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# **ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Acceptable Use of Computers and Electronic Devices**

### **Purpose**

The use of computers and other electronic devices (e.g. desktop computers, laptops, tablets, cell phones) is a privilege provided by Fox Valley Technical College to support students' educational objectives consistent with the mission of FVTC.

FVTC information technology resources, including College-owned equipment on and off campus facilities, computers attached to the network, and any associated resource or service are for the use of persons affiliated with the College, including faculty, staff, and students in good standing. Information technology resources are provided to further FVTC's mission of providing high-quality education and training that supports student goals, a skilled workforce and the economic vitality of our communities. The use of these resources should be consistent with this mission, this policy, other use, and security policies, and other applicable regulations. Computer resources may be used for personal use to the extent that personal usage does not interfere with College operations, or the educational objectives of other students. By using FVTC technology, all individuals, including, but not limited to, employees, students, customers, volunteers, and third parties, unconditionally accept the terms of this policy.

Acceptable use of FVTC information technology resources is based on common sense, decency, ethics, civility, and security applied to the computing environment. Authorized users may expect reasonable privacy with regard to all computer files and email. However, authorized personnel may access College-owned or networked computers, accounts, and data transmissions for maintenance and upgrades and to monitor or troubleshoot networks for related security, network audits, investigations, and/or legal requirements. If there is reasonable suspicion of misuse, accounts and transmissions may be accessed for investigative purposes when authorized by all three of the following positions: the Executive Team member responsible for the unit, the Vice President for Human Resources, and the Vice President for Information Technology/Chief Information Officer. Security analysis and maintenance systems whose purpose is to identify unauthorized use of a system may be used to monitor computer use. All data stored on FVTC systems is considered College property and is subject to review.

Any actions that compromise the integrity of the College, data facilities, networks, services, or resources are strictly prohibited. Examples of unacceptable uses include, but are not limited to, the following:

- Using the resources for any purpose that violates federal or state laws.
- Using the resources for commercial, sales, and advertising purposes without proper authorization.
- Using excessive data storage or network bandwidth or transferring unusually large or numerous files or messages.
- Sending or storing for retrieval harassing, intimidating, or abusive material.
- Misrepresenting your identity or affiliation while using information technology resources.

- Using someone else's identity and password for access to information technology resources, logging others into the network to access information technology resources, or using the network to make unauthorized entry to other computational, information, or communications devices or resources.
- Accessing or forwarding material that, in FVTC's evaluation, is obscene, defamatory, or constitutes a threat, including pornographic material.
- Attempting to evade, disable, or "crack" passwords or other security provisions of systems on the network.
- Reproducing and/or distributing material protected by copyright, trademark, trade secret, or other intellectual property without appropriate authorization.
- Copying or modifying files belonging to others or to FVTC without authorization, including altering data, introducing or propagating viruses or worms, or simply damaging files.
- Using the resources for political activities, including organizing or participating in any political meeting, rally, demonstration, soliciting contributions or votes, distributing material, surveying or polling for information connected to a political campaign, completing political surveys or polling information, and any other activities prohibited under the ethics act and/or other state/federal laws.
- Purposefully interfering with or disrupting another information technology user's work as well as the proper function of information processing and network services or equipment.
- Intercepting or altering transmitted information.

These principles and guidelines are extended to networks and information technology resources outside of the College accessed via the Internet. Networks or information technology resource providers outside of the College may, in turn, impose additional conditions of appropriate use, which the user is responsible to observe when using those resources. Certain violations of this acceptable use policy may be reported to external agencies or law enforcement for investigation.

In a case where unacceptable use severely impacts performance or security, in order to sustain reasonable performance and security, Information Technology Services will immediately suspend an individual's access privileges.

### **Disciplinary Action**

Violations of policies that constitute a breach of the Student Conduct Code will be referred to The Manager of Student Conduct. Disciplinary action up to and including suspension from FVTC and either criminal and/or a civil suit could be taken against individuals who violate the above stated policies.

Adopted: 03/01/00 Reviewed: 04/02/15 Revised: 05/22/15

### ADMINISTRATIVE POLICY TYPE: STUDENTS

### **POLICY TITLE: Code of Conducts – Students**

Fox Valley Technical College believes in creating and maintaining a learning environment that values academic excellence, institutional integrity, justice, equity, civility and diversity. The College is committed to the academic and personal development of all students and requires the behavior of all students to be compatible with the mission and values of the College. Students are required to conduct themselves in a positive and appropriate manner at all times while attending all College sponsored activities, both on or off any district campus. The code of student conduct is established to foster and protect the core missions and objectives of the College, to foster the scholarly and civic development of the College's students in a safe and secure learning environment, and to protect the faculty, staff, and students as well as the properties and processes that support the College and its missions.

To meet these needs, Fox Valley Technical College administers the Student Code of Conduct which preserves both the need to support the teaching and learning mission of the College as well as observes appropriate procedure and the substantive rights of our students.

The president or designee shall administer the Code of Conduct and make changes as necessary to ensure orderliness of process and compliance with applicable laws. Copies of the Code of Conduct are available at <a href="http://www.fvtc.edu">http://www.fvtc.edu</a> and by request in the Office of Student Life.

Adopted: 10/14/99 VI.A Reorganized: N/A Page 1of 1

Reviewed: 12/18/09 Revised: 02/02/10

### **ADMINISTRATIVE POLICY TYPE: STUDENTS**

### **POLICY TITLE: Discrimination Grievance Procedure (Students)**

# I. Policy Statement

Fox Valley Technical College will provide equal opportunity in educational programs and services to all persons regardless of age, race, color, creed, religion, disability, marital status, parental status, sex, national origin, ancestry, sexual orientation, or pregnancy unless such status relates to a bona fide academic qualification. Services, financial aid, and other benefits of this college are provided on a nondiscriminatory basis.

