

OSA Assembly Agenda
March 11, 2019 at 4:00 PM
Reeve Memorial Union, Room 307 – The Theatre

I. Call to Order – Pledge of Allegiance at 4:00 PM

II. Roll Call -
Organizations with Voting Rights:
Present:
Excused:
Absent:

III. Open Forum –

IV. Approval of the Agenda – Add OSA 18-026 under Club/Org Recognition, Add OSA 18-025 under unfinished business, Add Grant Steffen to Presidential Appointments

V. Approval of the Minutes –

VI. Club/Org Recognition –

OSA 18-026

BE IT RESOLVED: That the OSA Senate and OSA Assembly gives recognition and voting privileges to those Organizations with “Assembly” after their names:

1. Best Buddies – new organization

Sponsored by: Ellen Dodge, OSA Speaker of Assembly

Q+Unity moved to bring to the floor.
Model UN seconded.

Best Buddies: Mission is to create 1:1 relationships and friendship with people who have intellectual or developmental disabilities

Placard vote unanimous in favor.

VII. Guest Speakers –

Dr. Brian Xiong – Event Accessibility Policy and Veterans Employment Policy

Dr. Xiong: I have two policies to present so thank you for giving me the opportunity to present to you. The first is a Veterans Employment Policy and the second is an Event Accessibility Policy. As a former student senator, I believe that working together is the best way to move UW Oshkosh to the next chapter. I am Dr. Brian Xiong and this is my 5th month on campus as the director for equity, diversity, and affirmative action. I would like to say thank you to our veterans who serve our country. If you are a student veteran, I thank you. I have family members who are currently serving so I understand your

situation. The Veterans policy is actually complying with Executive order 137 from the office of the governor. This policy is a requirement from the UW System. It has the same language as comes from the office of the governor. There is a template that we can make fit to our campus. This was first implemented in July 2015 and was last revised July 2018. Adding to this policy is a requirement of the UW Oshkosh affirmative action office and we really want your input. We are required to recruit and retain individuals who are veterans and I would be happy to send you the policy pdf if you have questions.

The next policy is the Event Accessibility policy. As a public institution, UW O receives federal funds. We are following the law as a part of the civil rights act and to make campus more accessible. The purpose of this policy is to comply with the federal and state law to keep funding from these sources. Our institutional publications are required to put this statement on all posters for events. Contact your advisors about putting the correct wording on your posters and advertisements. It is our job to make sure that we are being inclusive and make sure to have accommodations for people with disabilities. It is important for you to put contact information on your posters so that people can contact you to let you know to prepare in advance of the event. This policy is already in place in a lot of ways and is included on a lot of posters that are around campus. I have faculty and departments that are doing small events asking about what to do with this. We are making this really easy. You can let us know and we will give you the wording to include for these kinds of things. We always want to make sure that we have accommodations for people with disabilities.

We have the policy within the affirmative action office. You can google it on the website and then just copy the proper language.

Missy Burgess: If there is a Registered Student Organization who is asking to provide an accommodation that costs money, those costs are covered by allocations as long as we are notified. The other thing is that we are working hard in Reeve to get those statements on posters that go up in Reeve so you will get the wording as a hard copy that way. And if your poster is being designed by Reeve Marketing, it will already have that on there. I would recommend not putting your personal number on the posters and then just put your advisors office number or a department number, but do put your name and email address.

VIII. Officer Reports –

- a. Speaker Pro-Tempore – (Shane – osaspeakerpt@uwosh.edu) – I just want to remind everyone about SOL's debate for OSA candidates tonight and I encourage you all to go. It is going to be 6:30-8:30 in the Reeve Ballroom C and they will be handing out free Culver's.
Roni: We will Facebook live stream the event on the OSA Facebook page.
- b. Speaker of the Assembly – (Ellen – osaspeaker@uwosh.edu) – Friday I went to Madison for the Joint Shared Governance meeting and they talked a lot about Gov. Evers budget. 50 million dollars is dedicated to funding the tuition freeze. Saturday I was at UW River Falls – the most important thing is the Student Medical Leave Act which is on our agenda later. There was a possible resolution

brought up by the sustainability director that would change all of the campuses rental programs and was shot down by the body rather quickly and was sent back to the committee for revision, but I don't see it passing in any form. There is an inclusivity summit in April so if you are interested please let me know. Right after we get back from spring break, we have nominations for the Speaker and Speaker PT positions. They are really important positions and have to be OSA Assembly members. The end of the semester will be transition period. And tomorrow Roni and I will be in Madison for Titans take the Capitol and we will be meeting with Lt. Gov. Barnes and Gov. Evers.

