
920-832-5270

Psychology Assoc. of the Fox Cities

2557-A E. Calumet Ave., Appleton
920-738-9999

Samaritan Counseling Center of the Fox Valley

1478 Kenwood Dr. Ste. 1, Menasha
920-886-9319

ThedaCare Behavioral Health-Oshkosh

600 N. Westhaven Dr., Oshkosh
920-233-3838

Winnebago County DHS-Behavioral Health Services

220 Washington Ave., Oshkosh
920-236-4600 and
211 N. Commercial St., Neenah
920-729-2777

MANITOWOC

Alcohol and Other Drug Abuse (AODA) Resources

Aurora Behavioral Health Services

2640 N. 6th, Sheboygan
1-800-752-2673 and
1425 Memorial Dr., Manitowoc
920-683-9500

Lakeshore Mental Health

453 E. Brooklyn, Chilton
920-458-5557

Manitowoc County Human Services

Crisis Intervention
920-683-4230 (Before 4:30 pm)
920-323-2448 (After 4:30 pm)

Alcoholics Anonymous

920-684-4040

Narcotics Anonymous

920-553-9233

Tamarack Behavioral Health Center

339 Reed Ave., Manitowoc
920-320-8600

Phoenix Behavioral Health Center

115 E. Waldo Blvd., Manitowoc
920-682-1131

Sexual Assault Resources

Office of Student Services

920-683-4707

Crisis Intervention Line

920-323-2448 (After 4:30 pm)

Aurora Behavioral Health Services

1425 Memorial Dr., Manitowoc
920-683-9500

Sexual Assault Resource Center

339 Reed Ave., Manitowoc
920-320-8555

Manitowoc Co. Counseling Center

926 S. 8th, Manitowoc
920-683-4300

United Way of Manitowoc

920-684-7070
www.unitedwaymanitowoc.org

MARATHON COUNTY

Alcohol and Other Drug Abuse (AODA) Resources

Alano Club of Wausau

711 McClennan St., Wausau
715-845-9914
715-297-8897 (Hotline)

Compass Counseling Wausau, LLC

1202 Callon St., Wausau
715-203-4665
www.compasscounsels.com

Dix or Gillette Counseling Services

1720 Merrill Ave., Ste. 401, Wausau
715-675-3888

Elmergreen Associates

114 Grand Ave., Wausau
715-845-7175

Family Counseling Services

903 2nd St., Wausau
715-842-3346

Premiere Recovery Services North Central Health Care

1100 Lakeview Dr., Wausau
715-848-4540

United Way

2-1-1 or 715-848-2255 www.unitedwaymc.org
Key Word - Chemical Dependence

Sexual Assault Resources

Office of Student Services

715-261-6100

Adult Counseling & Child Guidance Clinic

3301 Cranberry Blvd., Weston
715-842-3913

Centre for Well-Being Inc.

2801 N. 7th St., Wausau
715-848-5022

Charis Counseling, LLC
2620 W. Stewart Ave., Ste 310, Wausau
715-848-0525

Elmergreen Associates
114 Grand Ave., Wausau
715-845-7175

The Women's Community, Inc.
2801 N. 7th St., Ste. 300, Wausau
715-842-7323 (24 hour hotline)

Children's Service Society (Serves Adults)
705 S. 24th Ave., Ste. 402, Wausau
715-848-1457

Family Counseling Service
903 2nd St., Wausau
715-842-3346

United Way 2-1-1
www.unitedwaymc.org
Key Word - Sexual Abuse

MARINETTE

Alcohol and Other Drug Abuse (AODA) Resources

AABC Addiction
1-800-310-8963

Alano Club
2218 13th, Menominee MI
906-864-2511

Public Health Delta & Menominee Counties
- Alcohol & Other Drug Services
1101 11th Ave., Ste B6, Menominee, MI
906-863-7875

Libertas of Marinette
1712 Dunlap Sq. Ste 5, Marinette
715-735-0095

Alcoholics Anonymous & Al-Anon
715-735-5302

Catholic Charities
844 Pierce Ave., Ste. 102, Marinette
715-735-3539

Human Services of Marinette County - ADAPT
2500 Hall Ave. Ste A, Marinette
715-732-7760 (24 hours)
1-888-732-7549

Tri-City Area United Way—211
1-888-328-1119 or 715-735-7555
www.tricityareaunitedway.com