The College seeks continuous compliance with all applicable state and federal antidiscrimination laws, including but not limited to, Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act of 1990, the Civil Rights Act of 1991, the Carl D. Perkins of Vocational Education Act, the Guides of the Civil Rights Office for the Elimination of the Discrimination and Refusal of Services in Vocational Programs, the Civil Rights Restoration Act of 1987, 38.23, *Wis. Stats.*, other laws, executive orders, and/or administrative directives and applicable codes.

### II. Definitions

Discrimination shall mean unequal treatment in any service, program, course, activity, or facility at Fox Valley Technical College based upon a student's protected status as defined by law.

Harassment is a form of discrimination and includes verbal or physical conduct that creates an intimidating, hostile, or offensive academic environment, which substantially interferes with an individual's academic performance or substantially and adversely affects an individual's academic progress. Harassment includes unwelcome verbal or physical conduct of a sexual nature that is severe enough to interfere substantially with an individual's academic progress or creates an intimidating, hostile, or offensive academic environment. This definition also applies when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's status as a student, or
- Submission to or rejection of such conduct by an individual is used as a basis for academic decisions affecting the individual.

**Adopted: 06/06/02** Page 1 of 6

Reorganized: xx/xx/xx Reviewed: 10/18/13 Revised: 11/07/13 Sexual Harassment includes sexual violence, an extreme form of hostile environment defined as:

Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

This policy covers complaints involving student-on-student or employee-on-student sexual harassment that occurred off school grounds, and/or outside of a College education program or activity. Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this policy, e.g. if off-campus harassment has continuing effects which deny or limit a student's ability to participate in or benefit from an educational program or that create a hostile environment on campus. Allegations of off-campus sexual misconduct should be brought to the college's attention.

Complainant is an individual who is currently enrolled, is currently seeking access to an educational service, program, course or facility at the College, or who has been enrolled or who has sought access to an education service, program, course or facility at the College within the last three hundred (300) calendar days who alleges discrimination based on a protected status or prohibited harassment as set forth above.

### **III.** Assurance of Non-retaliation

Retaliatory action against anyone filing a complaint of any type of discrimination or harassment or anyone who participates in the investigation of a complaint is strictly prohibited. The complainant, any person who participates in the investigation of a complaint, and the accused will be advised of the District's policy in this regard when a complaint has been filed. Retaliation is itself a form of misconduct that may form the basis for disciplinary actions. Any complaints of retaliation, on any basis, should be referred immediately to the Title IX/Gender Equity Coordinator.

### IV. Confidentiality

Confidentiality is critical to the grievance procedure. A complaint, in and of itself, is not evidence of inappropriate behavior. We respect the privacy of all persons involved in the complaint – the complainant, a person accused of engaging in the prohibited conduct, witnesses, and others as deemed necessary. These individuals shall maintain confidentiality and not discuss any part of the complaint investigation, findings, or any action taken, except with those persons who have a legitimate need to know. The College shall maintain confidentiality to the extent allowed by law and to the extent necessary to conduct a thorough and efficient investigation of the complaint.

### V. Grievance Procedure

The Discrimination Grievance Procedure is designed to comply with any applicable federal regulations which require federal grantees to adopt and publish grievance procedures providing for prompt and equitable resolution of student complaints, alleging discrimination. It is also designed to comply with State of Wisconsin law prohibiting discrimination against students for the reasons set forth in Sec. 38.23 *Wisc. Stats.* 

The procedure consists of four (4) steps\*: 1) Intake; 2) Investigation; 3) Review and Findings; and 4) Appeal.

\*NOTE: These steps are the responsibility of FVTC whether or not the student who was harassed makes a complaint or otherwise asks the school to take action.

### Step 1 – Intake

It is the primary responsibility of the Affirmative Action Officer to ensure the effective installation, maintenance, processing, timelines, recordkeeping, and notification required by the grievance procedure. The Affirmative Action Officer may assign the investigation to another individual at his/her discretion if such reassignment would further the purposes of this policy. The person (complainant) with a discrimination or a harassment complaint shall attempt to resolve the issue by informal discussion with the Instructor, Dean, or Title IX/Gender Equity Coordinator as soon as possible after the known occurrence of the act or event. The full cooperation of the complainant is essential throughout the grievance procedure.

If a responsible College employee has directly observed sexual harassment of a student, the College should contact the student who was harassed (even in the absence of a complaint from that student), explain that the College is responsible for taking steps to correct the harassment.

If the matter is not resolved through informal discussion, the complaint shall be presented in writing to the Title IX/Gender Equity Coordinator within three hundred (300) calendar days after the known occurrence of the act or event. The complaint should include the name of the individual against whom the complaint is filed, and the specific nature of the alleged discrimination or harassment, the time, place, pertinent facts, and any other circumstances relating to the incident. The complainant must include his/her name, address, phone number, and signature. The complainant is requested to use the attached *Allegation of Discrimination/Harassment Complaint Form* for the written complaint.

The complainant will be given a copy of the Discrimination Grievance Procedure.

### **Step 2 – Investigation**

The Title IX/Gender Equity Coordinator shall thoroughly investigate the complaint whether or not the complainant files formally. If the subject of the complaint is the Title IX/Gender Equity Coordinator, then the Affirmative Action Officer shall investigate the complaint. The steps in the investigation process will be prompt, thorough & impartial, and will include, but not be limited to:

- Interview complainant to clarify allegation and receive written statement.
- Ask complainant for additional evidence, facts, and names of potential witnesses.
- Interview the accused and receive written statement.
- Interview witnesses, if any, and receive written statements.
- Review relevant documents.
- Develop and maintain file on all statements, reports, and evidence.
- Develop letter of findings

# Special considerations:

- a. If FVTC learns of harassment through other means (i.e. third party witness, anonymous letter or telephone call), different factors will affect the response. These factors include the source and nature of the information; the seriousness of the alleged incident; the specificity of the information; the objectivity and credibility of the source of the report; whether any individuals can be identified who were subjected to the alleged harassment; and whether those individuals want to pursue the matter.
- b. FVTC has an obligation to investigate sexual harassment allegations even in the complainant wants anonymity. Interim protective steps for the complainant will be instituted before the final outcome of the investigation of sexual harassment, violence, or sexual violence.
- c. Constitutionally protected speech and traditional academic freedom are valued in higher education. These ideals help to create the stimulating and challenging learning environment that should characterize higher education. Individuals are encouraged to invite, rather than inhibit, discourse on ideas. In addressing all complaints and reports under this policy, the college will take all permissible actions to ensure the safety of students and employees while complying with free speech requirements for students and employees. While the college will vigilantly protect students' and employees' rights against sex discrimination under this policy, this policy does not apply to curriculum or in any way prohibit or abridge the use of particular textbooks or curricular materials.
- d. Referral to off-campus counseling or victim services is available.