- c. Chief of Staff – (Colin – osacos@uwosh.edu) –
- d. Vice President Pro-Tempore – (- osavppt@uwosh.edu) –
- e. Vice President – (Stephanie – osavp@uwosh.edu) – really repetitive, but we have these flyers to remind you of when and where to vote in the general elections. If you are interested in Titans Take the Capitol let me know ASAP. Again, the debate is tonight, if you are watching the debate online, you can submit your questions on the facebook live video. If you are interested in the elections commission, let me know. If you take on one of the executive positions, you do get some of your money that you already pay back.
- f. OSA Office Manager – (Kyla Brown – brownk31@uwosh.edu) – Elections are tomorrow and Wednesday. If you have a problem, let me know ASAP because we have a backup ballot that you will be able to fill out.
- g. OSA Advisor – (Dr. Art Munin – munina@uwosh.edu) –
- h. OSA Directors and Ambassadors –

IX. Presidential Appointments –

OSA 18-027

BE IT RESOLVED that the OSA Senate and Assembly approve the following Presidential Appointments:

1. Fernando Orosco, Elections Commissioner
2. Matthew Dinse, Elections Commission member
3. Grant Steffen, Elections Commission member

Sponsored by: Ronisha Howard, OSA President

Q+Unity brought to the floor.

Model UN seconded.

Placard vote, unanimous in favor

X. Unfinished Business –

OSA 18-025

BE IT RESOLVED that the OSA Senate and Assembly hereby accept the proposed amendments to the OSA Constitution and agree that the revised document will appear on a campus wide referendum for approval by the University of Wisconsin Oshkosh student body.

Sponsored by: Ronisha Howard, OSA President; Stephanie Liechty, OSA Vice President

Q+Unity brought to the floor.

Rainbow Alliance for HOPE seconded.

Q+Unity: What is needed to pass that in the referendum?

Speaker Dodge: Majority of votes cast.

Placard vote, majority vote in favor.

XI. New Business –

OSA 18-028

BE IT RESOLVED that the OSA Senate and Assembly support the decision of the University of Wisconsin Student Representatives to support UW-River Falls Student Body President

Rosemary Pechous's work to propose the Student Medical Leave Act.

Sponsored by: Ellen Dodge, Speaker of Assembly

Prelaw Society brought to the floor.

Model UN seconded.

Speaker Dodge: I thought this was important to bring to our campus because we do have a lot of issues with dealing with students' mental and physical health. Basically this would give leave to students who would have to miss classes. It protects you from being dismissed from your classes if you cannot be in class. I really protects the students and we are going to try to get this passed statewide. That's why I wanted to bring this to you guys. If you have questions, please let me know.

Q+Unity: As someone who went through this literally last week, I really think this is a really good thing.

Rainbow Alliance for HOPE: I wanted to second that thought because I did have to drop out of a class because I was hospitalized for a week and had way too much work to make up.

XII. Announcements –

Missy: Please vote. I will clarify Kyla's statement, email osa@uwosh.edu right away if you get an error message. I am hopeful that the system will work perfectly because I think we only had one issue the whole time during the Homecoming elections. Wisco! on Thursday, Workshop Wednesday, Wednesday Men's Basketball sendoff at 3:00 in Kolf, and Men's Basketball in Final Four on Friday. Find out Bye Gosh Performer the first week in April.

XIII. Adjourn –

Q+Unity motioned to adjourn.

Rainbow Alliance for HOPE seconded.

Adjourned at 4:47PM.

1. PURPOSE

The purpose of this policy is to articulate the requirements for making University of Wisconsin Oshkosh sponsored events and externally sponsored events occurring on campus meaningfully accessible to individuals with disabilities.

2. RESPONSIBLE OFFICER

Director of Equal Opportunity, Equity & Affirmative Action

3. SCOPE

This policy applies to all faculty, staff, students, visitors, guests, and external entities, on any property owned, leased, or managed by any entity or component of the University of Wisconsin Oshkosh.

4. BACKGROUND

UW Oshkosh is required under federal and state disability laws to make its programs meaningfully accessible to individuals with disabilities. This requires the University to provide requested reasonable accommodations to afford access, remove barriers to meaningful participation, and modify policies, practices or procedures as necessary to afford access, unless doing so would result in undue financial and administrative burdens or fundamentally alter the nature of the event.

5. DEFINITIONS

Event: a planned, organized public or social activity or program sponsored by the University of Wisconsin Oshkosh open to the University community and/or the public. Events include, but are not limited to, conferences, seminars, forums, colloquiums, receptions, athletic events, athletic camps, youth programs, gallery exhibits, theatre and music performances, and graduation ceremonies. Events sponsored by external entities that occur on campus are included within this definition.

