

REGENTS OF THE UNIVERSITY OF WISCONSIN 5

(4) CLIMBING; WALKING ON ROOF. Except for required maintenance, or when special permission is granted by the chief administrative officer, or his designee, climbing into, out of or on university buildings, or maintenance facilities, and walking upon the roof of a university building, except where emergency access to a fire escape is necessary, is prohibited.

(5) FIREARMS. Carrying, possessing or using firearms on university property is prohibited unless otherwise authorized by the regents, except as required for (a) educational programs for which the use of firearms has been approved by the chief administrative officer of the campus or area; (b) use in rifle or pistol ranges established and supervised by the university with the approval of the chief administrative officer of the campus or area; and (c) authorized police and military use by police and military personnel. Firearms in violation of this regulation may be confiscated by police, taken off university property by police, and, where authorized by Wisconsin statutes, disposed of in the manner prescribed.

(6) FIRES. The lighting and use of fires is prohibited except in such places as are set aside for this purpose and appropriately designated by appropriate signs. It shall be unlawful to throw away any cigarette, cigar, pipe ashes, or other burning material without first extinguishing them.

(7) KEYS. It shall be illegal to request the unauthorized duplication or to duplicate a university key. It shall also be illegal to transfer any university key from a person entrusted with possession to an unauthorized person, or to be in possession of such key.

(8) LIQUOR. The use or possession of intoxicating liquors, or fermented malt beverages with an alcoholic content of more than 5% by weight, is prohibited on all university property, except in faculty and staff housing, and in married and graduate student housing units specifically designated by the chief administrative officer, and at suitable times under decorous conditions, in faculty and staff dining, conference or meeting facilities, subject to statutory age regulations.

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(9) MALT BEVERAGES. No fermented malt beverages containing ½ of 1% or more of alcohol by volume shall be sold, dispensed, given away, or furnished to, or purchased by or for any persons under the age of 18 years, on university of Wisconsin property, unless accompanied by parent or guardian.

(10) NARCOTICS AND DANGEROUS DRUGS. The use or possession of narcotics or dangerous drugs as defined in chapter 161 Wis. Stats. is prohibited on all university property with the specific exemptions set forth in chapter 161. The penalty provisions of chapter 161 shall apply to violations of this section.

(11) PICNICKING, CAMPING, ETC. Picnicking, camping, and similar activities are prohibited on university lands, except in such specific areas as are designated to be picnic or camping grounds. All rules and regulations for use of such grounds which are posted must be complied with. For purposes of this regulation, camping shall include the parking of campers or camp trailers, the pitching of tents, or the placement or erection of any facility or structure.

(12) **SELLING, CANVASSING, PEDDLING, SOLICITING.** (a) No door to door selling, canvassing, peddling or soliciting is permitted in the buildings of the university, including those used for housing, unless the occupant of a specific living unit or office has, in advance, requested and given permission for a person engaged in such activity to come to that particular living unit or office for that purpose.

(b) All other canvassing, soliciting, peddling and the sales of goods or services are prohibited on the grounds or in the buildings or other facilities of the university except the following:

1. Individual sales of personal property owned or acquired by the seller primarily for his own use.

2. Hawking of newspapers and other printed matter outside of buildings or facilities.

3. Subscription, membership, ticket sales solicitation, fund-raising, selling, canvassing and soliciting activities carried on by a university or registered student organization pursuant to a contract with the university for the allocation or rental of space for that purpose.

4. Admission events in a university building or facility pursuant to a contract with the university.

5. Food and beverage concessions conducted pursuant to a contract with the university.

(13) **SIGNS.** The erection, posting, or attaching of any signs, posters, pictures, etc. in or on any building or on other university property is prohibited except on regular bulletin boards. The chief administrative officer or his designee is authorized to allow exceptions for temporary periods for the areas under his jurisdiction.

(14) **SMOKING.** Smoking is prohibited in the classrooms, laboratories, rest rooms, store rooms, and corridors of university buildings except for such areas as are designated for that purpose.