The Title IX/Gender Equity Coordinator may involve other FVTC offices or staff or other designated individual as appropriate to complete a thorough investigation. Any individual (accused) specifically alleged to be responsible for the complaint of discrimination or harassment will be asked to respond to the complaint verbally and in

writing. Any person with knowledge of the alleged action(s) is required to participate in any investigation as requested.

The investigation will begin within ten (10) days of receipt of the written complaint and should, if practical, be concluded within sixty (60) calendar days of receipt of the complaint.

### Step 3 – Review and Findings

Once the investigation is completed, all information and evidence will be reviewed to determine whether there is a reasonable belief to conclude that the complainant has been subjected to discrimination or harassment, or if FVTC policies and procedures had been violated. When the review is completed, the findings resulting from the investigation will be communicated to the complainant and the accused within fifteen (15) days of conclusion of the investigation, unless after diligent attempts the parties are not available.

Fox Valley Technical College will take appropriate corrective action when it has been determined that a discrimination or harassment situation has occurred. Staff who have been found to be in violation will be subject to disciplinary action, up to and including termination of employment, pursuant to relevant policies and/or appropriate collective bargaining agreements. Students who have been found in violation will be subject to disciplinary action, up to and including expulsion from the college, pursuant to the Student Code of Conduct and Disciplinary Appeal Procedure.

# Step 4 – Appeal Steps

If the complainant is dissatisfied with the written findings of the Title IX/Gender Equity Coordinator, he/she may appeal the findings by giving written notice to the District President within fifteen (15) calendar days after receipt of the written findings. The President shall within fifteen (15) calendar days schedule a meeting with the complainant. The President shall within fifteen (15) calendar days after the meeting, send a written response to the complainant.

If the complainant is dissatisfied with the response of the President, he/she may appeal the response by giving written notice to the Fox Valley Technical College Board of Trustees within fifteen (15) calendar days after receipt of the President's decision.

Within sixty (60) calendar days after receiving an appeal, the Fox Valley Technical College Board of Trustees will review the allegations, the written findings, and the response of the president. The Board may interview the complainant, the accused and others, as deemed necessary.

The Board must take one of the following actions:

- Deny the appeal.
- Overturn the response of the President.

• Remand the matter for complete or partial review, citing specific issues to be considered.

If the matter is remanded for review, the complainant may appeal any subsequent findings to the President and to the Board within the time frames mentioned above.

Once a final determination is made, the decision of the Board is final and there shall be no further appeal of the matter internally.

### VI. Referral Services

Nothing in this grievance procedure shall preclude the complainant from seeking a remedy under state or federal law at any point in the process.

- U.S. Department of Education Office of Civil Rights
- U.S. Equal Employment Opportunity Commission

### **Related form:**

Allegation of Discrimination/Harassment (Complaint Form)

# **ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Family Educational Rights and Privacy Act Compliance**

#### Introduction

The Family Educational Rights and Privacy Act of 1974 (FERPA) helps protect the privacy of student education records. The Act provides for the right to inspect and review education records, the right to seek to amend those records and to limit disclosure of information from the records. The intent of the legislation is to protect the rights of students and to ensure the privacy and accuracy of education records. The act applies to all institutions that are the recipients of federal aid administered by the Secretary of Education.

### What rights does FERPA afford students with respect to their education records?

• The right to inspect and review their education records within 45 days of the day the College receives a request for access.

Students should submit written requests to the Enrollment Services Office and identify the record(s) they wish to inspect. The staff of the office will make arrangements for access and notify the student of the time and place where the records may be inspected. If the requested records are not maintained in the Enrollment Services Office, the student will be notified of the correct official to whom the request should be addressed.

• The right to request an amendment to the student's education records that the student believes to be inaccurate or misleading.

Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the Enrollment Services Office, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the College decides not to amend the record as requested by the student, the College 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 will be provided to the student when notified of the hearing.

• The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

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 College 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 College has contracted (such as an attorney, auditor, 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.

• The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office U.S. Department of Education 400 Maryland Ave., SW Washington, DC 20202-5920

### Who is protected under FERPA?

Students who are currently enrolled or formerly enrolled, regardless of their age or status with regard to parental dependency. Students who have applied but have not attended an institution and deceased students do not come under FERPA guidelines.

Parents of students termed as "dependent" for income tax purposes may have access to the student's education records. A copy of the parent's most recent federal income tax return, where the parents declared the student as a dependent, must be submitted to the Enrollment Services Office to document dependency.

### What are education records?

With certain exceptions, an education record is any record (1) from which a student can be personally identified and (2) which is maintained by the College. A student has the right of access to these records.

Education records include any records in whatever medium (handwritten, print, magnetic tape, film, diskette, etc.) that are in the possession of any school official. This includes transcripts or other records obtained from a school in which a student was previously enrolled.

#### What is not included in an education record?

- Sole possession records or private notes held by school officials that are not accessible or released to other personnel. (If the notes are shared with anyone else, including a temporary substitute instructor or a staff member, they are no longer "sole possession notes" and may be subject to student review.)
- Law enforcement or campus security records that are solely for law enforcement purposes and maintained solely by the law enforcement unit.
- Records relating to individuals who are employed by the institution (unless contingent upon attendance).
- 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 at that institution, i.e., alumni records.