Event Organizer: the member of the University community, academic unit, department, student organization, other unit/group, or external entity organizing the event.

Access: the opportunity for individuals with disabilities to meaningfully participate in, utilize, benefit from and enjoy the facilities, programs, and services.

Physical accessibility: the opportunity for individuals with disabilities to have equal physical access to event activities. A physically accessible space will include, but is not limited to,

accessible parking, an accessible route from parking to the event, accessible entrances, accessible bathrooms, elevators and/or ramps.

6. POLICY STATEMENT

A. Inclusion is one of the core values of the University. Our goal is to create a campus climate accessible to all, and proactively plan events free of physical, communication and/or other barriers so all individuals may meaningfully participate in campus activities and events.

B. Required Access Event Notification: All institutional and departmental publications that describe or invite public participation or attendance in programs at the University, and all University-sponsored events held off campus, are required to contain the following statement:

a. "UW Oshkosh is an affirmative action, equal opportunity educator and employer. Please contact (insert your department/office name & phone), Accessibility Center at (920) 424-3100, and/or Wisconsin Relay Services at 1-800-947-3529 or 711 (TTY) at least 5 days prior to the event should you need this poster in an alternative format or if you need a reasonable accommodation to participate in this event."

C. Event Accommodation: The event organizer is responsible for making the event meaningfully accessible and providing requested reasonable accommodations, which includes paying for any associated expense of an accommodation. No accommodation shall be required if the accommodation would fundamentally alter the nature of the event or result in undue financial or administrative burdens. Prior to denying an accommodation request, event planners must consult the Director of Equal Opportunity, Equity & Affirmative Action. The Director must approve denial of an accommodation request.

D. External Entity: External entities are required to include the event notification identified in this policy or a similar notification in all publications that announce or invite public participation or attendance in an event held at campus facilities. External individuals, organizations or entities must provide written assurances to the University their event held at a campus facility will be meaningfully accessible. The accessibility assurances may be contained in the written agreement for use/ rental of the facilities. Such agreements will require the external entity to ensure accessibility and provide reasonable accommodations.

E. Health and Safety: This policy does not require an event organizer to permit an individual to participate in an event when that individual's participation poses a direct threat to the health or safety of others. It would be a rare occurrence for an individual's participation to pose a direct threat to the health or safety of others. In determining whether an individual poses a direct threat to the health or safety of others, the event organizer, in consultation with the Director of Equal Opportunity, Equity & Affirmative Action must make an individualized assessment to ascertain the nature and severity of the risk; the probability of potential injury; and whether reasonable modifications to the event or the

provision of auxiliary aids or services will mitigate the risk.

F. Event Space: University-sponsored public events held on campus will occur in physically accessible spaces. University-sponsored events off campus, or in a nonuniversity facility will be held in facilities accessible to and useable by persons with disabilities as required by Title II of the Americans with Disabilities Act, unless the facility is an integral part of the event that cannot otherwise be accommodated.

7. REFERENCES

[Links to documents or resources relevant to the policy]

8. REVISION HISTORY

1. PURPOSE

The purpose of this policy is to increase the number of veterans and veterans with a service-connected disability rating employed by UW Oshkosh. It is the policy of the University of Wisconsin Oshkosh to practice nondiscrimination and take affirmative action in employment with respect to both veterans and veterans with a service-connected disability rating of at least 30%. Nondiscrimination requires thorough, systematic efforts to prevent discrimination against veterans from occurring or to detect it and eliminate it as promptly as possible. The affirmative action obligation requires proactive recruitment and outreach measures, including considering the noncompetitive appointment of qualified disabled veterans.

Wis. Stat. § 230.042 authorizes the Wisconsin Council on Veterans Employment to require UW System institutions to adopt a Veterans Employment Plan of Action, under which the institutions must strive to meet goals established by the Council.

2. AUTHORITY

The Wisconsin Veterans Employment Initiative, under authority of Wis. Stat. § 230.042, is a statewide program aimed at increasing both the number of veterans and the number of veterans with a service-connected disability rating employed in state government. These provisions also establish a Council on Veterans Employment, the purpose of which is to advise and assist the Governor in establishing a coordinated, government-wide effort to increase the number of veterans employed in state government. Pursuant to the authority set forth in Wis. Stat. § 230.042, UW-Oshkosh adopts and implements this Veterans Employment Plan of Action.

3. RESPONSIBLE OFFICER

The AVC of HR/EO/AA in collaboration with the Director of EOA is responsible for ensuring that the plan of action is followed.

