

## Chapter UWS 18

### CONDUCT ON UNIVERSITY LANDS

UWS 18.01	Jurisdiction.
UWS 18.02	Definitions.
UWS 18.03	Law enforcement.
UWS 18.04	Traffic rules.
UWS 18.05	Parking rules.
UWS 18.06	Protection of resources.
UWS 18.07	Use of campus facilities.
UWS 18.08	Personal conduct prohibitions.

UWS 18.09	Alcohol and drug prohibitions.
UWS 18.10	Offenses against public safety.
UWS 18.11	Offenses against public peace and order.
UWS 18.12	Property offenses.
UWS 18.13	Penalties.
UWS 18.14	Institutional regulations.
UWS 18.15	Additional statutory penalty provisions regulating conduct on university lands.

**UWS 18.01 Jurisdiction.** These rules shall regulate conduct on all lands subject to the control of the Board of Regents of the University of Wisconsin System.

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; 2015 Wis. Act 330 s. 20: am. Register April 2016 No. 724, eff. 5-1-16.

**UWS 18.02 Definitions.** For purposes of this chapter:

(1) “Board of regents” or “board” means the Board of Regents of the University of Wisconsin System.

(2) “Building” means any structure, including stadia, on university lands.

(3) The “chief administrative officer” means the chancellor of an institution or dean of a campus or their designees.

(4) “Discharge pollutants into storm sewers” means placing pollutants or water containing pollutants into any storm sewer on or serving university lands.

(5) “Discharge pollutants to storm water” means placing pollutants onto university lands so that they are carried by storm water to waters of the state.

(6) “Pollutants” has the meaning described in s. 283.01 (13), Stats.

(7) “University lands” means all real property owned by, leased by, or otherwise subject to the control of the Board of Regents.

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; cr. (5) to (7), Register, September, 1996, No. 489, eff. 10-1-96; correction in (7) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 2001, No. 544; CR 08-099: renun. (1) to (7) to be (3), (7), (1), (2), (4), (5) and (6) and am. (7) Register August 2009 No. 644, eff. 9-1-09; 2015 Wis. Act 330 s. 20: am. (1), (7) Register April 2016 No. 724, eff. 5-1-16.

**UWS 18.03 Law enforcement.** (1) The board may designate peace officers who are authorized to enforce these rules and regulations and to police all lands under the control of the board. These officers shall have all the powers provided in s. 36.11 (2), Stats., except where such powers are specifically limited or modified by the board. These officers may accept concurrent appointments as deputy sheriffs.

(2) Uniformed peace officers shall be identified by an appropriate shield or badge bearing the word “Police” and a number or name plate, which shall be conspicuously worn when enforcing this chapter. Peace officers assigned to non-uniformed duties shall identify themselves with an appropriate badge or police identification card when enforcing this chapter.

(3) Parking attendants are authorized to enforce the parking regulations in s. UWS 18.05.

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; am. (2), Register, November, 1991, No. 431, eff. 12-1-91; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1991, No. 431.

**UWS 18.04 Traffic rules.** (1) No person may operate

any motor vehicle (self-propelled vehicle) on any roadway under the control of the board without a valid and current operator’s license issued under ch. 343, Stats., except a person exempt under the provisions of s. 343.05, Stats.

(2) No person may operate any motor vehicle on any roadway under the control of the regents unless the same has been properly registered as provided by ch. 341, Stats., unless exempt under the provisions of s. 341.05, Stats.

(3) All provisions of ch. 346, Stats., entitled “Rules of the Road,” which are applicable to highways as defined in s. 340.01 (22), Stats., and which are not in conflict with any specific provisions of these regulations, are hereby adopted for the regulation of all vehicular traffic, including bicycles, on all roadways, including those off-street areas designated as parking facilities, under the control of the board and are intended to apply with the same force and effect. All traffic shall obey the posted signs approved by the chief administrative officer regulating such traffic.

(4) All provisions of ch. 347, Stats., entitled “Equipment of Vehicles” which are applicable to highways as defined in s. 340.01 (22), Stats., are hereby adopted for the regulation of all vehicular traffic on the roadways under the control of the board and are intended to apply with the same force and effect, except those provisions of ch. 347, Stats., which conflict with specific provisions of these regulations.

(5) The chief administrative officer may require the registration of all student, faculty, or staff motor vehicles or bicycles on university lands under said officer’s jurisdiction and may limit or prohibit their use in designated areas during designated hours. Any person who violates institutional regulations promulgated under this subsection may be fined up to \$25.

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1991, No. 431; CR 08-099: am. (5) Register August 2009 No. 644, eff. 9-1-09.

**UWS 18.05 Parking rules.** (1) Parking is prohibited at all times on roads, drives and fire lanes traversing university lands, except that the chief administrative officer is authorized to establish parking areas, parking limits, and methods of parking on the lands under said officer’s jurisdiction, and may designate parking areas for specific groups at specific times, providing such areas are properly posted as parking areas. Parking in university parking facilities may be restricted or prohibited as required for reasons of maintenance and snow removal.

(2) Except as provided in sub. (3), parking in university parking areas shall be prohibited during posted times to persons other than those specifically assigned to those areas. Motor vehicles so assigned to any parking areas shall be identified by a valid parking permit affixed to the vehicle in a manner prescribed by the chief administrative officer.

