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# Wisconsin Legislative Council

## INFORMATION MEMORANDUM

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### THE UNIVERSITY OF WISCONSIN SYSTEM

The University of Wisconsin (UW) System consists of 13 degree-granting universities with 13 additional affiliated campuses. The overall mission of the system includes the development of human resources and the discovery and dissemination of knowledge through teaching, research, public service and the provision of extended education beyond the boundaries of the campus.

This information memorandum provides an overview of the statutory requirements applicable to the UW System set forth in ch. 36, Stats. Chapter 36, Stats., grants broad authority and responsibility to the UW Board of Regents (BOR) to operate the UW System. In addition, ch. 36, Stats., contains provisions relating to faculty and student governance; eligibility for in-state tuition; faculty and academic staff layoffs and termination; numerous special programs that the UW System must offer; and tuition remission programs. This memorandum also references certain BOR policies and administrative rules where added detail is relevant.

### THE WISCONSIN IDEA

The guiding philosophy of the UW System is the “Wisconsin Idea,” which is most often associated with University President Charles Van Hise and Governor (and U.S. Senator) Robert M. La Follette, Sr. The Wisconsin Idea is the concept that “the boundaries of the University are the boundaries of the state.” In practice, this means making the resources of the UW available to people all across the state, not just those who are currently enrolled as students. The Wisconsin Idea began as an effort to use the knowledge of the UW faculty to assist the State Legislature in shaping government policies, but it soon expanded to helping teachers, farmers, and people of all ages and levels of education. [s. 36.01, Stats.; Jack Stark, *The Wisconsin Idea: The University’s Service to the State*, in State of Wisconsin Blue Book 101 (1995-1996).]

### CAMPUSES

The UW System consists of 13 universities and 13 affiliated campuses located throughout the state. UW-Madison and UW-Milwaukee are doctoral campuses that offer bachelor’s, master’s, doctoral, and advanced professional degrees, and conduct organized programs of research. The other 11 four-year campuses are known as “comprehensive campuses.” They generally offer associate, bachelor’s, and select graduate programs. The affiliated campuses generally offer associate degrees, but some campuses offer select bachelor’s degrees in collaboration with the comprehensive campuses.

## UW System Universities and Affiliated Campuses<sup>1</sup>



The affiliated campuses include:

- UW-Eau Claire - Barron County
- UW-Green Bay Manitowoc
- UW-Green Bay Marinette
- UW-Green Bay Sheboygan
- UW-Milwaukee at Washington County
- UW-Milwaukee at Waukesha
- UW-Oshkosh Fond du Lac
- UW-Oshkosh Fox Valley
- UW-Platteville Baraboo Sauk County
- UW-Platteville Richland
- UW-Stevens Point at Wausau
- UW-Stevens Point at Marshfield
- UW-Whitewater at Rock County

For more information regarding the individual campuses of the UW System and their respective enrollments, see the UW System Fact Book at [https://www.wisconsin.edu/download/publications\(2\)/Fact-Book.pdf](https://www.wisconsin.edu/download/publications(2)/Fact-Book.pdf).

## GOVERNANCE

The UW System is governed by the BOR, which consists of 18 members: 14 citizen members appointed by the Governor and confirmed by the Senate for seven-year staggered terms; two students at UW System institutions who serve two-year terms, also appointed by the Governor; and the State Superintendent of Public Instruction and the president of the WTCS Board, or by his or her designation, another member of the WTCS Board. At least one of the 14 citizen

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<sup>1</sup> Map source: UW System.

members of the BOR must be appointed from each of Wisconsin's eight congressional districts. [s. 15.91, Stats.]

The BOR is directed by law to: enact policies and promulgate rules for governing the UW System; plan for the future needs of the state for university education; ensure the diversity of quality undergraduate programs while preserving the strength of the state's graduate training and research centers; and promote the widest degree of institutional autonomy within the UW System. Some of the specific powers of the BOR include:

- Appointing the president of the UW System.
- Appointing the chancellor of each institution.
- Determining the educational programs to be offered by the UW System.
- Determining admission policies.
- Granting degrees.