4. DEFINITIONS

(a) “Active duty wartime or campaign badge veteran” means a veteran who served on active duty in the U.S. military, ground, naval or air service during a war or in a campaign or expedition for which a campaign badge has been authorized under the laws administered by the Department of Defense.

(b) “Armed Forces service medal veteran” means any veteran who, while serving on active duty in the U.S. military, ground, naval or air service, participated in a United States military operation for which an Armed Forces service medal was awarded pursuant to Executive Order 12985 (61 FR 1209, 3 CFR, 1996 Comp., p. 159)

(c) “Disabled veteran” means (1) A veteran of the U.S. military, ground, naval or air service who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Secretary of Veterans Affairs, or (2) A person who was discharged or released from active duty because of a service-connected disability.

(d) “Recently separated veteran” means a veteran during the three-year period beginning on the date of the veteran’s discharge or release from active duty.

(e) “Service-connected disability rating” means a rating in which a Department of Veterans Affairs adjudicator determined that a veteran was disabled by an injury or illness that was incurred or aggravated during active military service.

5. POLICY STATEMENT

UW- Oshkosh has prepared and will implement this plan to take affirmative action to employ veterans and veterans with a service-connected disability rating. The percentage of disabled and non-disabled veterans in the state civilian labor force will be determined and announced by the Department of Workforce Development for each fiscal year. With this information, the Council on Veterans Employment will establish the employment goals for state employers.

6. GUIDELINES & PROCEDURES

(a) General

1. To enhance veteran recruitment efforts, UW-Oshkosh will use veteran-focused job boards and other web-based recruitment and hiring resources.
2. When requested, human resources staff will provide veterans with up-to-date veteran employment information and information on ways a veteran and/or a veteran with a service-connected disability rating may apply for vacant positions.
3. Human resources staff may assist veterans by making referrals when appropriate.
4. Partnerships should be established with local and national recruiting sources for referral of qualified covered veteran applicants and with the Veterans Administration Medical Center job placement programs.
5. To recruit veterans, vacant positions will be distributed to state contacts and veterans job boards.
6. Covered student veterans should be actively recruited.
7. To ensure compliance with federal requirements, UW System Service Center guidelines for the collection of and the input of veteran and veteran disability rating information must be followed. Veteran and veteran disability data will be requested via the appropriate self-identification form from all new employees during employee

onboarding. Veteran recruitment and hiring data will be reported as part of UW Oshkosh's affirmative action program in compliance with federal regulations.

(b) Noncompetitive Appointment of Disabled Veterans

A disabled veteran with a 30% or more service-connected disability rating may be appointed without a recruitment. Following are guidelines for such an appointment:

1. UW- Oshkosh will allow for the noncompetitive appointment of qualified veterans with a 30% or more service-connected disability rating. When a vacancy occurs in a position, a disabled veteran may be appointed on a noncompetitive basis. Nothing in this policy, however, requires the institution to make such a noncompetitive appointment.

2. If UW-Oshkosh considers the appointment of a qualified disabled veteran to a vacant position on a noncompetitive basis, the institution must offer an interview for the position to any disabled veteran who has expressed an interest to the institution in applying for the position and who appears to have the skills and experience suitable for performing the duties and responsibilities of the position. If a disabled veteran is appointed as a result of this procedure, other applicants (i.e., applicants who are not disabled veterans) will not be interviewed.

3. UW-Oshkosh may make a noncompetitive appointment of a disabled veteran only if all of the following occur:

- The disabled veteran is qualified to perform the duties and responsibilities of the position.
- The disabled veteran has served in the U.S. armed forces and is included on U.S. armed forces permanent disability list with a disability rating of at least 30%, or the disabled veteran has been rated by the U.S. Department of Veterans Affairs as having a compensable service-connected disability of at least 30%.
- The disabled veteran presents written documentation from an appropriate department of the federal government certifying the existence and extent of the disability. This certification must have been issued within the year preceding appointment.
- The disabled veteran is not currently employed (with an expectation of continued employment) at a UW System institution or at any State of Wisconsin agency.

4. Any recruitment that targets hiring a disabled veteran may be done prior to posting a vacant position or may be done concurrently with other recruitment efforts.

5. When a targeted recruitment fails to attract any disabled veterans, a new application deadline may be established and additional targeted recruitment activities may be undertaken.

(c) Procedures for Positions Posted as Open Recruitments

When a recruitment to fill a vacant position does not target disabled veterans, disabled veterans may nevertheless request a noncompetitive appointment for any posted position.

Such an applicant may be considered for employment either before or along with other applicants.