(3) (a) In order to provide parking in university parking facilities for patrons of public university events, motor vehicles may be permitted to park in facilities designated for this purpose by the chief administrative officer. Public events parking shall be for a limited time only, not exceeding 12 hours continuously, and appropriate fees may be established. Otherwise valid permits are voidable during this period.

(b) The chief administrative officer may establish visitor parking lots and set appropriate fees for parking in those lots.

(c) Unrestricted and unassigned parking areas for students, faculty, staff and visitors may be established by the chief administrative officer.

(4) (a) Parking shall be prohibited at all times in areas which must be kept clear for the passage of fire apparatus. These areas shall be designated by standard signs reading "Fire Zone, No Parking at Any Time, Day or Night" or "Fire Lane, No Parking at Any Time, Day or Night."

(b) Parking is prohibited at all times in areas which must be kept clear for vehicles to load and unload. These areas shall be designated by appropriate signs.

(5) Motor vehicles parked in a restricted parking area without a valid permit or motor vehicles parked in a fire zone, fire lane, loading zone, or no parking zone, and unlicensed or partially dismantled motor vehicles may, at the owner's expense, be towed from the restricted parking areas and stored. Towed vehicles, if not claimed after notice to the owner, shall be considered abandoned and shall be disposed of as provided in s. 20.909 (1), Stats.

(6) Any person who violates any of the provisions of this section may be fined up to \$200. Each institution shall establish a schedule of fines, which may include penalties for late payment.

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; am. (6), Register, November, 1991, No. 431, eff. 12-1-91; correction in (5) made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1991, No. 431.

**UWS 18.06 Protection of resources. (1) PROHIBITED ACTS; LAND.** No person may remove any shrubs, vegetation, wood, timber, rocks, stone, earth, signs, fences, or other materials from university lands, unless authorized by the chief administrative officer.

(2) PROHIBITED ACTS; WILDLIFE. No person may remove, destroy, or molest any bird, animal or fish life within the boundaries of university lands except as authorized by the chief administrative officer or except when this provision conflicts with a special order of the department of natural resources.

(3) PROHIBITED DUMPING; PROHIBITED DISCHARGES TO STORM WATER. (a) No person may dump or deposit any garbage, waste, hazardous material, rubbish, brush, earth or other debris or fill into any university dumpster or garbage receptacle or on any university lands unless authorized by the chief administrative officer.

(b) No person may discharge pollutants to storm water or storm sewers on or serving university lands, except where authorized by the chief administrative officer and in conformance with state law.

**Note:** Nothing in these rules precludes campus law enforcement officers from pursuing informal educational resolutions in lieu of prosecuting a citation in appropriate circumstances.

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; am. (13), cr. (16m), Register, December, 1986, No. 372, eff. 1-1-87; reprinted to restore dropped copy in (13), Register, February, 1987, No. 374; am. (5), (10), (22) (b) and (d), (27) and (28), cr. (10) (b) and (d), (12) (d) and (29) to (41), Register, November, 1991, No. 431, eff. 12-1-91; correction in (7) (c) made under s. 13.93 (2m) (b) 7., Stats., Register, November, 1991, No. 431; am. (1), Register, September, 1996, No. 489, eff. 10-1-96; corrections in (36) made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1996, No. 489; am. (14), (38) and (41), r. and recr. (11), (34) and (35) and cr. (33) (d) to (f) and (42) to (50), Register, August, 1998, No. 512, eff. 9-1-98; correction in (36) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 2001, No. 544; CR 08-099: am. (title), renum. (1) to (3) to be (3), (1) and (2) and am., renum. (4) to

(11) and (13) to (50) to be UWS 18.07, 18.08, 18.09, 18.10, 18.11 and 18.12, r. (12) Register August 2009 No. 644, eff. 9-1-09.

**UWS 18.07 Use of campus facilities. (1) ACCESS TO ROOFS, SERVICE TUNNELS, AND MAINTENANCE FACILITIES PROHIBITED.** No person may climb into, out of, or onto any university building, service tunnels or maintenance facilities, or walk or climb upon any university building or roof, except when emergency access to a fire escape is necessary, for required maintenance, or when authorized by the chief administrative officer.

(2) CLOSING HOURS. (a) Except as specifically provided in this code, the chief administrative officer may establish closing hours and closed periods for university lands, buildings, or portions thereof. These closing hours and closed periods shall be posted in at least one conspicuous place adjacent to or at the periphery of the area to be closed or, in the case of buildings, on the building.

(b) No person, unless authorized to be present during closed periods, may enter or remain within the designated university lands, buildings, or portions thereof during a closed period established under this section.

(c) For the purpose of par. (b), "person authorized to be present" means a person authorized to be present by an order issued pursuant to par. (a) or s. 36.35 (2), Stats.

(d) No person, except those authorized to be present after the posted closing hour, may enter or remain in any university arboretum or picnic area unless traversing those areas or on park roads at the times the roads are open to the public.

(3) LIMITED ENTRANCE. The chief administrative officer may, by posting appropriate signs, limit or prohibit entrance to university lands, or portions thereof, in order to maintain or preserve an instruction or research area.

(4) PICNICKING AND CAMPING. No person may picnic or camp on university lands, except in those areas specifically designated as picnic or camping grounds, or as authorized by the chief administrative officer. No person may violate any rules and regulations for picnicking or camping established and posted by the chief administrative officer. For purposes of this subsection, camping shall include the pitching of tents or the overnight use of sleeping bags, blankets, makeshift shelters, motor homes, campers or camp trailers.