The president and chancellors of the UW System are charged with the implementation of BOR policies and the administration of the institutions. [ss. 36.09 and 36.11, Stats.] Under statutory "shared governance," the faculty, academic staff, and students of each institution play a role in the governance of the UW System.

Specifically, faculty, academic staff, and students of each institution may organize themselves as they determine and may select representatives to participate in institutional governance. Each group is primarily responsible for advising the chancellor at that institution regarding the policies and procedures that concern its respective membership. The responsibilities and powers of the faculty, academic staff, and students are subordinate to the responsibilities and powers of the BOR, the president, and the chancellor. [s. 36.09 (3m) to (5), Stats.]

## **ADMISSION**

Specific admission policies for each UW institution are developed by the individual campuses, taking into account that campus's mission and resources and guidance from the BOR. However, in order to qualify for admission to any UW System institution as a freshman, an applicant must be a graduate of a recognized high school or complete the requirements for a high school equivalency certificate or diploma. All UW System institutions require a minimum of 17 high school credits in specified subjects. As an alternative, a student who attended a high school that has a nontraditional curriculum may submit a UW System Competency-Based Admission profile. Applicants must also submit ACT or SAT scores. Individual institutions have discretion to waive one or more of the minimum requirements for particular applicants when appropriate.

According to BOR policy, applicants are given a comprehensive review to determine whether they are prepared to satisfactorily complete academic work and whether they will benefit from and enrich the educational environment and enhance the quality of the institution. Review is based on academics, standardized test scores, and other factors, including the following:

- Student experiences;
- Leadership qualities;
- Special talents; and

- Whether the applicant is:
  - A veteran;
  - Socio-economically disadvantaged; or
  - A member of a historically underrepresented racial or ethnic group.

[Regent Policy Document 7-3.]

## **TUITION AND FEES**

### **Differential Tuition and Tuition Freeze**

Under Wisconsin law, the BOR may generally establish differing tuition and fees for different classes of students, such as undergraduates, graduate students, and nonresident students. The BOR may also establish special tuition rates and fees, known as “differential tuition” for particular studies or courses of instruction. [s. 36.27 (1) (a), Stats.]

Tuition for resident undergraduate students has been frozen since 2013.<sup>2</sup> 2015 Wisconsin Act 55 extended the tuition freeze originally established by 2013 Wisconsin Act 20, specifying that during the 2015-16 and 2016-17 academic years, the BOR may not charge resident undergraduates at any UW institution or UW college campus tuition that is more than the tuition charged to resident undergraduates in the 2014-15 academic year at the same institution or campus. 2017 Wisconsin Act 59 extended the tuition freeze in the 2017-18 and 2018-19 academic years. 2019 Wisconsin Act 9 further extended the tuition freeze for the 2019-20 and 2020-21 academic years.<sup>3</sup>

### **Residency**

The chancellor of each institution is required to develop procedures for residency determinations and provide for appeals from classifications of nonresidency. The appeals process must include the right to a hearing. Residency decisions are also subject to judicial review. [Regent Policy Documents 32-1 and 32-2; ch. UWS 20, Wis. Adm. Code.]

Generally, to be considered a resident for tuition purposes, an adult student must have been a resident of Wisconsin for the 12 months prior to the beginning of the semester or session for which the student registers. For a minor student, the same requirement applies to his or her parent or parents. In determining residency, the intent of the person to establish and maintain a permanent home in Wisconsin is determinative.

There are several exceptions to this requirement, including special provisions for migrant workers and their children, members of the Armed Forces stationed in Wisconsin and their families, persons who relocated to Wisconsin for employment purposes, and persons who are refugees, among others. [s. 36.27 (2), Stats.; ch. UWS 20, Wis. Adm. Code.]

