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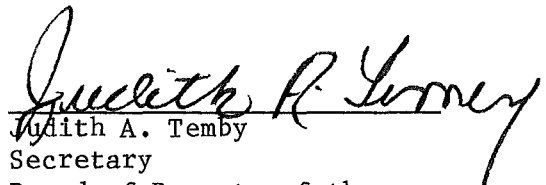
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STATE OF WISCONSIN)
BOARD OF REGENTS OF THE)
UNIVERSITY OF WISCONSIN SYSTEM)

I, Judith A. Temby, Secretary of the Board of Regents of the University of Wisconsin System and custodian of the official records, do hereby certify that the annexed rules, relating to the use or possession of alcohol beverages on university premises; political campaigning in state owned residence halls; and the use of and access to university facilities, were duly approved and adopted by the board on September 5, 1986.

I further certify that this copy has been compared by me with the original on file in the office of the board and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Board of Regents of the University of Wisconsin System at 1860 Van Hise Hall, 1220 Linden Drive in the City of Madison, this 6th day of November, 1986.


Judith A. Temby
Secretary
Board of Regents of the
University of Wisconsin System

(SEAL)

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ORDER OF THE BOARD OF REGENTS OF
THE UNIVERSITY OF WISCONSIN SYSTEM
ADOPTING AND AMENDING RULES

Agency contact persons: Patricia B. Hodulik (262-6497); Judith Temby
(262-2324)

CHAPTERS UWS 18 and 21

[INTRODUCTORY CLAUSE]

To renumber and amend UWS 18.06(13), to create UWS 18.06(16m), and to create Chapter UWS 21, relating to the use or possession of alcohol beverages on university premises; political campaigning in state owned residence halls; and the use of and access to university facilities.

[PLAIN LANGUAGE ANALYSIS PREPARED BY THE UW SYSTEM]

The rules amended and created by this order are promulgated in accordance with s. 36.11 (1)(a), (c), and (cm), Wis. Stats., authorizing the Board of Regents of the University of Wisconsin System to adopt rules to protect the lives, health and safety of persons on property under its jurisdiction; to manage property under its jurisdiction; and to determine the time, place and manner of certain political activities conducted in university residence halls.

UWS 18.06(13) is amended to include beer among regulated alcohol beverages on university campuses. The current rule applies only to intoxicating liquors and fermented malt beverages with an alcoholic content of more than 5% by weight, and thus excludes most beers. This amendment implements a recommendation of the UW System Advisory Committee on Alcohol Education, which suggested that such a change would enhance the ability of university staff to deal with alcohol abuse on campus.

UWS 18.06(16m) is proposed for adoption pursuant to the legislative directive of s. 36.11(1)(cm), Stats., which requires the Board of Regents to prepare rules regulating political campaigning in state-owned residence halls. The rule would permit the residence halls students on each campus to establish policies regulating the time, place and manner in which political literature would be distributed, and political campaigning conducted, in the residence halls. These policies would be subject to approval by chancellors and the Board of Regents.

Rules concerning the use of university facilities are proposed for adoption in a new chapter, UWS 21. Existing policy in this area is set forth in Regent Policy Document 74-15. Analysis of this document in connection with a review of all university policies by the Joint Committee for Review of Administrative Rules suggested the propriety of its promulgation as an administrative rule.

Proposed UWS 21.01 states the policy of the Board of Regents that university facilities are to be used primarily for purposes of fulfilling the university's teaching, research and public service functions, and are not available for unrestricted use for other purposes.

UWS 21.03 sets the parameters on use of university facilities by organizations associated with UW System institutions. Pursuant to UWS 21.03(1), the chancellor must permit such organizations to use facilities for events for staff and students where the use will not interfere with the institutional mission, space is available, and the organization has complied with any applicable institutional procedures. If the use is to be for a public event, the chancellor may permit it, subject to the same conditions. In either case, the organization may be required to pay the costs, if any, incident to the use. Where the event generates revenue for the organization, a rental charge may be imposed.