(5) PROHIBITIONS ON BLOCKING ENTRANCES. No person may intentionally physically block or restrict entrance to or exit from any university building or portion thereof with intent to deny to others their right of ingress to, egress from, or use of the building.

(6) RESTRICTED USE OF STUDENT CENTERS OR UNIONS. No person, except members of the student center or union, university faculty and staff, invited guests, and university-sponsored conference groups, may use student center or union buildings and grounds except on occasions when, and in those areas where, the buildings or grounds are open to the general public.

(7) STRUCTURES. No person may place or erect any facility or structure upon university lands unless authorized by the chief administrative officer.

**History:** CR 08-099: (1) to (7) renum. from UWS 18.06 (9), (7), (6), (14), (24), (20), (15) and am. (1), (2), (3), (6), cr. (title) Register August 2009 No. 644, eff. 9-1-09; correction to (title) made under s. 13.92 (4) (b) 2., Stats., Register August 2009 No. 644.

**UWS 18.08 Personal conduct prohibitions. (1) ANIMALS.** (a) The presence of dogs, cats, and other pets is prohibited in all university buildings and in arboretums at all times except as authorized by the chief administrative officer. The chief administrative officer may also prohibit the presence of dogs, cats, and other pets on other designated university lands.

(b) The presence of dogs, cats and other pets is prohibited on

all university lands not described in par. (a) unless the animal is on a leash which is physically controlled by the individual responsible for the animal, except as authorized by the chief administrative officer.

(c) The chief administrative officer may not grant the exceptions allowed under par. (a) and (b) in any outdoor area where food is being served or where animals are otherwise prohibited by signage.

(d) Any pet waste deposited on university lands shall be removed and properly disposed of by the individual responsible for the animal.

(e) Any individual found in violation of this subsection may have the animal for which they are responsible impounded and be subject to the penalty provisions in s. UWS 18.13.

(f) This section does not apply to police and service animals when those animals are working.

**(2) ATHLETIC EVENTS.** (a) No person may enter onto the playing surface of an officially sanctioned athletic event while the event is in progress without prior authorization from the chief administrative officer. An event is in progress from the time when teams, officials, trainers, support staff, or bands first reach the playing surface until the time when they have left.

(b) As used in this subsection, "playing surface" means that area on which the event is contested, together with the contiguous area used by teams, officials, trainers, and support staff.

**(3) BICYCLES.** No person may park or store a bicycle in buildings, on sidewalks or driveways, or in motor vehicle parking spaces, except in areas designated for that purpose or in bicycle racks, or as authorized by university housing policies. Bicycles shall be parked so as not to obstruct free passage of vehicles and pedestrians. Bicycle riding is prohibited on university lands when and where the intent is to perform tricks or stunts and those tricks or stunts may result in injury to any person or cause damage to property.

**(4) DEPOSIT OF HUMAN WASTE PRODUCTS.** No person may deposit human waste products upon, nor urinate or defecate upon, any university lands or facilities other than into a toilet or other device designed and intended to be used to ultimately deposit such human waste products into a septic or sanitary sewer system.

**(5) IMPROPER USE OF UNIVERSITY IDENTIFICATION CARDS.** (a) No person may falsify, alter or duplicate, or request the unauthorized falsification, alteration or duplication, of a university identification card.

(b) No person may knowingly present a false, altered or duplicate university identification card with the intent that such card be relied upon by university employees, university agents, or state or local officials in connection with obtaining services, privileges or goods.

(c) No person may knowingly use or permit another person to use a university identification card for the purpose of making a false statement with respect to the identity of the user, and with the intent that such statement be relied upon by university employees or agents in connection with obtaining university services, privileges or goods.

(d) University officials may confiscate false, altered or duplicate university identification cards, or university identification cards used in violation of par. (c).

**(6) PHYSICAL SECURITY COMPLIANCE.** (a) No person may ignore, bypass, circumvent, damage, interfere with, or attempt to deceive by fraudulent means, any university authorized security measure or monitoring device, whether temporary or permanent, that is intended to prevent or limit access to, or enhance the security of, university lands, events, facilities or portions thereof.

(b) No person may duplicate, falsify or fraudulently obtain a university key or access control device, or make any unauthorized attempt to accomplish the same.

(c) No person who is authorized to possess a university key or access control device may transfer a university key or access control device to an unauthorized person, nor may any unauthorized person be in possession of a university key or access control device.

(d) Any university key or access control device in the possession of an unauthorized person may be confiscated by any authorized university official.

**(7) LOITERING.** (a) No minor person may loiter, idle, wander or play, either on foot or in or on any vehicle of any nature, on university lands between the hours of 11:00 p.m. and 5:00 a.m. on Sunday through Thursday, and the hours of midnight through 5:00 a.m. on Friday and Saturday, unless accompanied by a parent, guardian, or other adult person having care and custody of the minor.

(b) This subsection shall not apply to minors returning home from functions authorized by any school or religious organization and carrying proof of identification on their persons, or to currently enrolled university students.

**(8) MISUSE OF PARKING SERVICES.** (a) No person may falsify, alter or duplicate or request the unauthorized falsification, alteration or duplication of any type of university parking permit.