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<sup>2</sup> Please note that despite the tuition freeze for resident undergraduate students, the total cost of attendance has and may continue to increase because the tuition freeze does not apply to segregated fees. Segregated fees are charges in addition to instructional fees assessed to all students for services, programs, and facilities that support the primary mission of the university.

<sup>3</sup> See 2013 Wisconsin Act 20, SEC. 9148(4n); 2015 Wisconsin Act 55, SEC. 9148(4) and (4d); 2017 Wisconsin Act 59, SEC. 9148(3t); and 2019 Wisconsin Act 9, SEC. 9147.

Subject to certain exceptions, nonresidents must pay the nonresident tuition rate. Nonresident students are charged tuition in excess of instructional costs, thus subsidizing resident students. The amount charged for nonresident tuition is not subject to any statutory limits.

## **Fee Remissions**

There are several opportunities for full or partial resident and nonresident tuition and fee remission. For example, tuition remission is available, under certain circumstances, for the children and surviving spouse of an ambulance driver, correctional officer, fire fighter, emergency medical services technician, or law enforcement officer who was killed in the line of duty or as the result of a duty disability in Wisconsin. [s. 36.27 (3m), Stats.]

Tuition and segregated fees remission is available for veterans who satisfy certain residency and service requirements. Likewise, tuition and segregated fees remission is available, under certain circumstances, for the children and surviving spouse of a veteran who, while a resident of this state, died on active duty, died as the result of a service-connected disability, died in the line of duty while on active or inactive duty for training purposes, or was awarded at least a 30% service-connected disability rating under federal law. [s. 36.27 (3n) and (3p), Stats.; 20 U.S.C. s. 1015d.]

## **Reciprocity**

The Minnesota-Wisconsin reciprocity agreement allows residents of each state to attend public post-secondary institutions in the other state without having to pay nonresident tuition. Participating students pay a reciprocal fee that cannot exceed the higher of the two states' resident tuition rates. Under the agreement, a student generally pays the higher of the resident tuition charged by the institution attended or by its comparable institution in the other state. The reciprocity agreement is negotiated and administered jointly by the Higher Educational Aids Board (HEAB) and the Minnesota Higher Educational Services Office. Wisconsin law specifies that the agreement is subject to the approval of the Joint Committee on Finance. While the current agreement does not contain a specific expiration date, it may be modified at any time upon mutual agreement of both states. [s. 39.47, Stats.] More information regarding the Minnesota-Wisconsin reciprocity agreement is available from the HEAB at: <http://www.heab.state.wi.us/reciprocity/index.html>.

There are also reciprocal tuition agreements for residents of Wisconsin and Michigan enrolled in specific institutions in those states. For more information, see <http://heab.state.wi.us/programs.html#RECIP>.

## **Return to Wisconsin**

Nonresidents may receive a 25% waiver of nonresident tuition under the "Return to Wisconsin" program. To be eligible, a parent, grandparent, or legal guardian must have graduated from the institution where the student will enroll. Participating UW campuses are UW-Eau Claire, UW-Green Bay, UW-La Crosse, UW-Oshkosh, UW-Parkside, UW-River Falls, UW-Stevens Point, UW-Stout, and UW-Whitewater. For more information regarding participating institutions, see the nonresident tuition program options at <https://uwhelp.wisconsin.edu/pay-for-college/nonresident-tuition-costs/>.

## **Midwest Student Exchange Program**

Currently, 11 UW System campuses and nine affiliated campuses participate in the Midwest Student Exchange Program (MSEP), which allows students from a participating state to attend

public colleges or universities in other participating states at a tuition of no more than 150% of resident tuition. Wisconsin joined MSEP in 2005. UW campuses individually determine whether they will participate and identify factors for admission of students through MSEP. [s. 39.80, Stats.] For more information regarding participating institutions, see the nonresident tuition program options at <https://uwhelp.wisconsin.edu/pay-for-college/nonresident-tuition-costs/>.