(15) **SWIMMING, FISHING, BOATING, RIDING, ETC.** Swimming, fishing, boating, snowmobiling, horseback riding, and similar recreational activities are restricted to the areas and times designated by the chief administrative officer of the campus or area concerned, approved by the regents, and denoted by official signs. The storing of boats, boating gear, snowmobiles and other equipment within the boundaries of university parks, except under conditions specified by the chief administrative officer, and approved by the regents, is prohibited. There shall be no swimming, fishing, docking, or mooring of boats from university piers, except as designated by the chief administrative officer of the campus or area, approved by the regents, and denoted by official signs. Unless otherwise indicated, such university facilities are available only to university personnel.

(16) **RESTRICTED USE OF UNIONS.** (a) The use of union buildings and union grounds is restricted to members of the union, to university faculty, to university staff, and to invited guests, except on occasions when all or part of the buildings or grounds are open to the general public. The university reserves the right to require currently valid evidence of qualification to use the union buildings and union grounds by student identification card, union membership card, faculty or employe identification card, evidence of invitation as an invited guest, or other suitable evidence of qualification for such use, in any area of the buildings and grounds not open to the general public at

the time when identification is requested. The university reserves the right to deny the use of union buildings and union grounds to anyone who fails or refuses to provide such identification in any such area. Any person who fails or refuses to provide such identification in any such area, and who then fails or refuses to withdraw from the buildings and grounds, may be removed.

(b) For the purposes of this section:

1. Union buildings and grounds are "open to the public" only in those areas and during those hours specified in a notice placed outside the main entrance or entrances.

2. An "invited guest" is a person who is invited a. by the university, by a university department, or by a registered university organization to use the union buildings or union grounds during a specific conference, special function, tour or official visit taking place on campus; or b. by a union member to use the union buildings or grounds for a specific occasion or registered program taking place on the buildings or grounds, and who is escorted to the buildings or grounds by the member and accompanied by the members while there. The use of union buildings and grounds by an "invited guest" is limited to the specific occasion to which he is invited. A person making regular, repeated use of the buildings and grounds will not be regarded as an "invited guest."

(c) Any person who fails or refuses to withdraw from union buildings and union grounds after failing or refusing to provide the evidence of qualification required by this section may be penalized as provided in section UW 1.08.

(17) UNAUTHORIZED PRESENCE. (a) It is unlawful for any persons to be present in any class, lecture, laboratory period, orientation session, examination, or other instructional session without the consent of a member of the university administration or faculty or other person authorized to give such consent.

(b) A person is present without consent as forbidden by paragraph (a), in the following circumstances:

1. If he is not then enrolled and in good standing as a member of such an instructional session, and refuses to leave such session on request of the member of the university administration or faculty or other person in charge thereof;

2. If he is present during the conduct of any such instructional session and upon reasonable request thereof by the person in charge thereof refuses or fails to identify himself by written or documentary evidence as a person present with the consent required by paragraph (a), and refuses or fails to leave such session at request of the person in charge thereof.

(18) RESTRICTIONS ON PERSONS WHO MAY ENTER CAMPUSES DURING EMERGENCIES. (a) Section 36.45, Wis. Stats. provides: "The chancellor of each university of Wisconsin campus or the chief security officer thereof . . . during a period of immediate danger or disruption may designate periods of time during which the university campus and designated buildings and facilities connected therewith are off-limits to all persons who are not faculty members, staff personnel, students or any other personnel authorized by the above-named officials. Any persons violating such order shall be subject to the penalties provided

by law for criminal trespass." (For penalty, see sections 943.13 and 943.14, Wis. Stats.)

(b) During any period so designated, it shall be unlawful for any person to remain on the campus, or in the designated buildings and facilities, after failing or refusing to identify himself upon request as a person entitled to be present.

(c) For the purpose of subsection (b),

1. "To identify himself" means to show a university identification card or other written or documentary evidence of identity.

2. "Person entitled to be present" means a university faculty member or other employe, a university student, or any other person authorized to be present by the order issued pursuant to the statutory provision set forth in subsection (a) of this section.

3. The "request" must be made by a police officer or other person authorized by the order to make such request.

(19) PERSONS PROHIBITED FROM ENTERING CAMPUSES. (a) *Student convicted of dangerous and obstructive crime.* Section 36.47, Wis. Stats., provides: "Any person who is convicted of any crime involving danger to property or persons as a result of conduct by him which obstructs or seriously impairs activities run or authorized by a state institution of higher education under this chapter or chapter 37, and who, as a result of such conduct, is in a state of suspension or expulsion from the institution, and who enters property of that institution without permission of the administrative head of the institution or his designee within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both."