(b) No person may knowingly display on a vehicle, or knowingly allow another person to display on a vehicle, a falsified, altered, duplicated, stolen, lost or found parking permit.

(c) No person may knowingly provide false information to any university employee or agent with the intent to obtain a valid university parking permit.

**(9) POSTINGS AND SIGNAGE.** (a) No person may erect, post or attach any notices, posters, pictures or any item of a similar nature in or on any building or upon other university lands except on regularly established bulletin boards, or as authorized by the provisions of this code or by the chief administrative officer.

(b) No person may fail to comply with a sign that reasonably conveys prohibited behavior and that has been approved and posted on university buildings or lands in compliance with the university's formal process for posting signs. This subsection does not apply to traffic related offenses (ch. 346, Stats.).

**(10) RECREATIONAL ACTIVITIES.** (a) No person may swim, fish, boat, snowmobile, ride horseback or use any type of all-terrain or off-road vehicle on university lands except in those areas and at times expressly designated by the chief administrative officer and denoted by official signs.

(b) No person may dock, moor, park, or store any boats, boating gear, snowmobiles, or similar equipment on university lands except under conditions specified by the chief administrative officer.

**(11) SMOKING.** (a) No person may smoke in any residence hall or other university-owned or university-leased student housing or in any location that is 25 feet or less from such residence hall or housing.

(b) No person may smoke in any nonresidential university building except in those areas designated for that purpose.

**(12) TICKET SCALPING.** (a) Every ticket or other evidence of the right of entry to any amusement, game, contest, exhibition, event, or performance given by or under the auspices of the University of Wisconsin System, or an institution or college of the University of Wisconsin System, shall be considered a revocable license to the person to whom the ticket has been issued and shall

be transferable only on the terms and conditions prescribed on the ticket or other evidence of the right of entry.

(b) No person may buy or sell a ticket or other evidence of the right of entry for more than the price printed upon the face of the ticket.

**History:** CR 08-099: (1) to (5), (7), (8), (9) (a), (10) and (11) (b) renum. from UWS 18.06 (5), (49), (8), (47), (32), (48), (44), (17), (19), (18) and am. (1), (3), (5) (b), (7) (b), (9) (title), (a) and (11) (b), cr. (title), (6), (9) (b) and (11) (a) Register August 2009 No. 644, eff. 9-1-09; 2015 Wis. Act 330: am. (12) (a) Register April 2016 No. 724, eff. 5-1-16.

**UWS 18.09 Alcohol and drug prohibitions. (1) ALCOHOL BEVERAGES.** (a) The use or possession of alcohol beverages is prohibited on all university premises, except in faculty and staff housing and as permitted by the chief administrative officer, subject to statutory age restrictions. The chief administrative officer may generally permit the use or possession of alcohol beverages by promulgating institutional regulations in consultation with appropriate staff and students, or in specific instances by written permission.

(b) No person may procure, sell, dispense or give away alcohol beverages to any person contrary to the provisions of ch. 125, Stats.

(c) In this subsection, “alcohol beverages” means fermented malt beverages and intoxicating liquors containing 0.5% or more of alcohol by volume.

(d) Notwithstanding s. UWS 18.14, institutional regulations developed pursuant to this subsection shall be reported to the president of the system for review and approval.

**(2) POSSESSION OF DRUG PARAPHERNALIA.** (a) No person may use, or possess with the primary intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled substance or controlled substance analog in violation of ch. 961, Stats.

(b) In this subsection, the term “drug paraphernalia” has the meaning specified in s. 961.571 (1), Stats.; the term “controlled substance” has the meaning specified in s. 961.01 (4), Stats.; and the term “controlled substance analog” has the meaning specified in s. 961.01 (4m), Stats.

(c) In determining whether an object is drug paraphernalia under this subsection, the factors listed in s. 961.572, Stats., and all other legally relevant factors, shall be considered.

**(3) POSSESSION OF MARIJUANA.** (a) No person may intentionally use or possess marijuana on university lands, except when such use or possession is authorized under ch. 961, Stats., or is permitted under s. 961.34, Stats.

(b) In this subsection, the term “marijuana” has the meaning specified in s. 961.01 (14), Stats.

**History:** CR 08-099: (1), (2) and (3) renum. from UWS 18.06 (13), (35) and (36) and am. (1) (d), cr. (title) Register August 2009 No. 644, eff. 9-1-09.

**UWS 18.10 Offenses against public safety. (1) ASSAULTIVE BEHAVIOR.** (a) No person may intentionally strike, shove, hit, punch, kick or otherwise subject another person to physical contact or cause bodily harm without the consent of the person.

(b) This subsection shall not be applicable if the individuals involved have a relationship, as defined in s. 968.075 (1) (a), Stats., which requires a law enforcement officer to investigate the matter as a domestic abuse incident.

**(2) CONTAINERS IN SPECTATOR FACILITIES.** No person may carry or possess any disposable container within the confines of public areas in spectator facilities. As used in this subsection “disposable container” means any bottle, can, or other container

designed or used for carrying liquids or solids, but does not include a personally owned container designed for reuse and originally sold or purchased exclusively as a refillable container. The provisions of this section shall not apply to containers used or supplied by authorized concessionaires who are required to dispense beverages to consumers in either paper or plastic containers.

**(3) DANGEROUS WEAPONS.** (a) No person may carry, possess or use any dangerous weapon on university lands or in university buildings or facilities, except with the written approval of the chief administrative officer or for law enforcement purposes.

