**Student Disciplinary Investigation Process**

**No Formal Disciplinary Investigation**

- Complainant can request a no preponderance review through the Associate Dean of Students
- Documentation of rationale for no formal disciplinary investigation and remedial actions taken to alleviate a potential hostile environment

**Formal Disciplinary Investigation Initiated**

- Office of Compliance Investigator and Special Investigator meet with student complainant & respondent separately
- Per UWS Ch. 17

- Office of Compliance sends Investigative report to Office of Student Conduct & Community Standards (OSCCS)

- OSCCS determines if preponderance standard met

**Finding of Responsibility by preponderance of the evidence standard**

- OSCCS shares finding with respondent & complainant

- Respondent accepts finding & complainant

- Hearing committee convened for determination

**Office of Compliance sends**

- Investigation report to Office of Student Conduct & Community Standards (OSCCS)
- OSCCS shares finding with respondent & complainant

- Respondent does not accept finding and sanction

- Hearing committee convened for determination

**Process ends**

- Review outcome does not support finding of not responsible

- Review outcome supports finding of not responsible

**Notice**

(e.g. House Fellow IR, Student or UWPD report)

- Assess Emergency Suspension
- Assess Interim Actions
- Assess Duty to Warn Campus Community

**No Formal Disciplinary Investigation**

- Respondent does not accept finding and sanction

**Settlement agreement signed**

(with consultation of complainant)

**Complainant** refers to the person reporting an allegation, or the alleged victim.

**Respondent** refers to the person whom an allegation is made against, or the alleged assailant.

**Special Investigator** refers to a designated and highly trained investigator contracted to assist in case investigations.

**Preponderance** refers to a standard of proof that shows something is more likely than not to have occurred.

Chapter UWS 17 is the student nonacademic misconduct procedure for all UW System institutions, and covers both on and off campus behavior. Chapter UWS 17 is available online at the following link: http://docs.legis.wisconsin.gov/code/admin_code/uws/17.pdf UW–Madison campus procedures are available online: http://students.wisc.edu/doso

- Allegations involving a respondent who is a student or employee at another UW System institution shall be forwarded to the appropriate office on that campus.
- Any questions regarding the investigation process should be directed to: Office of Student Conduct & Community Standards, 70 Bascom Hall (dean@studentlife.wisc.edu) or Lauren Hasselbacher at lauren.hasselbacher@wisc.edu
- A complete and detailed listing of each of these policies and rights can be found in the most recent UW–Madison’s Annual Security and Fire Safety Report, at uwpd.wisc.edu/crime-data/clery-act
- Consent must be freely given with overt words or actions that clearly communicate an individual’s desire to engage in sexual activities. Consent is a clear yes, not the absence of a no. Consent cannot legally be obtained if an individual is incapacitated due to alcohol or other drugs, is unconscious or asleep, or has limited mental capacity.
- Confidential means that, as allowable by law, the information survivors share with us will not be shared to law enforcement, campus authorities, parents, or any other person without the explicit written permission of the student victim/survivor.
- The outline for the Chancellor Appeal can be viewed at http://docs.legis.wisconsin.gov/code/admin_code/uws/17/13

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**Please note:**

1. “Respondent” refers to the person whom an allegation is made against, or the alleged assailant.
2. “Complainant” refers to the person reporting an allegation, or the alleged victim.
3. “Special Investigator” refers to a designated and highly trained investigator contracted to assist in case investigations.
4. “Preponderance” refers to a standard of proof that shows something is more likely than not to have occurred.
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**Student Disciplinary Investigation Process**

*Related to Sexual Assault, Dating/Domestic Violence, and Stalking allegations*

Reflects Title IX, VAWA, and Chapter UWS/17 of the Wisconsin Administrative Code

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Last Updated July 2017