### What is directory information?

Institutions may disclose information on a student without violating FERPA if it has designated that information as "directory information." At Fox Valley Technical College (FVTC), this includes a student's:

- Name
- Address
- FVTC email address
- Telephone number
- Major field of study
- Dates of attendance
- Current enrollment status (full-time/part-time)
- Class standing
- Receipt or non-receipt of a degree
- Academic awards received (dean's list, honor roll)

Students who do not wish for their directory information to be released must indicate their intentions by turning in a *Request to Prevent Disclosure of Directory Information* form to the registrar in the Enrollment Services Office (E111). Due to current federal regulations, international student directory information is still available for review by Immigration and Customs enforcement officials or contractors even if they have indicated that they do not want that information released.

# How does a student authorize release of their education record in the form of an academic transcript?

Students must authorize the release of their transcript by written request with signature on an FVTC *Consent for the Release of Records* form or by completing and signing a transcript request form available in the Enrollment Services. There is a \$5.00 fee for transcripts. The receipt of a written request with signature to release an education record via fax is permissible. It is recommended that the student dates the expiration of their records release no further out than one year, but ultimately the expiration date is up to the student. In addition, a notarized power of attorney is sufficient for records release so long as the date is less than four years old. In any case, a signed release form from FVTC is the preferred method of granting access to education records by the student.

### Who may have access to student information?

- The student and any outside party who has the student's written request.
- School officials (as defined by the College) who have legitimate educational interests.
- A person in response to a lawfully issued subpoena or court order, as long as the College makes a reasonable attempt to notify the student first. Normally the College will comply with a subpoena after two weeks have elapsed from the day the subpoena was received.

# When is the student's consent not required to disclose information?

When the disclosure is:

To school officials (defined in policy) who have a legitimate educational interest

- To federal, state, and local authorities involving an audit or evaluation of compliance with educational programs
- In connection with financial aid; this includes veterans' benefits
- To organizations conducting studies for or on behalf of educational institutions
- To accrediting organizations
- To comply with a judicial order or subpoena
- In a health or safety emergency
- Releasing directory information
- Releasing the results of a disciplinary hearing to an alleged victim of a crime of violence

### How will increasing technology impact FERPA on our campus?

The use of computerized record-keeping systems is increasing at a fast pace. We can anticipate that the distribution of electronic data will eventually replace most paper documents and provide much information about students to school officials through desktop terminals. It is the responsibility of each school official to understand their legal responsibilities under FERPA. The same principles of confidentiality that apply to paper records also apply to electronic data.

# When do FERPA rights begin?

A FERPA-related College education record begins for a student when he or she becomes 18 or enrolls in a higher education institution at any age.

### **Student Workers and Education Records**

When anyone is hired as a student worker, they must complete and sign the enclosed *Student Worker Statement of FERPA Understanding*. Student workers must be aware that any willful or unauthorized disclosure of personally identifiable data may subject them to criminal or civil liability and result in disciplinary action including termination. Student worker access to education records must be limited to those with which they must work in order to accomplish an assigned task. Any additional accessing of student records will make them subject to disciplinary action.

### **International Student Data and FERPA**

Immigration and Customs Enforcement (ICE) has broad, independent authority under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), as amended, (and does not need to request directory information) to receive the following information on foreign students and exchange program participants: a) the identity and current address in the United States of the alien; b) the non-immigrant classification of the alien and the date on which a visa under the classification was issued or extended or the date on which a change to such classification was approved by the Attorney General; c) in the case of a student at an approved institution of higher education, or other educational institution, the current academic status of the alien, including whether the alien is maintaining status as a full-time student, or in the case of a participant in a designated exchange visitor program, whether the alien is satisfying the terms and conditions of the program; d) in the case of a student at an approved institution of higher education, or other educational institution, any disciplinary action taken by the institution against the alien as a result of the alien's being convicted of a crime, or, in the case of a participant in a designated exchange visitor program, any change in the alien's participation as a result of the alien's being convicted of a crime; e) the date of entry and port of entry; f) the date of the alien's

enrollment in an approved institution of higher education, other approved educational institution, or designated exchange visitor program in the United States; g) the degree program, if applicable, and field of study; and, h) the date of the alien's termination of enrollment and the reason for such termination (including graduation, disciplinary action, and failure to re-enroll).

The ICE regulations further specify that: "an approved school must keep records containing certain specific information and documents relating to each F-1 or M-1 student to whom it has issued a Form I-20A or I-20M while the student is attending the school and until the school notifies the Service,...that the student is not pursuing a full course of study...the designated school official must make the information and documents required by this paragraph available to and furnish them to any ICE officer upon request. The information and documents that the school must keep on each student are as follows:

- Name
- Date and place of birth
- Country of citizenship
- Current address where the student and his or her dependents physically reside. In the event the student of his or her dependents reside on or off campus and cannot receive mail at that location, the school may provide a mailing address.
- The student's current academic status
- Date of commencement of studies
- Degree program and field of study
- Whether the student has been certified for practical training, and the beginning and end dates of certification
- Termination date and reason, if known
- The documents referred to in paragraph (k) of this section
- The number of credits completed each semester
- A photocopy of the student's I-20 ID Copy

FERPA does not prohibit the nonconsensual release to ICE of the alien's field of study, degree program, number of credits, and other items of information enumerated in 8 C.F.R. 214.3(g), as amended by 67 Fed. Reg. 76256 (December 11, 2002).

#### **Related forms:**

Consent for the Release of Records Student Worker Statement of FERPA Understanding Request to Prevent Disclosure of Directory Information

Adopted: 11/07/07 Reviewed: 05/20/15 Revised: xx/xx/xx

# **ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Fee Structure for Out-of-State Students**

It is the policy of the College to recover all costs incurred when providing services to nonresidents of the state of Wisconsin. This is accomplished by nonresident student tuition and fees or special contract provisions (Section 38.14[3], *Wis. Stats.*).