(b) No person may display or portray as real any object that resembles a dangerous weapon on university lands or in university buildings or facilities, except with the written approval of the chief administrative officer.

(c) Dangerous weapons in violation of this subsection may be confiscated and removed from university lands by police.

(d) In this subsection, the term “dangerous weapon” has the meaning specified in s. 939.22 (10), Stats.

**(4) FIRE SAFETY.** (a) No person may light, build or use, or cause another to light, build or use, any fires, including but not limited to burning candles, burning incense or gas or charcoal cooking appliances, on university lands or in university facilities except in such places as are established for these purposes and designated by the chief administrative officer.

(b) No person may handle burning material in a highly negligent manner. In this subsection, burning material is handled in a highly negligent manner if it is handled under circumstances in which the person should realize that a substantial and unreasonable risk of serious damage to another’s property is created.

(c) No person may throw away any cigarette, cigar, pipe ash or other burning material without first extinguishing it.

(d) No person may interfere with, tamper with or remove, without authorization, any smoke detector, fire extinguisher, fire hose, fire hydrant or other fire fighting equipment.

(e) No person may intentionally give a false fire alarm, whether by means of a fire alarm system or otherwise.

(f) No person may deface, remove, tamper with or obstruct from view any sign which has been posted to provide directions for fire or emergency exits from university facilities.

(g) No person may remain in any university facility or on university lands when an audible or visual fire alarm has been activated or upon being notified by fire fighting, law enforcement or security personnel to evacuate.

**(5) OPERATION OF A MOTOR VEHICLE OFF ROADWAYS.** No person shall operate an unauthorized motor vehicle or motorized device, including motorcycles, mopeds, motor scooters and self-balancing transportation devices, off designated roadways, paved or unpaved, or on service roads or pedestrian paths, regardless of the surface, on university lands. This subsection does not apply to motorized wheelchairs or other mobility devices which have the primary design function of assisting the physically challenged.

**(6) POSSESSION OF FIREWORKS.** (a) No person may possess or use fireworks on university lands without authorization from the chief administrative officer.

(b) In this subsection, the term “fireworks” has the meaning specified in s. 167.10 (1), Stats.

**(7) RESISTING OR OBSTRUCTING POLICE OFFICERS.** (a) No person may knowingly resist or obstruct a university police officer while that officer is doing any act in an official capacity and with lawful authority.

(b) In this subsection, “obstruct” includes without limitation

knowingly giving false information or knowingly placing physical evidence with the intent to mislead a university police officer in the performance of his or her duty.

**(8) PLAY VEHICLES.** No person may use a skateboard, roller skates, roller blades, in-line skates, or any similar wheeled devices, a toboggan, or a sled anywhere on university lands, except as designated by the chief administrative officer.

**(9) THROWING HARD OBJECTS.** No person may, in a manner likely to cause physical harm or property damage, throw, drop, kick, hit or otherwise project any hard object, bottle, can, container, snowball or other item of a similar nature on university lands or within or from within university buildings or facilities.

**History:** CR 08-099: (1) to (9) renum. from UWS 18.06 (42), (26), (10), (11), (43), (40), (34), (29), (27) and am. (4) (d), (5), (7), (8), cr. (title) Register August 2009 No. 644, eff. 9-1-09.

### **UWS 18.11 Offenses against public peace and order.**

**(1) COMPUTER USE.** (a) No person may, with intent to harass, annoy or offend another person, send a message to the person on an electronic mail or other computerized communication system and in that message use any obscene, lewd or profane language or suggest any lewd or lascivious act.

(b) No person may, with intent to harass, annoy or offend another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message and in that message use any obscene, lewd or profane language or suggest any lewd or lascivious act.

(c) No person may, with intent solely to harass another person, send repeated messages to the person on an electronic mail or other computerized communication system.

(d) No person may, with intent solely to harass another person, send repeated messages on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the messages.

(e) No person may, with intent to harass or annoy another person, send a message to the person on an electronic mail or other computerized communication system while intentionally preventing or attempting to prevent the disclosure of his or her own identity.

(f) No person may, while intentionally preventing or attempting to prevent the disclosure of his or her identity and with intent to harass or annoy another person, send a message on an electronic mail or other computerized communication system with the reasonable expectation that the person will receive the message.

(g) No person may knowingly permit or direct another person to send a message prohibited by this subsection from any computer terminal or other device that is used to send messages on an electronic mail or other computerized communication system and that is under his or her control.

**(2) DISORDERLY CONDUCT.** No person may engage in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance, in university buildings or on university lands.

**(3) IMPROPER USE OF TELEPHONES.** (a) No person may make or cause the telephone of another repeatedly to ring with intent to harass any person at the called number.

(b) No person may make repeated telephone calls, whether or not conversation ensues, with intent to harass any person at the called number.

(c) No person may intentionally use an emergency telephone

in a university building or on university lands when the person knows or reasonably should know that no emergency exists.

(d) No person, with the intent to harass or offend, may telephone another and use any obscene, lewd or profane language or suggest any lewd or lascivious act.

(e) No person, with the intent to harass any person at the called number, may make a telephone call, whether or not conversation ensues, without disclosing his or her identity.

(f) No person may knowingly permit any telephone under his or her control to be used for any purpose prohibited by this subsection.