(b) *Student not covered by (a) who has violated regent by-laws.* Any person who is suspended or expelled from the university for conduct of the kind described in paragraph (d) 1. of this section, and who is in a state of suspension or expulsion from the university, or any person who takes leave or resigns under charges after being charged by the university with conduct of the kind described in paragraph (d) 1. of this section, and who enters any campus of the university within one year of the effective date of his suspension or expulsion, or of his taking leave or resigning under charges, without the written consent of the chief administrative officer of the campus or his designee, may be penalized as provided in Section UW 1.08. Any person who fails to appear before an appropriate disciplinary hearing committee, once adequate notice and a reasonable time for preparation have been afforded and a reasonable time and date have been fixed, after being charged by the university with conduct of the kind described in paragraph (d) 1. of this section, and who enters any campus of the university within one year of his failure to appear before the appropriate disciplinary hearing committee without such written consent may also be so penalized as provided in Section UW 1.08.

(c) *Non-student who is convicted of dangerous crime on campus.* Any person not a student of the university who is convicted of any crime involving danger to property or persons as a result of conduct by him on a campus of the university, and who enters any campus of the university within one year of the effective date of his conviction without the written consent of the chief administrative officer of the campus or his designee, may be penalized as provided in Section UW 1.08.

(d) *Conduct.* 1. The conduct referred to in subsection (b) of this section is intentional conduct that a. seriously damages or destroys university property or attempts to seriously damage or destroy university property; b. indicates a serious danger to the personal safety of other members of the university community; c. obstructs or seriously impairs university-run or university-authorized activities on any campus, including activities either outdoors or inside a classroom, office, lecture hall, library, laboratory, theater, union, residence hall or other place where a university-run or university-authorized activity is carried on. The kind of conduct referred to in this paragraph is intentional conduct which by itself or in conjunction with the conduct of others prevents the effective carrying on of the activity—a result which the offender knew or reasonably should have known would occur. Illustrations of the kind of conduct which this paragraph (d) 1. c. is designed to cover appear in section UW 2.01 (3).

2. For the purposes of section 36.47, Wis. Stats., conduct by an individual which “obstructs or seriously impairs” an activity is conduct which by itself or in conjunction with the conduct of others prevents the effective carrying on of the activity.

3. For the purposes of section 36.47, Wis. Stats., the “administrative head of the institution or his designee” shall mean the chief administrative officer as defined in section UW 1.01. Each administrative officer may designate one other official who may, under his direction, grant or deny consent to enter a campus pursuant to section 36.47, Wis. Stats., and subsections (b) and (c) of this section.

4. For the purposes of section 36.47, Wis. Stats., and subsection (c) of this section, “crime involving danger to property or persons” shall mean any crime defined in chapter 940 (Crimes against life and bodily security), section 941.13 (False alarms, and interference with fire fighting), section 941.20 (Reckless use of weapons), section 941.22 (Possession of pistol by minor), section 941.23 (Carrying concealed weapon), section 941.24 (Possession of switchblade knife), section 941.30 (Endangering safety by conduct regardless of life), section 941.31 (Possession of explosives for unlawful purpose), section 941.32 (Administering dangerous or stupefying drug), section 943.01 (Criminal damage to property), section 943.02 (Arson of buildings; damage of property by explosives), section 943.03 (Arson of property other than buildings), section 943.05 (Placing combustible materials an attempt), section 943.06 (Molotov cocktails), section 943.10 (Burglary), section 943.14 (Criminal trespass to dwellings), section 943.32 (Robbery), section 944.01 (Rape), section 946.41 (Resisting or obstructing officer), section 947.015 (Bomb scares), or section 167.10 (Fireworks regulated), of Wisconsin Statutes

(e) *Factors to be considered.* In granting or denying consent to enter a campus pursuant to section 36.47, Wis. Stats., or subsection (b) or (c) of this section, the following factors shall be considered:

1. The danger that the offensive conduct, particularly if it is of the kind described in paragraph (d) 1. of this section, will be continued or repeated by the applicant for permission to enter the campus.

2. The need of the applicant to enter the campus, for example, to attend a campus disciplinary hearing in which he is being tried or is to be a witness, or to receive treatment in university hospitals.