- 1. Any nonresident student may enroll in regular Fox Valley Technical College programs and courses subject to per credit charges set by the Wisconsin Technical College System.
- 2. Instruction of foreign national students is also possible under specially defined college technical assistance contracts which will operate on a cost recovery basis.
- 3. Exceptions to the nonresident fee for international students will be permitted under the following guidelines:
  - Intent to become a U.S. citizen and Wisconsin resident; verified by application for work permit/immigration status.
  - Married to Wisconsin resident (proof of marriage and spouse residency).
  - Contractual agreements with business.
  - Property owner and tax paying individual who lives within the state of Wisconsin.
  - Nonresident tuition waiver request authorized by the Fox Valley Technical College
    District Board of Trustees to request approval from the Wisconsin Technical College
    System to waive the nonresident tuition.

Adopted: 09/15/81 Reviewed: 12/22/15 Revised: 06/21/06

# **ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Financial Aid – Satisfactory Academic Progress**

A student must maintain satisfactory academic progress in order to receive any federal student aid. Each term, Fox Valley Technical College must evaluate a student's entire academic history to determine whether or not satisfactory academic progress has been maintained for financial aid purposes. This evaluation is not affected by whether or not aid was received, or whether a student changed programs. **Satisfactory Progress** – Each student must meet qualitative (GPA) and quantitative (time and credit-based) requirements to maintain satisfactory progress each term to continue receiving aid.

- 1. **Qualitative Measure Grade Point Average:** a 2.0 GPA is required each term, and overall. All credits for the term, including withdrawals or extensions, are included in the equation to determine GPA for the term.
- 2. **Quantitative Measure:** 66.7% of credit load must be completed each term. All credits for the term, including withdrawals or extensions, are included in the equation to determine this percentage for the term. Additionally, the maximum timeframe for which a student may receive financial aid may not exceed 150% of the published length of the program measured in credit hours.

Grades are reviewed at the end of each term to determine if satisfactory progress is being maintained. If satisfactory progress was not maintained during the term, the students are notified in writing that they are on warning or have been denied financial aid.

Students will continue to receive financial aid while on warning. If a student fails to meet the satisfactory progress while on warning, the student's financial aid status will change to denied status.

Students may not receive grant money, be employed in the college Work-Study Program, or obtain a Stafford Student Loan while in denied status.

Financial aid is available only for required and elective program courses.

Students have the right to appeal the loss of financial aid due to not meeting the Financial Aid Satisfactory Progress policy because of extenuating circumstances. Directions on how to submit the Financial Aid Satisfactory Academic Progress Appeal form are located on the Financial Aid website. Documentation can be submitted to the Student Financial Services office or an appointment can be made to speak with a Financial Aid staff member. Documentation must be submitted at time of appointment.

- If the appeal is approved, funding will be reinstated.
- If not approved, the educational costs will be the responsibility of the student until all terms of these guidelines are met.

Adopted: 01/01/84 Reviewed: 01/13/16 Revised: 06/21/06

# ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Liability for Student Life Activities

Any student or staff member participating in a school sponsored activity must sign up in the Student Life Center and provide the required information. All participants are required to sign an *Acknowledgement of Risk/Acceptance of Responsibility* form. This form releases Fox Valley Technical College from any liability for personal injury, property loss, or damage resulting from the event.

All those who participate in intramural sports are required to complete the *Intramural Sign-Up* form which includes an insurance waiver releasing FVTC from liability in connection with the sport.

All those who participate in club sports are required to complete a *Waiver of Liability and Hold Harmless Agreement* form, provide proof of insurance, complete a physical, and maintain good academic standing.

The forms are available in the Student Life Center.

Adopted: xx/xx/xx Reviewed: 10/08/15 Revised: 06/21/06

### **ADMINISTRATIVE POLICY TYPE: STUDENTS**

**POLICY TITLE: Printing and Copying** 

To reduce unnecessary printing and to promote resource sustainability at Fox Valley Technical College, all active students will be provided a printing allowance to be used for course-related printing and copying. The allowance will be applied at the beginning of each fall, spring, and summer semester in which the student is registered for classes. In the case of late registrations, the allowance will be added at the time of registration.

At any time, current students may pay for additional balance by using a credit card. Additional balance that the student pays for will carry over from semester to semester but will not be refunded. Unused allowance will not be refunded and will not carry over from semester to semester.

Rates will be established by Printing Services and are subject to change on an annual basis. There will be no refunds for unused funds or defective prints.

In order to print or make copies, students will need to provide their student ID and password when prompted. With each print job, students will receive information on the number of pages they are requesting and the cost of the job.

Non-active students and other guests will not be given an allowance but can pay cash at the library on the Appleton campus to print or copy.

Adopted: 02/07/11 Reorganized: xx/xx/xx **Reviewed: 01/12/11** 

Revised: 02/07/11

# ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Program Fee Remission for Children and Spouses of Correctional Officers, Firefighters, and Law Enforcement Officers Killed in the Line of Duty

Wisconsin Statute (S.38.24)(5) allows colleges to remit tuition and material fees to the Wisconsin Technical College System State Board for reimbursement for children and spouses of correctional officers, firefighters, and law enforcement officers killed in the line of duty.

Because the state will reimburse tuition and material fees for students in this special category, the College will not bill such students for tuition and material fees. Other fees and charges; however, are the responsibility of the student and will be charged as incurred.

Adopted: 02/23/00 Reviewed: 12/22/15 Revised: xx/xx/xx

# **ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Religious Accommodations – Students**

### **Policy Statement**

Fox Valley Technical College recognizes that its students represent many diverse religious backgrounds. The College is committed to providing reasonable accommodation for students' sincerely held religious beliefs with regard to examinations and academic requirements. Following are the related procedures:

- 1. Students must provide in writing a notice to their instructor at least five (5) business days in advance of anticipated absence.
- 2. Faculty must provide an opportunity for students to make up missed examinations and materials in a timely manner without any prejudicial effect.
- 3. Students are responsible to make up missed examinations or materials in a timely manner prior to the end of that academic semester, where the date of absence permits sufficient time to do so

# **Complaint Procedure**

Any student wishing to file a formal complaint alleging violation of reasonable religious accommodation must do so in writing within five school days of the alleged violation to the Affirmative Action/EEO Officer (consistent with other student complaints).