**(4) 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 lands or buildings and prevent the university from carrying on its instructional, research, public service, or administrative functions, any picketing, rally, parade, demonstration, other assembly, or congregation of spectators to such activity may be declared unlawful if its participants:

1. Intentionally gather or intentionally remain assembled outside any university building 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 building.

2. Intentionally congregate or assemble within any university building in such fashion as to obstruct or seriously impair university-sponsored 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 employee unless invited by the authorized occupant of that office, and then not in excess of the number designated or invited by that person.

b. No group may obstruct or seriously impair passage through corridors, stairways, doorways, building entrances, fire exits, and reception areas leading to offices.

c. No 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, may enter or occupy any university building or part thereof.

d. No group may assemble immediately outside rooms at times when they are normally in use for classes, study, or research.

e. No signs supported by standards or sticks shall be permitted in any assembly in a university building.

3. Intentionally create a volume of noise that unreasonably interferes with university-sponsored 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 par. (a), "intentionally" means that the participant or spectator knew or reasonably should have known that his/her conduct by itself or in conjunction with the conduct of others would have the prohibited effect.

(c) The chief administrative officer may designate a university official or officials who shall have primary authority to implement par. (a). He/she may prescribe limitations for any picketing, rally, parade, demonstration or other assembly in order that it will meet the requirements of par. (a). When informed of any picketing, rally, parade, demonstration, or other assembly which may not comply with par. (a), the chief administrative officer or the designee may proceed immediately to the site and determine if

there is compliance with par. (a). If he/she finds a violation of par. (a), he/she may declare the assembly unlawful or he/she may prescribe those limitations on numbers, location or spacing of participants in the demonstration which are reasonably necessary to ensure compliance with par. (a). If he/she prescribes limitations, and if his/her limitations are not observed by the assembly, he/she may then declare the assembly unlawful. Any declaration of illegality or prescription of limitations shall be effective and binding upon the participants in the assembly unless and until modified or reversed.

(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 s. UWS 18.13.

**(5) SOUND-AMPLIFYING EQUIPMENT.** (a) In order to permit the use of sound-amplifying equipment on university lands, 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 lands without the permission of the chief administrative officer, except as provided in par. (b).

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

a. Except in extraordinary circumstances, permission may be granted to use the 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 hall, library or building being used as a study hall.

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

c. An applicant for permission shall have the burden of establishing that the volume and direction of the sound from the equipment will minimize interference with other activities.

3. Any request for the permission required by this section must be submitted in writing to the chief administrative officer at least 24 hours prior to the intended use of the sound-amplifying equipment and must be signed by a student or employee of the institution where the equipment is to be used. The 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 may require the presence of additional persons if said officer believes this is necessary to ensure compliance.

(b) Permits issued by the chief administrative officer shall not be required for the use of university sound-amplifying equipment used with the permission of the university employee having control of the equipment for authorized university classes, research, or meetings in university buildings, or for university sponsored

academic, recreational or athletic activities, or for crowd control by authorized university officials.

(c) For the purpose 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.

**(6) PERSONS PROHIBITED FROM ENTERING UNIVERSITY BUILDINGS.** (a) University buildings and the university-authorized activities that occur therein are primarily dedicated to the support of the university mission of teaching, research and service. No person may be present in any university building if his or her presence or behavior interferes with this purpose or with the university's administrative operations, is in violation of a university policy, rule, regulation or any other provision of this chapter, or is without the consent of an authorized university official or faculty member.

(b) Persons present in any class, lecture, laboratory, orientation, examination, or other instructional session shall be enrolled and in good standing or shall have the consent of an authorized university official or faculty member to be considered legally present.

**(7) PERSONS PROHIBITED FROM ENTERING UNIVERSITY LANDS.** (a) No person, who is in a state of suspension or expulsion from the university under ch. UWS 17, or who takes leave or resigns under charges after being charged by the university under ch. UWS 17, may enter the university lands of any institution without the written consent of the chief administrative officer.

(b) No person who is convicted of any crime involving danger to property or persons as a result of conduct by him or her on university lands may enter any university lands within 2 years of the effective date of his or her conviction without the written consent of the chief administrative officer.

(c) In granting or denying consent to enter a campus under s. 36.35 (3), Stats., or par. (a) or (b), the following shall be considered:

1. The probability that the offensive conduct will be continued or repeated by the applicant.

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

(d) No person who has been determined to have committed serious or repeated violations of ss. UWS 18.06 to 18.12 and to whom the chief administrative officer has issued a written order prohibiting entry on university lands may enter the university lands of that institution.

(e) The provisions of this section in no way limit the chief administrative officer from issuing a written order barring any person from entering the university lands of that institution in accordance with the chief administrative officer's responsibility for the health, safety, and welfare of the university.

(f) For the purposes of s. 36.35 (3), Stats., and par. (b), "crime involving danger to property or persons" shall mean any crime defined in ch. 940, Stats. (crimes against life and bodily security); s. 941.12, Stats. (interfering with fire fighting); s. 941.13, Stats. (false alarms); s. 941.20, Stats. (endangering safety by use of dangerous weapon); s. 941.21, Stats. (disarming a peace officer); s. 941.23, Stats. (carrying concealed weapon); s. 941.235, Stats. (carrying firearm in public building); s. 941.24, Stats. (possession of switchblade knife); s. 941.26, Stats. (machine guns and other weapons); s. 941.28, Stats. (possession of short-barreled shotgun or short-barreled rifle); s. 941.29, Stats. (possession of firearm); s. 941.295, Stats. (possession of electric weapon); s. 941.30, Stats. (recklessly endangering safety); s. 941.32, Stats.