(20) PICKETING, RALLIES, PARADES, DEMONSTRATIONS AND OTHER ASSEMBLIES. (a) In order to preserve the order which is necessary for

the enjoyment of freedom by members of the university community, and in order to prevent activities which physically obstruct access to university facilities and prevent the university from carrying on its instructional, research, public service, and administrative functions; any picketing, rally, parade, demonstration, or other assembly shall be declared unlawful if its participants:

1. Intentionally gather, or intentionally remain assembled, outside any university building or other facility in such numbers, in such proximity to each other or in such fashion as to physically hinder entrance to, exit from, or normal use of the facility.

2. Intentionally congregate or assemble within any university building or other facility in such fashion as to obstruct or seriously impair university-run or university-authorized activities, or in such fashion as to violate any of the following conditions:

a. No group may be admitted into the private office of any faculty member or other university employe unless invited by the authorized occupant of that office, and then not in excess of the number designated or invited by that person.

b. Passage through corridors, stairways, doorways, building entrances, fire exits, and reception areas leading to offices shall not be obstructed or seriously impaired.

c. Classrooms, study rooms, or research rooms shall not be entered or occupied by any group not authorized to do so by the person in immediate charge of the room, or by a person designated by the chief administrative officer to approve requests for the use of rooms for meetings. Groups shall not assemble immediately outside such rooms at times when they are normally in use for classes, study, or research.

d. Any group present in a university building shall leave at the closing hours established pursuant to section UW 1.07 (1) with the exceptions specified in that section.

e. No parades, picketing, or picket signs supported by standards or sticks will be permitted in any assembly in a university building.

3. Intentionally create a volume of noise that unreasonably interferes with university-run or university-authorized activities.

4. Intentionally employ force or violence, or intentionally constitute an immediate threat of force or violence, against members of the university community or university property.

(b) For the purpose of subsection (a) of this section, "intentionally" means that the participant or spectator knew or reasonably should have known that his conduct by itself or in conjunction with the conduct of others, would have the prohibited effect.

(c) The chief administrative officer shall designate a university official or officials who shall have primary authority to implement subsection (a) of this section. He shall prescribe limitations for any picketing, rally, parade, demonstration or other assembly in order that it will meet the requirements of subsection (a) of this section whenever he is requested to do so. Such requests should be made at least 24 hours in advance in order that adequate police protection for the assembly can be provided. When informed of any picketing, rally, parade, demonstration, or other assembly which may not comply with subsection (a), the chief administrative officer's designee shall proceed immediately to the site and determine if subsection (a) is being complied with. If he finds that it is not, he may declare the assembly unlawful or he may prescribe such limitations on numbers,

location or spacing of participants in the demonstration as are reasonably necessary to ensure compliance with subsection (a). If he prescribes limitations, and if his limitations are not observed by the assembly, he may then declare the assembly unlawful. Any declaration of illegality or prescription of limitations by the chief administrative officer's designee shall be effective and binding upon the participants in the assembly unless and until modified or reversed by him or the chief administrative officer.

(d) Any participant or spectator within the group constituting an unlawful assembly who intentionally fails or refuses to withdraw from the assembly after it has been declared unlawful under this section shall be subject to immediate arrest and liable to the penalties of section UW 1.08. Any participant or spectator present in a group constituting an unlawful assembly after it has been declared unlawful under this section who intentionally fails or refuses to identify himself upon request by the chief administrative officer's designee shall be subject to immediate arrest and liable to the penalties of section UW 1.08.

(e) If the original picketing, rally, parade, demonstration, or other assembly is not declared unlawful, but spectators are violating subsections (a) 1., (a) 2., (a) 3., or (a) 4. of this section, the chief administrative officer's designee may declare that the group including the spectators constitutes an unlawful assembly subject to the provisions of subsections (c) and (d) of this section. No assembly, lawful or unlawful, shall be deemed to justify an unlawful counter assembly.

(21) PROHIBITIONS ON BLOCKING ENTRANCES. In order to prevent activities which physically obstruct access to university functions or facilities and which prevent the university from carrying on its instructional, research, public service and administrative functions, and to preserve order which is necessary for the enjoyment of freedom by each and every member of the university community, the following conduct is prohibited:

(a) Intentionally physically blocking entrances to and exits from offices, classrooms or other university facilities with intent to deny to others their right of ingress to, egress from or use of such offices, classrooms or other university facilities.

