

REGENTS OF THE UNIVERSITY OF WISCONSIN 10a

of the private park road through the arboretum at such times as it is open to traffic.

(15) The closing hour at the area west of the tent colony, the Daisy Field, and Willows Beach shall be 10:00 P.M. Sunday through Thursday, and midnight Friday and Saturday, after which time there shall be no picnicking, parking or trespassing of any sort on said property.

(16) It shall be illegal to request the unauthorized duplication of a university key. It shall also be illegal to transfer any university key from a person entrusted with possession to an unauthorized person.

(17) Except in bicycle racks provided and in areas designated for that purpose by the superintendent of buildings and grounds, the parking or storage of bicycles in buildings, on sidewalks and driveways, and in motor vehicle parking spaces, is prohibited. Bicycles shall be parked so as not to obstruct free passage of vehicles and pedestrians.

(18) (a) It is unlawful for any person 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 therefor 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.

(c) Any person violating the provisions of this section may be penalized as provided by sections 36.06 (8), 27.01 (2), (5), (8), and 26.19, Wis. Stats.

(19) (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 ch. 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 bylaws.* Any person who is suspended or expelled from the university for conduct of the kind described in subparagraph (d) 1. of this section, and who is in a state of suspension or expulsion from the university, and who enters any campus of the university within one year of the effective date of his suspension or expulsion without the written consent of the chancellor of the campus or his designee, may be penalized as provided in sections 36.06 (8), 27.01 (2), (5), (8), 26.19 and 23.09 (11), Wis. Stats.

(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 chancellor of the campus or his designee, may be penalized as provided in sections 36.06 (8), 27.01 (2), (5), (8), 26.19 and 23.09 (11), Wis. Stats.

(d) *Definitions.*

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, theatre, 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 subparagraph (d) 1. c. 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 subparagraph (d) 1. c. is designed to cover appear in chapter V, section 4 (c) of the Regent Bylaws, as amended on July 19, 1968.

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 chancellor or the dean of any campus, or in the case of arboretums, experiment stations or other areas not part of a campus under the supervision of a chancellor or dean, the university official in charge. For the purpose of subsections (b) and (c) of this section, “the chancellor or his designee” shall mean the chancellor of the campus if it has a chancellor; otherwise, it shall mean the dean of the campus. In the case of arboretums, experiment stations or other areas not part of a campus under the supervision of a chancellor or dean, “the chancellor or his designee” shall mean the university official in charge. Each chancellor may designate one other official who may, under the chancellor's 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 subparagraph (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) UNIVERSITY IDENTIFICATION CARDS. (a) Each student, faculty member or employee of the University shall have in his possession a currently valid card issued by the university identifying him as a student, faculty member or employee whenever he is present on a university campus.

(b) It shall be unlawful for any student, faculty member, or employee of the university intentionally to transfer his university identification card to any other person.

(c) It shall be unlawful for any person to possess any university identification card which was issued to another person, or which was falsely made or altered, with intent to use it or to cause or permit its use to deceive another.

(Note: Section 943.38 (3), Wis. Stats. provides: "Whoever, with intent to defraud, does any of the following may be fined not more than \$200 or imprisoned not more than 6 months or both . . . (b) Falsely makes or alters any writing of a kind commonly relied upon for the purpose of identification. . . .")

(21) 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 paragraph (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 employee, 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.

(22) 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 other 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 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. 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 chancellor 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 Wis. Adm. Code section UW 2.02 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 chancellor 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 chancellor'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 chancellor's designee shall be effective and binding upon the participants in the assembly unless and until modified or reversed by the chancellor's designee or the chancellor.

(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 Wis. Adm. Code 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 chancellor'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 chancellor'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.

History: 1-2-56; am. (3), (5) and (11) (c), Register, December, 1957, No. 24, eff. 1-1-58; am. (10), cr. (16) and (17), Register, December, 1960, No. 60, eff. 1-1-61; am. (12), Register, April, 1967, No. 136, eff. 5-1-67; am. (12), Register, October, 1967, No. 142, eff. 11-1-67; renum. (4) to be UW 2.01 and am., and am. (9), Register, May, 1968, No. 149, eff. 6-1-68; emerg. cr. (18) ~~(a) eff. 9-1-68; cr. (4) renum. from UW 2.01 to be UW 1.07 (4) and am.; emerg. cr. (19), eff. 3-10-69; cr. (19), Register, July, 1969, No. 163, eff. 8-1-69; (19) (b) and (c) corrected; cr. (20), Register, August, 1969, No. 164, eff. 9-1-69; am. (9), cr. (21) and (22), Register, September, 1969, No. 165, eff. 10-1-69.~~

UW 1.08 Penalties. The penalties for violating these rules and regulations are those set forth or referred to in section 27.01 (2), (3), (4), (5) and (8), Wis. Stats. See sections 23.09 (11), 26.19, and 36.06 (8), Wis. Stats.

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moving on (18) eff. 9-16-68; am. (19) 10/1/69, eff. 1-1-69.