(administering dangerous or stupefying drug); s. 941.37, Stats. (obstructing emergency or rescue personnel); s. 943.01, Stats. (criminal damage to property); s. 943.02, Stats. (arson of buildings; damage of property by explosives); s. 943.03, Stats. (arson of property other than building); s. 943.05, Stats. (placing of combustible materials an attempt); s. 943.06, Stats. (Molotov cocktails); s. 943.10, Stats. (burglary); s. 943.11, Stats. (entry into locked vehicle); s. 943.14, Stats. (criminal trespass to dwellings); s. 943.32, Stats. (robbery); s. 944.20, Stats. (lewd and lascivious behavior); s. 946.41, Stats. (resisting or obstructing officer); s. 947.015, Stats. (bomb scares); s. 167.10, Stats. (fireworks regulated); or attempts to commit any of the above crimes as defined in s. 939.32, Stats.

**Note:** Section 941.24, Stats., was repealed by 2015 Wis. Act 149.

**(8) SELLING, PEDDLING AND SOLICITING.** No person may sell, peddle or solicit for the sale of goods, services, or contributions on any university lands except in the case of:

(a) Specific permission in advance from a specific university office or the occupant of a university house, apartment, or residence hall for a person engaged in that activity to come to that particular office, house, apartment, or residence hall for that purpose.

(b) Sales by an individual of personal property owned or acquired by the seller primarily for his/her own use pursuant to an allocation of space for that purpose by an authorized university official.

(c) Sales of newspapers and similar printed matter outside university buildings.

(d) Subscription, membership, ticket sales solicitation, fundraising, selling, and soliciting activities by or under the sponsorship of a university or registered student organization pursuant to a contract with the university for the allocation or rental of space for that purpose.

(e) Admission events in a university building pursuant to contract with the university, and food, beverage or other concessions conducted pursuant to a contract with the university.

(f) Solicitation of political contributions under ch. 11, Stats., and institutional regulations governing time, place and manner.

**(9) CAMPAIGNING IN STATE-OWNED RESIDENCE HALLS.** (a) The residence halls students of each institution, subject to the approval of the chief administrative officer, shall establish policies and procedures assuring that political literature may be distributed and political campaigning may be conducted in state-owned residence halls consistent with the rights of residence halls students, and prescribing the time, place and manner in which these activities may be conducted.

(b) Where appropriate and consistent with the rights of residence halls students, the policies and procedures developed under this subsection shall apply to all residence halls at an institution. Matters to be addressed in institutional policies and procedures shall include at least the following:

1. The hours of the day and the time of year, if any, to which particular activities shall be limited.

2. The locations in residence halls, if any, to which particular activities shall be limited.

3. Any requirement for registering or obtaining permission to enter a residence hall before engaging in a particular activity.

(c) Notwithstanding s. UWS 18.14, institutional policies and procedures developed pursuant to this subsection shall be reported to the Board of Regents for approval.

(d) Institutional policies and procedures developed pursuant to this subsection shall be available at each residence hall, at the

office of each chief administrative officer of an institution, and at the office of the secretary to the Board of Regents.

**History:** CR 08-099: (1) to (7) (c), (f), (8) and (9) renum. from UWS 18.06 (46), (30), (33), (23), (25), (21), (22) (a) to (d), (16) and (16m) and am. (5) (a) 1., (6), (8) (intro.), (a), (c) and (9) (c), cr. (title), (7) (d) and (e) Register August 2009 No. 644, eff. 9-1-09; corrections in (4) (d), (6) (title) and (7) (title) made under s. 13.92 (4) (b) 2. and 7., Stats., Register August 2009 No. 644; 2015 Wis. Act 330 s. 20: am. (9) (c), (d) Register April 2016 No. 724, eff. 5-1-16.

**UWS 18.12 Property offenses. (1) COMPUTER DATA, PROGRAMS, EQUIPMENT OR SUPPLIES.** No person may willfully, knowingly and without authorization do or attempt to do any of the following:

(a) Modify, destroy, access, take possession of or copy data, computer programs or supporting documentation;

(b) Disclose restricted access codes or other restricted access information to a person not authorized to possess such codes or information;

(c) Modify, destroy, use, take or damage a computer, computer system or computer network;

(d) Modify, destroy, use, take or damage any equipment or supplies used, or intended to be used, in a computer, computer system or computer network.

(e) Cause an interruption in service by submitting a message or multiple messages to a computer, computer program, computer system, or computer network that exceeds the processing capacity of the computer, computer program, computer system, or computer network.

**(2) FRAUD IN UNIVERSITY ACCOMMODATIONS OR EATING PLACES.** (a) No person may, after having received any food, lodging or other service or accommodation at any university housing facility or eating place, intentionally abscond without paying for it.

(b) No person may, while in any university housing or lodging facility or eating place, intentionally defraud the university or its employees or agents in charge of the facility or eating place, in any transaction arising out of the relationship as a user of the housing or lodging facility or eating place.

(c) In this subsection, prima facie evidence that the person intentionally absconded without paying for the food, lodging or other service or intentionally defrauded the university or its employees or agents has the meaning and includes the items of proof set forth in s. 943.21 (2), Stats.