(b) Intentionally physically denying to others ingress to or egress from, or the use of university offices, classrooms or other university facilities with intent to deny to others their right of ingress to, egress from or the use of such offices, classrooms, or other university facilities.

(c) Intentionally physically restraining others from ingress to or egress from, or from the use of university offices, classrooms or other university facilities with intent to deny to others their right of ingress to, egress from, or the use of such offices, classrooms or other university facilities.

(22) SOUND-AMPLIFYING EQUIPMENT. (a) In order to permit the use of sound-amplifying equipment on university campuses, if needed for the dissemination of ideas to large audiences, but to prevent its use from interfering with university functions which inherently require quiet, the following provisions shall apply:

1. No person may use sound-amplifying equipment on any campus without the permission of the chief administrative officer of that campus or area except as provided in subsection (c) of this section.

2. In granting or denying such permission, the following principles shall govern:

a. Except in extraordinary circumstances, specified in advance by the chief administrative officer of the campus, permission may be granted to use such equipment only during the following hours, 12 noon to 1:30 p.m. and 5:00 p.m. to 7:00 p.m. every day, and only when the equipment is more than 50 feet from and directed away from any classroom building, residence halls, library or facility being used as a study hall. These are the times and places which will result in the least interference with other activities on the campus.

b. The applicant for permission shall have the burden of establishing the need for amplification to communicate with the anticipated audience. In particular, he must show that the audience can reasonably be anticipated to include at least 250 people.

c. The applicant for permission shall have the burden of establishing that the volume and direction of the sound from the equipment will be such as to reduce interference to other activities on the campus to a minimum.

3. Any request for the permission required by this section must be submitted in writing to the person specified in subsection 1. of this section at least 24 hours prior to the intended use of the sound-amplifying equipment, and must be signed by a student or employe of the university on the campus where the equipment is to be used. Such request shall contain:

a. The proposed hours, date and location where the equipment is to be used.

b. The size of the anticipated audience and the reasons why the equipment is needed.

c. A description of the proposed equipment which includes the manufacturer, model number, and wattage.

d. The names of the owner of the equipment and of any person or persons, in addition to the person signing the application, who will be responsible for seeing that the equipment is operated in compliance with the terms of the permit and the provisions of this rule (the chief administrative officer of the campus may require such additional persons if he believes this necessary to assure compliance).

(b) If permission is granted by the chief administrative officer the applicant shall, notwithstanding the provisions of Wis. Adm. Code section UW 1.07 (13), post a sign visible to the audience stating: "Permission to use sound-amplification equipment at this meeting (sporting event) has been granted."

(c) Permits issued by the chief administrative officer shall not be required for the use of university sound-amplifying equipment to be used with the permission of the university employe having control of the equipment for authorized university classes, for authorized university research, for meetings of faculty or administrative staff, for other authorized meetings in university buildings, for university-sponsored academic, recreational or athletic activities, or for crowd control by authorized university officials.

(d) For the purposes of this section, "sound-amplifying equipment" means any device or machine which is capable of amplifying

sound and capable of delivering an electrical input of one or more watts to the loudspeaker.

(23) CURFEW. (a) Notwithstanding any other provision of this code, the chief administrative officer of any campus or other area may declare curfew hours for the campus or particular buildings, facilities or areas of the campus, whenever a riot or civil disorder endangers the safety of persons or property on the campus, or impairs food or fuel supplies, medical care, fire, health, or police protection or other vital services to such campus. Such curfew hours shall be posted on appropriate bulletin boards on the campus, or, in the case of buildings, on the building. Such curfew hours will remain in effect until ended or modified by the chief administrative officer.

(b) It is unlawful for any person, except those authorized by the curfew order, to enter or leave any university building, facility or area subject to the curfew order during curfew hours fixed pursuant to this section.

History: Cr. Register, January, 1971, No. 181, eff. 2-1-71.

UW 1.08 Penalties. Unless otherwise specified, the penalty for violating any of the rules in sections UW 1.06 and 1.07 is a fine of not more than \$500, or imprisonment of not more than 90 days, or both, as provided in section 36.06 (11) (b), Wis. Stats., 1969.

History: Cr. Register, January, 1971, No. 181, eff. 2-1-71.