Sexual Assault Resources

UW-Marinette
Office of Student Affairs
715-735-4300 x4301

Catholic Charities
844 Pierce Ave. Ste 102, Marinette
715-735-7802

Public Health — Menominee HIV Testing
& Counseling
909 10th Ave., Menominee MI
906-863-4451

Sexual Assault Center Marinette County
1907 Ella Ct., Marinette
715-732-7300

Sexual Assault Family Services
300 Crooks St., Green Bay
920-436-4360 Ext. 1256

Caring House, Inc.
1305 S. Prospect Ave., Iron Mountain
1-800-392-7839

Human Services of Marinette County - ADAPT
2500 Hall Ave. Ste. A, Marinette
715-732-7760 (24 hour hotline)

The Rainbow House (support groups, legal advocacy,
emergency shelter), Marinette
715-735-6656 (24-hour hotline)
1-800-956-6656 (24-hour hotline)

Sexual Assault Center Oconto County
1201 Main St., Oconto
920-846-2111 (24-hour hotline)

Tri-City Area United Way-211
715-735-7555 or 888-328-1119

MARSHFIELD/WOOD COUNTY

Alcohol and Other Drug Abuse (AODA) Resources

Alano of Wood County
2111 S. Roddis Ave., Marshfield

Clark County Community Programs
517 Court St., Neillsville

715-387-2161

Courage to Change Recovery

106 Galvin Rd., Abbotsford
715-223-0480

Family Health Center of Marshfield, Inc.

1307 N. St. Joseph Ave., Marshfield
715-221-5700 or 800-942-5420

Lutheran Social Services

207 S. Cherry, Marshfield
715-387-8914 or 800-236-0011

Ministry Behavioral Health

2811 8th St. S., Wisconsin Rapids
715-424-3933

www.marshfieldclinic.org

**St. Joseph's Hospital Alcohol & Drug
Recovery Services**

611 St. Joseph Ave., Marshfield
715-387-9700 (Inpatient & intake)
1-800-486-9700 (24 hours)
www.ministryhealth.org

Center for Community Outreach

715-221-8400

1-800-863-3560 (Crisis) or 715-743-5204

Crisis Intervention & Referral (Wood Co.) 24-Hour Hotline

715-384-5555 Marshfield
715-421-2345 Wisconsin Rapids

Hergert and Gaziano Family Counseling Services

252 S. Central Ave. #21, Marshfield
715-384-7579

Marshfield Clinic Dept. of Psychiatry and Behavioral Health

1000 N. Oak Ave., Marshfield
715-387-5442

St. Vincent De Paul Counseling Center

149 N. Central Ave., Marshfield
715-387-0395

www.stvincentsmarshfield.org

United Way 211

156 S. Central Ave., Marshfield
715-384-9992

www.getconnected211.org

Sexual Assault Resources

Office of Student Services

715-389-6530

Sexual Assault Victim Services (SAVS)

601 S. Central Ave. Ste. 200, Marshfield
715-387-2729

**Crisis Intervention & Referral (Wood Co.)
24-hour hotline**

715-384-5555 Marshfield
715-421-2345 Wisconsin Rapids

Behrend Psychology Consultants

464 Daly Ave., Wisconsin Rapids
715-423-2030

Personal Development Center, Inc.

Domestic Violence Issues
630 S. Central Ave. Ste. 330, Marshfield
715-384-2971

ONLINE

UWC Online provides counseling services and online resources to students enrolled in UWC Online courses through their partner ComPsych. ComPsych counselors are prepared to talk with a student about school/work-related issues, feeling blue, anxiety or stress, family concerns, grief and loss, alcohol/substance abuse, domestic violence and other personal matters. These services are free and confidential. To access these services, call-800-327-2151 (TDD:-800-697-0353) or log into D2L and click on "Counseling Services" listed on the side of the page under "Student Resources."