(d) Other Procedures Related to Hiring of Veterans with a 30% or Greater Service Connected Disability Rating

If UW-Oshkosh is aware, through any source, of a veteran with a 30% or greater service connected disability rating, it may contact that veteran to determine qualifications for and interest in any vacant position, regardless of whether the veteran has specifically applied for such a position.

(e) Reporting

UW System Administration will provide the Council on Veterans Employment with data related to the employment of veterans as appropriate.

7. REFERENCES

This policy shall be interpreted in accordance with UW System UPS Operational Policy EEO3.

Related Documents:

Executive Order #137

Jobs for Veterans Act

Wis. Stat. § 230.275, Noncompetitive appointment of certain disabled veterans

Wis. Stat. § 230.042, Wisconsin veterans employment initiative

Regulations Implementing VEVRAA

America's Heroes at Work: A DOL toolkit for hiring veterans

8. HISTORY

Student Medical Leave Act

March 4th, 2019

Rosemary Pechous

Whereas, it has been justified that to request a leave of absence from classes without taking incomplete, withdraws, or medical leave in the middle of term would not be considered viable under the American's with Disabilities Act (ADA): "Establishing whether or not a request is reasonable is based on whether an extended absence will alter or change an essential objective of the course. In most scenarios, it is very likely that a 3-4 week leave during a semester for a health or mental health issue would not be considered a reasonable accommodation, since missing that much time in a course will most likely result in an alteration of an essential element of the course. If a student does not qualify for this type of accommodation, or the request is not determined as a reasonable accommodation, a discussion regarding the options for the student that semester should be explored. This may include dropping a course, taking an incomplete, or taking a medical withdrawal." (UW-River Falls)

Whereas, it is disheartening to witness the lack of structure and support for students that need to take breaks from class may it be for mental health, family, or medical reasons,

Whereas, unlike Family Medical Leave Act (FMLA) which protects employees from being fired if they request a leave of absence for any period of time with proper communication and documentation, there are no protections even similar to FMLA for students.

Whereas, Rosemary Pechous, Student Body President from the University of Wisconsin-River Falls, has proposed the idea of Student Medical Leave Act (SMLA) which would have similar protects for students as FMLA does for employees.

Whereas, the idea of SMLA is not fully developed but with eagerness and communication, President Pechous hopes to discuss the realities of the bill with educators, lawmakers, ACLU members, and students; and while "accommodate" has various definitions, President Pechous plans to define the term in order to develop a legal plan of action for universities and students that is interpretable for every circumstance that may arise,

Whereas, it is an issue that there are not viable options other than to take incompletes or withdraw from classes if the need for time-off may occur,

Whereas, SMLA would protect university student's GPA's, paid tuition, and keep graduation goals on track if there were an option for file under SMLA,

Whereas, students that would most benefit from the SMLA option are: non-traditional students with children that may need to take-off time from classes to care for their children, students that are admitted to treatment programs, students with sudden medical needs, and students that need to care-take of family members for a brief time,

Whereas, the outdated idea that students must never miss class, no matter how broken they may be, is unjust; in the 21st Century, universities must protect and support students that need accommodations such as time off; more importantly, universities need to have options for students that need time-off but do not wish to drop out of classes,

Whereas, students with significant life issues are well-aware and usually well-equipped to handle both the situation and their school work; it is unjust to believe that students, for example, with depression, cannot handle doing homework during their time in treatment; and while a student that needs time-off may be incapable of doing *all* their assignments, they are, with an attempt to accommodate, able to complete some of their work,

Whereas, it would actually be discriminatory to suggest a student withdraw or take medical leave based on the landmark decision in *Olmstead v. L.C.* (1999), "*ruling that unjustified segregation of people with mental disabilities constitutes unlawful discrimination under the Americans with Disabilities Act (ADA)*," and "*The Supreme Court decided under Title II of the ADA that mental illness is a form of disability and therefore covered under the ADA, and that unjustified institutional isolation of a person with a disability is a form of discrimination because it "...perpetuates unwarranted assumptions that persons so isolated are incapable or unworthy of participating in community life."* The court added, "*Confinement in an institution severely diminishes the everyday life activities of individuals, including family relations, social contacts, work options, economic independence, educational advancement, and cultural enrichment.*" (*hhs.gov*)

Therefore, Be It Resolved, the UW-System Representatives, as well as individual campuses, support and encourage President Pechous's work on this project; and encourage lawmakers, educators, and all other parties included to drive this bill forward.

Therefore, Be It Further Resolved, the University of Wisconsin Student Representatives supports and endorses President Pechous's efforts in bringing forward this issue to educators, lawmakers, ACLU members, and students.

Signed,

Alex Smith, Chair

Rosemary Pechous, President