## **TRANSFER ADMISSIONS AND TRANSFER OF CREDITS**

### **General Principles Governing Transfers**

Admission of students to UW System institutions from other institutions of higher education is based on comprehensive, individualized admission review, consistent with the process for freshman admission. In awarding transfer credit, UW System institutions consider the quality and comparability of the transfer student's coursework, and the applicability of that work to the receiving institution's degree requirements. In determining transfer credit, the BOR directs UW System institutions to provide transfer students the same opportunities as continuing students to demonstrate their competence through the use of internally or externally developed tests, portfolio assessment procedures, and other competency-based alternatives.

In addition, students who transfer to a UW System four-year institution with an associate degree from a UW System two-year institution are considered to have satisfied university, college, or school general education requirements at the transfer campus.

Most UW System institutions require all students to complete a specific number of credits at that institution to obtain a degree. Transfer students are responsible for fulfilling these credit requirements.

Upon being admitted to an institution, transfer students receive a credit evaluation showing how transferred courses equate to courses at their new campus. Students have the right to appeal credit evaluations. [Regent Policy Document 7-1; Academic Information Series 6.0.] For more information regarding the transfer of credits, see the UW System *Transfer Wisconsin* website at: <https://www.wisconsin.edu/transfer/frequently-asked-questions/>.

### **Universal Credit Transfer Agreement**

Wisconsin law requires the BOR and the WTCS Board to enter into and implement an agreement that identifies 72 credits<sup>4</sup> of core general education courses that will be transferable between and within each institution participating in the agreement. The tribal colleges and members of the Wisconsin Association of Independent Colleges and Universities (WAICU) may also participate in the agreement. The credits must be transferable without loss of credit towards graduation or toward completion of a specific course of study. [s. 36.31 (2m), Stats.] More information about the agreement is available at: <http://www.wisconsin.edu/transfer/universal-transfer/>.

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<sup>4</sup> The current law requirement for 72 transferrable general education course credits applies beginning in the 2022-23 academic year. Prior law required 30 transferrable credits by the 2014-15 academic year.

## ALTERNATIVE COURSE OPTIONS

### Flexible Option

The UW Flexible Option program, a partnership between UW System institutions and the UW extended campus, allows students to earn credits and degrees without attending traditional classes. Students are assigned academic coaches and earn credits by passing assessments. Students may learn the material online or by using textbooks and may also earn credit for knowledge gained through experience if they can show through an assessment that they have mastered a subject area.

Students enroll in Flexible Option for three-month “subscription periods” during which they can access learning materials, receive academic support, and complete competency tests.

For many programs, students can choose between an “all-you-can-learn” option for \$2,250, in which they try to master as many skill sets, and pass as many assessments, as they can, or a “single competency-set” option for \$1,125, which allows a student to master one skill set.

Flexible Option programs are currently offered through UW-Madison, UW-Milwaukee, and UW-Parkside. More information regarding the Flexible Option is available at <https://flex.wisconsin.edu/faqs/>.

### Distance Education

The UW System also provides distance learning courses via online, videoconference, print, and other media. Most UW System institutions offer distance learning programs. A student may be able to receive an undergraduate degree, a graduate degree, or a certificate through distance learning programs.

Information about distance learning courses and programs at the UW System can be found at: <https://uwhelp.wisconsin.edu/resources/distance-learning-opportunities>.

### Auditing Courses

Wisconsin statutes require the BOR to allow individuals aged 60 or older to audit courses free of charge. BOR policy provides that Wisconsin residents age 60 or older, and disabled Wisconsin residents receiving disability benefits, may audit classes without charge; residents under the age of 60 must pay 30% of the normal per credit academic fee to audit a class. Nonresidents are charged 50% of the normal per credit academic fee. The right to audit a class is subject to general conditions, including approval of the instructor and sufficient classroom space. [s. 36.27 (1) (b), Stats.; Regent Policy Document 4-10.]

This information memorandum was prepared by Emily Hicks, Staff Attorney and Dan Schmidt, Deputy Director, on November 10, 2020.