RICHLAND

Alcohol and Other Drug Abuse (AODA) Resources

Muscoda Health Center

125 W. Nebraska St., Muscoda
608-739-3113

Richland County Health and Human Services

221 W. Seminary St., Richland Center
608-647-6384

Richland Hospital, Inc.
333 E. Second St., Richland Center
608-647-6321 (24 hours)

Pauquette Center
205 Parker St. Ste. A, Boscobel
608-375-6341 and
23295 Hwy 14, Richland Center
608-647-4705

Richland Medical Center
301 E. Second St., Richland Center
608-647-6161

Sexual Assault Resources

Passages
Box 546, Richland Center
608-647-6317 (24 hours)

Pauquette Center
222 N. Walnut St. Ste. B, Reedsburg
23295 Hwy 14, Richland Center
608-647-4705

Richland County Health & Human Services
221 W. Seminary St., Richland Center
608-647-6384

24-Hour Crisis Lines: 608-647-3616 and 1-800-236-4325

ROCK COUNTY

Alcohol and Other Drug Abuse (AODA) Resources

AA-Alcoholics Anonymous
412 Pleasant St., Beloit
608-364-0520

Beloit Memorial Hospital
1969 West Hart Rd., Beloit
608-364-5686

Forensic Psych Associates
111 E. Milwaukee St., Janesville
608-756-2767

Janesville Counseling Center
3506 Hwy 51 N, Janesville
608-757-5215

Janesville Psychiatric Clinic
2640 Milton Ave., Janesville
608-755-1475

24-hour crisis line:
608-921-1921 and 608-921-8544
www.janesvillepsych.com

Associates in Psychotherapy
1519 Primrose Ln, Janesville
608-752-7255 (24 hours) and
636 Park Ave., Beloit
608-365-4313 (24 hours)

**Mercy Options Comprehensive Mental Health
& Addiction Treatment**
113 S. Franklin St., Janesville
608-756-5555 and
2825 Prairie Ave., Beloit
608-365-2709

AA-Hotline — Janesville
608-754-1766

Crossroads Counseling Center
17 S. River St. Ste. 254, Janesville
608-755-5260

Genesis Counseling Services
1 S. Main St., 2nd Floor, Janesville
608-757-0404

**Rock County Crisis Intervention Hotline
(24 hours)**
608-757-5025

The Family Tree
508 Campus Ln, Milton
608-868-5122

Lutheran Social Services
612 N. Randall, Ste. A, Janesville
608-752-7660 and
749 Bluff, Beloit
608-362-6629

United Way FirstCall
608-752-3100 Janesville
608-363-8800 Beloit
608-882-9966 Evansville
www.firstcallrock.com

Sexual Assault Resources

Rock Co. Human Services Crisis Intervention
608-757-5025 (24 hours)

Rape Crisis Center
128 E. Olin Ave., Madison
608-251-7273 (24 hours)

YWCA of Rock County Alternatives to Violence
1735 S. Washington, Janesville
608-752-5445 (office)
608-752-2583 (24 hour helpline)
1-800-750-7990

Mercy Hospital, Janesville
608-756-5555

Sexual Assault Recovery of Rock County
423 Bluff St., Beloit
608-365-1244

UW-Rock County Student Services Office
608-758-6523

SHEBOYGAN

Alcohol and Other Drug Abuse (AODA) Resources

Alcoholics Anonymous (AA)/Al-Anon/1907 Club
920-457-9633

Aurora Behavioral Health Center
2640 N. 6th St., Sheboygan
920-451-5548

Bridgepoint Health
3425 Superior Ave., Sheboygan
920-458-5557

**Sheboygan County Department of Health
& Human Services Crisis Line**
920-459-3151

Mental Health America (Referrals, support
group information and resource library)
920-458-3951 (Sheboygan County)
1 (877) 605-5165

Narcotics Anonymous
1-888-611-1813

Nett-Work Family Counseling
2801 Calumet Dr., Sheboygan
920-451-6908

Northshore Clinic of Sheboygan
805 N 6th Street, Sheboygan
920-457-8866

**Sheboygan County Mental Health/
Substance Abuse Treatment Center**
920-459-3155

Sexual Assault Resources

Office of Student Services
920-459-6633

Bridgepoint Health
3425 Superior Ave., Sheboygan
920-458-5557

Nett-Work Family Counseling
2801 Calumet Dr., Sheboygan
920-451-6908

Our View Program (Hmong Women)
Safe Harbor of Sheboygan County
920-452-7640 or 1-800-499-7640
www.sheboygansafeharbor.org

**RAINN — Rape, Abuse, & Incest
National Network**
(800) 656-4673 (24 hour crisis line)
www.rainn.org

Hmong Family Strengthening Hotline
1-888-345-5898 (Bilingual Hotline)
www.hmongamer.org