Within thirty (30) school days of receipt of a written complaint, the president shall issue a written decision on the complaint unless the parties agree to an extension of time.

### Appeal

Persons adversely affected by the president's determination under the complaint procedure may appeal that decision in writing to the District Board of Fox Valley Technical College within thirty (30) school days of issuance of the decision. The District Board shall issue a written decision within forty-five (45) school days of receipt of the appeal.

The decisions of the District Board shall be subject to further appeal according to provisions of Chapter TCS 4 and Chapter 227, *Wisc. Stats*.

Adopted: 08/17/93 Reviewed: 09/05/14 Revised: 09/05/14

### **ADMINISTRATIVE POLICY TYPE: STUDENTS**

# POLICY TITLE: Searches, Interrogations, and Interviews of High School-Age Students by Non-School Personnel

Students in secondary schools in Wisconsin have specific statutory and constitutional protections that must be observed when conducting searches or interviews/interrogations. Fox Valley Technical College (FVTC) staff are expected to observe the defined directions within this policy as they apply to high school students under contract with FVTC.

Non-school personnel include, but are not limited to, law enforcement officers, liaison officers, and social services personnel.

No FVTC personnel shall disclose any information regarding contact with the law enforcement officer and/or social services personnel and a minor student to anyone except a superior or the student's parent or legal guardian. If a student is over 18 years of age, adult privacy rights apply.

To minimize classroom interruptions and to prevent interference with instruction, when a student is to be questioned by non-school personnel, the following steps must be taken:

- Non-school personnel will interview students outside of school hours and outside of the school setting in cases where law enforcement has not been requested by school authorities.
- Non-school personnel will first contact the FVTC's Security Services in Appleton or Oshkosh to obtain approval when it is necessary to interview/interrogate students at school. Security staff will then request the appropriate permissions and facilitate the necessary interactions with the student(s) in accordance with policy.
- For interrogations involving law enforcement personnel, FVTC personnel or law enforcement officer shall attempt to notify the student's parent or legal guardian concerning the intended interrogation if the student is under 18 years of age. If an attempt to notify a parent or guardian prior to the student search, interrogation, or interview is not successful, FVTC Security Services shall contact a parent or legal guardian as soon as possible after the student is questioned or placed in custody. The FVTC staff involved will send a copy of all such requests made by non-school personnel and notifications to parents or legal guardians. A record of all law enforcement requests to conduct interrogations and the circumstances under which the right has been waived to have parent, guardian, or lawyer present shall be kept in the student file at the location of the incident.
- When a law enforcement officer comes to the FVTC program site, he/she shall be as inconspicuous as possible. Whenever possible, he/she shall wear plain clothes and drive an unmarked car. The law enforcement officer shall be as unobtrusive as possible, and the student should be questioned in a setting which assures privacy, so as to avoid any possible embarrassment to and/or stereotyping of the student as a consequence of the law enforcement officer contact.
- The actual summoning of a student from classes shall be done by FVTC designated personnel.

A law enforcement officer may remove a student from the FVTC site while the student is in attendance without written permission of a parent or legal guardian if the officer possesses an arrest warrant, capias, or order from a court to do so; or if the officer is in "hot pursuit;" or if the student is taken into custody as part of the officer's official investigation. However, if a law enforcement officer or social services personnel is investigating suspected physical or sexual abuse of a student, whether self-inflicted or inflicted by another, FVTC personnel shall cooperate to the fullest extent possible with these non-school personnel, and permit officials to take a student into immediate custody if the officials deem it necessary.

If the student is in a state of emergency as defined in Section 51.15, *Wis. Stats.*, (i.e., the student is mentally ill, drug dependent, or developmentally disabled and there is substantial probability of physical harm, either to the student or to others), a law enforcement officer or other authorized person may immediately remove the student from the FVTC site and place him/her in emergency detention. A parent or legal guardian of the student shall be notified as soon as possible of the student's removal from the FVTC site.

Adopted: 09/17/97 Reviewed: 04/20/16 Revised: 04/03/07

# ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Student Email

All Fox Valley Technical College students receive a fvtc.edu domain email address. The FVTC email address is designated as the official communication vehicle to provide information to students regarding registration for classes, business transactions, advising, campus activities, and other information which is needed to enhance the College experience.

This policy establishes the College's expectation that faculty and staff may routinely communicate important information to students using the College's established email system. Students are responsible for the consequences of not reading in a timely fashion College-related communications sent to their official FVTC student email account.

FVTC students who are provided a College email account need to be aware of the following:

- Accounts will automatically be removed after 3 (three) consecutive terms of no class activity. This includes students who graduate and do not take a class for three consecutive terms after graduation.
- Account properties are as follows:
  - Email addresses are generated using last name up to 8 characters + last 4 digits of student ID. If the address is already in use or the last name is less than 3 characters, then a combination of the last name and first name up to 8 characters + last 4 digits of student ID will be used.
  - o Mailbox contains 50 GB of storage.
  - o Students receive a "mailbox full" warning at 49 GB.
  - o Students are prohibited from sending email when email is at 49.5 GB.
  - o Students are prohibited from sending and receiving email when mailbox is full.
  - o Automatic cleanup of the following folders occurs:
    - Junk email (30 days)
    - Deleted items (30 days)
- Student email accounts may not use College-wide distribution lists, including the All Students email list.

FVTC will use email to communicate official College information of many kinds to students. Examples include, but are not limited to, financial aid announcements, registration or enrollment information, College and student sponsored activities and events, and emergency procedures and closings. As noted above, students are responsible for reading in a timely fashion, College-related communications sent to their FVTC student email account.

In general, email is not appropriate for transmitting sensitive or confidential information unless it is matched by an appropriate level of security or permission. All use of email will be consistent with other College policies including the FVTC administrative policy, Acceptable Use of Computing Resources. All use of email will also be consistent with local, state, and federal law, including the Family Educational Rights and Privacy Act (FERPA).

