Introduction

Chances are you never thought that your son or daughter’s UW-Eau Claire experience would include allegations of misconduct. First, we recognize that our students (like all of us) make mistakes. Sometimes this involves the consumption of alcohol. Other times it may involve a rash decision made at a late hour. Through our process, we want students to learn where they could have made different decisions and offer them strategies for making better choices in the future.

As you know from your own experience, actions carry consequences. This is no different at UW-Eau Claire. When students are found responsible for violating a University policy, they may face a set of sanctions. These sanctions may include a warning, probation, reflection papers, and, sometimes, separation from the University, either for a period of time (suspension), or permanently (expulsion). These are not consequences we take lightly. We recognize that any sanction imposed may impact a student.

However, we also feel strongly that our process and sanctions play an important role in a student’s education at UW-Eau Claire, not just during their time with us, but in life beyond college. We encourage, but do not require, students to talk with their parents upon finding themselves in a tough situation that may involve violation of a university policy. We have found that students are often fearful to talk with their parents about their situation because of the reaction they think they will receive. While you will understandably be concerned about what may have happened, you will undoubtedly want to show support to your son or daughter. Listen to his or her perspective. Encourage him/her to accept responsibility for the role he or she played in a situation.

A common reaction from parents is that their son or daughter could not have possibly engaged in the behavior of which they are accused. Or, at worst, the behavior of their son or daughter was unintentional and simply a mistake. We strive for a fair and thorough process in determining the extent to which a student was involved in a situation. Intent, or lack thereof, is most often considered not in a determination of responsibility, but in a determination of the sanctioning. We have high expectations for our students, and this includes seeking appropriate help when facing a difficult decision.

This document is designed to help answer some of the questions you may have about our conduct process and give you information that can help you best support your son or daughter. Our office is happy to speak with you regarding our process or other concerns you may have. Feel free to contact us by phone at (715) 836-5626 or email at deanofstudents@uwec.edu.

Q: How can I help my student avoid becoming involved in the conduct process? We encourage you to talk with your son or daughter about their values and how their actions can impact their future. Often students find themselves in a conduct situation because they did not fully consider the consequences of their actions. While your child is now technically an adult, college is a time of growth, change, and challenge. As a parent you can serve as a valuable ally by providing support for your child.

Q: How will I know if my student has gotten in trouble? We do not mandate that students contact their parents when they are accused of or found responsible for misconduct. We often encourage them to do so, particularly when there are serious financial or academic implications. Federal law generally restricts our ability to share information about a student without his or her written consent. Consequently, we encourage you to talk regularly with your student about their adjustment to college life, academic progress and how you can be supportive.

Q: Where can I find a complete copy of the Student Nonacademic Disciplinary Procedures?Chapter UWS 17 is the official document containing policies and procedures for nonacademic disciplinary procedures. The document can be found on the Dean of Students Office website at www.uwec.edu/dos.

Q: My student has been asked to come in for a meeting about an allegation of misconduct. What can I do to help? Often students and parents are anxious about the conduct process. One way to help is to become informed about how our process works. You can review our web site (www.uwec.edu/dos) to learn about our expectations as well as how our conduct process works. The best role you can play is to be a support person for your son or daughter. We understand you may want to take a more active role. However, a cornerstone of our conduct process is that each student is responsible for his or her own conduct. Learning to take responsibility for his or her actions and to develop self-confidence and self-reliance happens best when a student takes a principal role in representing him or herself in the conduct process.

Q: I have a specific question about my student’s conduct case, with whom can I talk? The staff in the Dean of Students Office can answer general questions about the conduct process. However, in order to speak with you about your student’s specific conduct case, your student must complete a Confidentiality Waiver Form available in our office. This is a requirement of a federal law known as the Family Educational Rights and Privacy Act (see below).

Q: Can the University assert jurisdiction over behavior that occurs off-campus? The University does have the authority, via UWS 17.08, to assert jurisdiction over off-campus behavior. Jurisdiction over off-campus behavior can only be asserted when, in the judgment of the Dean of Students Office, the alleged conduct adversely affects a substantial University interest.
Q: Does my son or daughter need a lawyer? As an educational process, the student disciplinary system at UW-Eau Claire operates independently from and often concurrently with the criminal or civil court system. Sometimes behavior that is prohibited under the University policy is also a violation of criminal or civil law, and a student may be held accountable under both systems. Because of the inherent nature of the conduct process as an educational rather than an adversarial system, we do allow lawyers to participate in our process, but their role is limited. Please refer to the Attorney Guide to the Student Conduct Process, available on our website, for more information on the role of attorneys in our process.

Q: If my child is found responsible for misconduct what is the outcome? The conduct process allows for flexibility in determining the outcome of a case based on factors such as the circumstances and seriousness of the incident and the conduct history of the student. There is no predetermined sanction for any violation. Sanctions are primarily meant to be educational for the student. In some instances sanctions may also be designed to protect the University community. In serious cases, university suspension or expulsion are potential outcomes of the conduct process. Since these sanctions hold significant implications both financially and in terms of a student’s academic progress we strongly encourage students to involve their parents or those responsible for assisting the student with financing his or her education in situations where these outcomes are a possibility.

Q: What are the long-term affects of being found responsible for violating University policy? This typically depends on the type of violation and the sanction. Generally, minor violations will have no long-term impact. A more serious violation and sanction can have significant long-term impacts on your student. Graduate schools and some employers may request access to a student’s disciplinary file when making admission or hiring decisions. Additionally, other offices on campus may request disciplinary information when making decisions about employment or study abroad opportunities. Our office will only release a student’s disciplinary record consistent with FERPA requirements.

Family Educational Rights and Privacy Act (FERPA)

What are education records? FERPA protects the privacy of student records. An education record is any record from which a student can be personally identified and which is maintained by the University. A student has the right of access to these records. Education records include records in whatever medium (handwritten, email, print, magnetic tape, film, diskette, etc) that is in the possession of any school official. These records include transcripts or other records obtained from a school in which a student was previously enrolled.

What aren’t education records?
- Law enforcement records,
- Records relating to treatment provided by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional and disclosed only to individuals providing treatment,
- Records of an institution that contain only information about an individual obtained after that person is no longer a student (i.e. alumni records).

Parents’ Access to their Student’s Education Records
Parents are often confused and concerned when they attempt to gain access to their students’ classroom attendance or grades and are denied, or if they discover that their son or daughter is charged with violating University policy. FERPA protects student privacy and requires that our office maintain strict confidentiality when discussing student records. Parents may gain access to disciplinary information only after the Dean of Students Office receives a completed confidentially waiver form from the student.

What rights do students have under FERPA?
- The right to inspect and review their education records within 45 days of their request
- The right to request an amendment to their education records
- The right to consent to disclosures of personally identifiable information contained in their education records
- The right to file a complaint with the U.S. Department of Education concerning alleged failures to comply with FERPA