Northshore Clinic of Sheboygan
615 S. 8th St., Sheboygan
920-457-8866 or 1-800-300-2272

Safe Harbor Domestic Abuse Program
Sheboygan (limited shelter)
920-452-7640 (24 hours)
1-800-499-7640 (24 hours)

**Sheboygan County Department of Health & Human Services
Community Programs/Outpatient**
1011 N. 8th St., Sheboygan
920-459-3151 (Crisis Line)
920-459-3207

Wholistic Health Center
5934 S. Business Dr., Sheboygan
920-459-9277

WASHINGTON COUNTY

Alcohol and Other Drug Abuse (AODA) Resources

211 First Call for Help
414-773-0211

Acute Care Crisis Line
262-365-6565 (24 hours)

Affiliated Clinical Services, Inc.
400 W. River Dr., West Bend
262-338-2717

Cornerstone Counseling
279 S. 17th, Ste. 10, West Bend
262-306-9315

Genesis Behavioral Services, Inc.
1626 Clarence Ct., West Bend
262-338-8611

St. Joseph's Hospital
3200 Pleasant Valley Rd., West Bend
262-334-5533 (24 hours) and
Behavioral Health Division
262-836-7101

AA Central Office
414-771-9119 (24 hours)

ARO Counseling Services
1622 Chestnut St., West Bend
262-338-9498

Council on Alcohol & Other Drug Abuse of Washington Co.
1625 E. Washington, Ste. 300, West Bend
262-335-6888

Narcotics Anonymous Helpline
Milwaukee
(800) 240-0276 (24 hours)

Washington County Human Services
333 E. Washington, Ste. 2000, West Bend
262-335-4545 (24 hours)
262-335-4583

Sexual Assault Resources

AIDS Resource Office
1-800-232-4636 (24 hours)

Student Services Office
262-335-5200

St. Joseph's Hospital
3200 Pleasant Valley Rd., West Bend
262-334-5533 and
Behavioral Health Division
262-836-7101

Friends of Abused Families
262-334-7298 (24 hours)

Washington County Health and Human Services
333 E. Washington, Ste. 2000, West Bend
262-335-4545 (24 hours)

West Bend Police Dept.
1115 S. Main, West Bend
262-335-5000 (Non-emergency)
911 (Emergency)

WAUKESHA

Alcohol and Other Drug Abuse (AODA) Resources

Alcoholics Anonymous
414-771-9119 (24 hours)

Addiction Resource Council
W228 N683 Westmound Dr., Waukesha
262-524-7920

Family Service of Waukesha County
101 W. Broadway Blvd., 2nd Floor Waukesha
262-547-5567

211 - First Call for Help
262-547-3388 (24 hours)

ARO Counseling
2314 N. Grandview Blvd., Waukesha
262-524-9416

Rogers Memorial Hospital
34700 Valley Rd., Oconomowoc
262-646-4411 or 1 (800) 767-4411

Aurora Behavioral Health

W231 N1440 Corporate Ct Ste 310, Waukesha
262-896-6186
Services to Milwaukee and Waukesha Counties

Cornerstone Counseling Services Inc.

262-789-1191 Option 1
9 locations in metro Milwaukee (Brookfield,
Glendale, Greenfield, Jefferson, Milwaukee,
Mukwonago, Oconomowoc, Waukesha and
West Bend)

**Waukesha County Dept. of Health and
Human Services**

500 Riverview Ave., Waukesha
262-548-7666

Waukesha Memorial Hospital-Center for Behavioral Health

725 American Ave., Waukesha
262-928-4036 or 1-800-326-2011 Ext. 4036
<http://www.prohealthcare.org>
Services to Milwaukee, Washington, Waukesha, and Ozaukee
Counties

Sexual Assault Resources**Office of Student Services**

262-521-5464 (Barb Kauth)

The Code of Conduct Committee

262-521-5433

The Women's Center, Inc.

505 N. East Ave., Waukesha
262-547-4600

Waukesha County Sexual Assault Nurse**Examiner (SANE) Program**

Waukesha Memorial Hospital
Emergency Room
725 American Ave., Waukesha
262-928-2000

First Call for Help

262-547-3388

**Sexually Transmitted Disease Helpline
(Public Health Division)**

262-896-8450

Women's Center Crisis Line

262-542-3828 (24 hours)
1-888-542-3828 (24 hours)