Students may elect to redirect (autoforward) messages sent to their FVTC official student email account to a non-College account. Students who redirect email from their official account to a

non-College account (such as AOL, Yahoo, Hotmail), however, do so at their own risk. Having email lost as a result of redirection does not absolve a student from the responsibilities associated with communication sent to her or his official email account. The College is not responsible for the handling of email by outside vendors or unofficial servers.

Adopted: 10/18/06 Reviewed: 11/19/14 Revised: 11/19/14

# **ADMINISTRATIVE POLICY TYPE: STUDENTS**

**POLICY TITLE: Student Finance** 

#### Fees

The Wisconsin Technical College System (WTCS) Board and the Fox Valley Technical College (FVTC) Board officially set course fees. Fees are established each spring for the following school year and are subject to change without notice.

Students are required to pay class fees ten (10) days prior to the class start date or the term fee due date, whichever is later. Students are fully responsible for tuition and fees. To avoid late fees and collection activities, students must pay fees by the due date or officially drop classes according to the refund policy. Students are not automatically dropped from class by simply not attending. Students must initiate drop requests online or through Enrollment Services. Drop requests are not processed through instructors.

### **Payment**

Students have the option of utilizing a variety of methods for payment of fees. FVTC will accept cash, check, money order, electronic funds transfer, employer/agency contract, and financial aid. Students can also pay online using a checking or savings account or credit card. Credit card payments for tuition and fees are accepted online through TouchNet PayPath, a third party service. A service charge of 2.75% will apply for credit card payments. VISA, MasterCard, American Express, and Discover will be accepted through PayPath. FVTC also offers a payment plan option that is accessible online.

Students who have a balance greater than awarded financial aid need to pay that balance by the designated fee due date.

A monthly late fee is assessed for accounts over forty-five (45) calendar days past due and collection procedures will be initiated. These collection procedures may include additional fees.

Students with financial obligations to FVTC will have holds placed on their accounts prohibiting further activity (ie. enrollment, grades, diplomas, transcripts). Outstanding financial obligations must be satisfied before new activities are permitted.

#### Refund

Refunds are processed according to the WTCS refund policy. Wisconsin Technical College 10.08, Wisconsin Administrative Code, establishes the requirements for district policies and procedures related to student fee refunds. Refunds are applicable from the date the student officially drops the class through Enrollment Services or online. FVTC will not drop any classes for students for nonpayment or for failure to attend any portion of the class. All references to student fees mean applicable program fees (including online course fees), material fees and out-of-state tuition, and any fees established in lieu of these fees. These refund requirements do not apply to incidental fees, activity fees, or additional program fees. Refunds are based on the official start date of the class, not by the date the student first attends/accesses the class or obtains the class materials.

### • 100% Refunds

If the District cancels a class, 100% of student fees will be refunded. If a student drops before the first class meeting, 100% of student fees will be refunded. A student who drops a class before or at the time 10% of the class's potential hours of instruction have been completed and adds another class on the same day will receive a 100% credit for all applicable student fees for the dropped class. This credit will be applied to the fees of the added class. If the credit exceeds the fees for the added class, the excess amount will be refunded to the student. If the credit is less than the fees applicable to the added class, the shortfall will be billed to the student.

### • 80% Refunds

80% of all applicable student fees are to be refunded if the class is dropped before or at the time 10% of the class's potential hours of instruction have been completed. A "W" grade will be assigned.

### • 60% Refunds

60% of all applicable student fees are to be refunded if the class is dropped after 10% but before more than 20% of the class's potential hours of instruction have been completed. A "W" grade will be assigned.

### • 0% Refunds

No refund will be made if the class is dropped after 20% of the class's potential hours of instruction have been completed and a "W" grade will be assigned. If 60% of the class's potential hours of instruction have been completed you will receive a "WF" grade.

### • Refund Appeals

FVTC will consider refund appeals in extenuating circumstances (situations outside of the student's control). All such refund appeals are to be initiated by sending a written request with proper documentation no later than sixty (60) calendar days after the class start date. A refund request made after the sixty day grace period will not be accepted and the student will be responsible for payment. Refunds for extenuating circumstances (situations outside of the student's control) will be made at FVTC's discretion.

### **Holds**

Students with past due financial obligations to FVTC will have holds placed on their account prohibiting further activity (ie. enrollment, grades, diplomas, transcripts). Holds will remain in effect until financial obligations have been satisfied. Students can view their balance, verify the status of the hold, and make a payment by accessing their online account. Students may appeal their financial obligation hold by sending a written appeal to the bursar. The bursar's decision on appeals is final.

Adopted: 10/14/99 Reviewed: 05/18/16 Revised: 04/06/09

# **ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Students Called to Active Military Service**

Fox Valley Technical College students who serve in the military and are called to active duty will not unfairly lose academic credit or fees. Students called to active duty will be given a refund for courses enrolled in, or if near the end of a term, will be graded out for completion of the course, if applicable. Students called to active duty must contact the Veterans Office in Student Services and present papers for verification of change in military status. Students returning from active duty will have the opportunity to reenroll at the same point as when called to active duty.

Adopted: 10/14/99 Reviewed: 06/21/06 Revised: 06/21/06

#### ADMINISTRATIVE POLICY TYPE: STUDENTS

### **POLICY TITLE: Students with Disabilities**

It is the intent of Fox Valley Technical College to comply with all applicable provisions of Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990 (including amendments) to insure that students with disabilities who are covered by such laws are not discriminated against due to their disabilities but are able to access, participate, and benefit from any program or activity operated by the District.

#### **Section I. Definitions**

- 1. Person with a disability: Any person who has a mental or physical impairment that substantially limits one or more major life activities (such as performing manual tasks, seeing, hearing, speaking, breathing, learning, eating, sleeping, walking, standing, lifting, bending, communicating, etc.), or who has a record of such impairment(s), or who is regarded as having such an impairment. This also includes operation of major bodily functions, i.e. immune system, digestive, bladder, neurological, respiratory, circulatory, endocrine or reproductive. To be protected by the ADA and/or Section 504, the person must be a qualified individual with a disability.
- 2. Qualified individual with a disability: An individual who, with or without reasonable accommodations to rules, policies or practices, the removal of architectural barriers, or the provision of auxiliary aids and services, meets or exceeds the essential eligibility requirements (academic or other technical standards) for the receipt of services or participation in the program or activity.