**(3) ISSUE OF WORTHLESS CHECK.** (a) No person may issue any check or other order for the payment of money in an amount not more than \$2,500 which, at the time of issuance, he or she intends shall not be paid.

(b) In this subsection, prima facie evidence that the person, at the time he or she issued the check or other order for the payment of money, intended it should not be paid, has the meaning and includes the items of proof set forth in s. 943.24, Stats.

(c) This subsection does not apply to a postdated check or to a check given for past consideration, except a payroll check.

**(4) LIBRARY MATERIALS.** (a) No person may intentionally take, carry away, transfer, conceal or retain possession of any library material without the consent of a library official, agent or employee and with the intent to deprive the library of possession of the material.

(b) The concealment of library material beyond the last station for borrowing library material in a library is evidence of intent to deprive the library of possession of the material. The discovery of library material which has not been borrowed in accordance with the library's procedures or taken with consent of a library official, agent or employee and which is concealed upon the person or among the belongings of the person or concealed by

a person upon the person or among the belongings of another is evidence of intentional concealment on the part of the person so concealing the material.

**(5) RETAIL THEFT.** (a) No person may intentionally alter indicia of price or value of merchandise or take and carry away, transfer, conceal or retain possession of merchandise held for resale by a merchant, or property of the merchant, without his or her consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.

(b) No person may intentionally remove a theft detection device from merchandise, or use a theft detection shielding device, without the merchant's consent and with intent to deprive the merchant permanently of possession, or the full purchase price of the merchandise.

(c) In this subsection, "merchant" includes any "merchant" as defined in s. 402.104 (3), Stats., and any vendor or bookstore authorized to sell in university buildings or on university lands.

(d) In this subsection, "theft detection device" means any tag or other device that is used to prevent or detect theft and that is attached to merchandise held for resale by a merchant or to property of a merchant, and "theft detection shielding device" means any laminated or coated bag or device designed to shield such merchandise from detection by an electronic or magnetic theft alarm sensor.

**(6) THEFT.** (a) No person may intentionally take and carry away, use, transfer, conceal, or retain possession of movable property of another with a value of under \$100, without consent and with the intent to deprive the owner permanently of such property.

(b) No person may intentionally take and carry away, use, transfer, conceal, or retain possession of movable property of another with a value of at least \$100 but not more than \$1,000, without consent and with the intent to deprive the owner permanently of such property.

**(7) USE OF CHEATING TOKENS.** No person may obtain the property or services of another by depositing anything which he or she knows is not lawful money or is an unauthorized token in any receptacle used for the deposit of coins or tokens.

**(8) VANDALISM.** No person may break, tear up, mar, destroy or deface any notice, tree, vine, shrub, flower or other vegetation, or dislocate any stones, or disfigure natural conditions, or deface,

alter, destroy or damage in any way any other property, real or personal, within the boundaries of any university lands unless authorized by the chief administrative officer.

**History:** CR 08-099: (1) to (5) (a), (c), (6) to (8) renum. from UWS 18.06 (45), (38), (37), (50), (31) (a) and (b), (41), (39) and (4) and am. (3) (a) and (6) (b), cr. (title), (1) (e), (2) (c), (5) (b) and (d) Register August 2009 No. 644, eff. 9-1-09.

**UWS 18.13 Penalties.** Unless otherwise specified, the penalty for violating any of the rules in ss. UWS 18.06 to 18.12 shall be a forfeiture of not more than \$500, as provided in s. 36.11 (1) (c), Stats.

**Note:** Violations of the rules in ss. UWS 18.06 to 18.12 will be processed in accordance with the citation procedure established in s. 778.25, Stats.

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; am. Register, November, 1991, No. 431, eff. 12-1-91; CR 08-099: renum. from UWS 18.07 and am. Register August 2009 No. 644, eff. 9-1-09.

**UWS 18.14 Institutional regulations.** Institutional regulations promulgated under ss. UWS 18.04 to 18.12 shall take effect when filed with the secretary of the board.

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; CR 08-099: renum. from UWS 18.09 and am. Register August 2009 No. 644, eff. 9-1-09.

**UWS 18.15 Additional statutory penalty provisions regulating conduct on university lands.** (1) CONTROLLED SUBSTANCES. The use or possession of controlled substances as defined in s. 961.01 (4), Stats., is prohibited on all university property with the specific exemptions set forth in ch. 961, Stats., and as permitted under s. 961.34, Stats. The penalty provisions of ch. 961, Stats., and chs. UWS 17 and 18 may apply to violations occurring on university lands.

(2) STUDENT CONVICTED OF DANGEROUS AND OBSTRUCTIVE CRIME. Section 36.35 (3), 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 an institution 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 chancellor of the institution or the chancellor's designee within 2 years, may for each such offense be fined not more than \$500 or imprisoned not more than 6 months, or both."

**History:** Cr. Register, March, 1976, No. 243, eff. 4-1-76; am. (1), Register, November, 1991, No. 431, eff. 12-1-91; correction in (2) made under s. 13.93 (2m) (b) 7, Stats., Register, November, 1991, No. 431; corrections in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1996, No. 489; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 2001, No. 544; CR 08-099: renum. from UWS 18.10 and am. Register August 2009 No. 644, eff. 9-1-09.