Note: Only one major life activity needs to be limited.

3. Reasonable accommodation: Reasonable or effective accommodations or adjustments will be provided for the known physical and mental limitations of qualified individuals with disabilities to insure participation in FVTC's educational environment. Accommodation provided may include, but is not limited to, any of the following: equal access to college services, curricula, entrance requirements, programs or courses; removal of architectural barriers, provision of academic modifications; opportunity to obtain access technology, and auxiliary services.

### **Section II. Confidentiality**

Admission of a disability is voluntary and will be handled in a confidential manner as outlined in Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, and the Family Educational Rights and Privacy Act of 1974, as amended.

Adopted: 05/21/01 Page 1 of 3

Reorganized: N/A Reviewed: 10/18/13 Revised: 11/07/13

### Section III. Accessing Accommodations for Individuals with Disabilities

Individuals with disabilities have a right to request accommodations. Individuals will receive accommodations appropriate to their needs in order to fully participate in or benefit from the college's programs, services and activities in a non-discriminatory, integrated manner. FVTC has developed procedures which recognize that responsibility for the implementation of reasonable accommodations is shared by FVTC staff, faculty and students. Coordination of services involves the student, staff and other pertinent individuals in a coordinated system.

- 1. Notification of FVTC's services and procedures for individuals seeking disability-related information is published and distributed in a comprehensive and timely manner.
- 2. FVTC has established an office for students with disabilities referred to as the Special Needs Center. This office will assist individuals who seek disability-related information, services and/or accommodations.
- 3. Requests for accommodations should be submitted to FVTC in a timely manner. Anyone requesting accommodations may be required to provide specific documentation of his/her disability. The individual has the responsibility for disclosing and providing appropriate documentation.
- 4. Determining eligibility for services/or reasonable accommodations will be established by FVTC. Decisions will be made on a case-by-case basis through an interactive process with the applicant/student and the Special Needs Center utilizing an intake process. In general, guests and visitors are accommodated by the program or activity in which they are participating.
- 5. Individuals seeking assistance from the Educational Support Services must self identify and request services. Self-referral can occur before, during, or after enrollment, but FVTC reserves the right to deny services or accommodations pending the receipt of appropriate documentation.

#### Section IV. Grievance Procedure

FVTC has adopted and publishes a grievance procedure that provides a prompt and equitable resolution of complaints alleging any action that would violate Title II of the ADA or Section 504. These procedures are applicable to any anticipated complaint, including appeal of a denied accommodation request.

### Student Disability Accommodation Requests Appeal Process

- 1. If a student/prospective student with a disability disagrees with a decision regarding an accommodation request, a complaint can be filed. A complaint is defined as a written statement that contains the complainant's name, address, and describes FVTC's alleged discriminatory action in sufficient detail to inform FVTC of the nature and date(s) of the alleged violation. The complaint must be signed.
- 2. The written complaint must be filed within thirty (30) working days of the alleged discriminatory action. The complaint must be submitted to the ADA/504 Coordinator for Students or Dr. Patricia Jorgensen, Affirmative Action/EEO Officer, P.O. Box 2277, 1825

- North Bluemound Drive, Appleton, WI 54912-2277. Telephone (920) 735-5649. Email jorgensep@fvtc.edu.
- 3. An investigation conducted by the ADA/504 Coordinator for Students or FVTC Affirmative Action Officer, as may be appropriate, shall follow the filing of a complaint. The ADA Committee will be notified and assist in the investigation. All interested parties and their representatives, if any, will be afforded the opportunity to submit evidence relevant to the complaint.
- 4. Pending the outcome of the complaint, disability-related accommodations already established by the College shall continue.
- 5. The complainant shall be given opportunity to provide additional information or statements. It is the complainant's responsibility to provide all necessary documentation in support of the complainant at his/her expense.
- 6. The complainant will be notified of the final decision in writing within thirty (30) working days after the complaint is filed.
- 7. The FVTC ADA/504 Coordinator for Students shall maintain the files and records relating to the complaints filed.
- 8. The complainant can request a reconsideration of the case in instances of dissatisfaction with the resolution. The request for reconsideration must be made within ten (10) working days after receipt of the written decision. The request must be submitted to the FVTC ADA/504 Coordinator for Students, who will be responsible for convening a meeting with the ADA Committee, an instructional dean and/or Student Services associate dean, and Vice President for Student and Community Development, or Vice President for Instructional Services/Chief Academic Officer, or their designees. A written determination as to the validity of the complaint and a description of the resolution shall be issued by a vice president or designee and forwarded to the complainant within ten (10) working days after the request for reconsideration.
- 9. At any point in the process, or in lieu of the College's appeals process, an individual may also file an ADA or discrimination complaint with the appropriate external government agency.

The above stated procedures shall be construed to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that Fox Valley Technical College complies with the ADA and Section 504 of the Rehabilitation Act and implementation of the regulations.

# **ADMINISTRATIVE POLICY TYPE: STUDENTS POLICY TITLE: Voter Registration Forms – Student Distribution**

The 1998 amendments to the Higher Education Act require Fox Valley Technical College to distribute or make accessible a sufficient number of voter registration forms to students for every federal and gubernatorial election. Distribution must occur prior to the state voter registration deadline. Wisconsin uses the following deadlines for voter registration:

By mail -13 days prior to the election In person -1 day prior to the election At the polls - same day

Voter registration forms will be made available at all College instructional locations to encourage student participation in upcoming elections. Students will receive information via email about the availability of registration forms, deadlines, and other pertinent information.

Adopted: 10/14/99 Reviewed: 12/22/15 Revised: 06/21/06