The use of university facilities by persons or organizations not associated with an institution is subject to the same restrictions applicable to university organizations holding public events. In addition, however, UWS 21.04 would require that the proposed use be under the sponsorship or at the invitation of an organization associated with the institution.

Proposed UWS 21.05 deals with access to public events held in university facilities, in relation to the rights and interests of performers, lecturers, artists and speakers. Where university facilities are used for public events, any conditions or restrictions on access must be embodied in a written agreement and made known prior to the event.

The final section of proposed UWS 21, UWS 21.06, requires UW institutions to develop procedures for securing permission to use university facilities, schedules describing any costs or fees which might be assessed for use of facilities, and a description of any limitations on times of availability and manner of use of facilities.

[STATEMENT OF STATUTORY AUTHORITY]

Pursuant to the authority vested in the Board of Regents of the University of Wisconsin System by s. 36.11(1)(a), (c) and (cm), Wis. Stats., the Board of Regents hereby renumbers, amends and creates rules as follows:

SECTION 1. UWS 18.06(13) is amended to read:

(13) (title) ALCOHOL BEVERAGES. (a) The use or possession of intoxicating liquors, or fermented malt beverages with an alcoholic content of more than 5% by weight, alcohol beverages is prohibited on all university lands premises, except in faculty and staff housing, in student housing units specifically designated by the chief administrative officer, and at suitable times under decorous conditions in conference, meeting or dining facilities, subject to statutory age regulations, 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 18.09, institutional regulations developed pursuant to this subsection shall be reported to the president of the system for review and approval.

SECTION 2. UWS 18.06(16m) is created to read:

(16m) 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 18.09, 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.

SECTION 3. Chapter UWS 21 is created to read:

Chapter UWS 21

USE OF UNIVERSITY FACILITIES

21.01 DECLARATION OF POLICY. It is the policy of the board of regents that the facilities of the university are to be used primarily for purposes of fulfilling the university's missions of teaching, research and public service. University facilities are not available for unrestricted use for other purposes. In order to preserve and enhance the primary functions of university facilities, the board of regents adopts this chapter to govern the use of university facilities.

21.02 DEFINITIONS. In this chapter:

(1) "Board of regents" or "board" has the meaning given under s. UWS 1.02;

(2) "Chancellor" means the chief executive officer of a university, the university of Wisconsin centers, or the university extension.

(3) "Facilities" or "university facilities" means the publicly owned or leased buildings and grounds which are subject to the custody and control of the board.

(4) "Institution" has the meaning given under s. UWS 1.06;

(5) "Organization associated with an institution" means that an organization is an officially recognized staff or student group, or an administrative or academic unit, or a state agency.

(6) "Staff" means all employees of the university of Wisconsin system.

(7) "Student" means any person who is registered for study in an institution of the university of Wisconsin system for the current academic period.

(8) "University" has the meaning given under s. UWS 1.07.

21.03 USE OF FACILITIES BY ORGANIZATIONS ASSOCIATED WITH AN

INSTITUTION. (1) The chancellor of each institution, or his or her designee, shall permit organizations associated with that institution to use university facilities for events for staff and students, if he or she determines that:

(a) The proposed use will not interfere with or detract from the teaching, research and public service missions of the institution;

(b) The institution has appropriate facilities available for the proposed use; and

(c) The organization has complied with institutional procedures adopted under s. UWS 21.06.

(2) The chancellor of each institution, or his or her designee, may permit organizations associated with that institution to use university facilities for public events if he or she determines that:

(a) The proposed use will not interfere with or detract from the teaching, research and public service missions of the institution;

(b) The institution has appropriate facilities available for the proposed use; and

(c) The organization has complied with institutional procedures adopted under s. UWS 21.06.

(3) Organizations using university facilities under this section may be required to reimburse the institution for the costs, if any, incident to the use of the facilities.

(4) Organizations using university facilities under this section may be required to pay rental charges for use of the facilities if the use is revenue producing.

21.04 USE OF FACILITIES BY PERSONS OR ORGANIZATIONS NOT ASSOCIATED WITH

AN INSTITUTION. (1) The Chancellor of each institution, or his or her designee may permit persons, or organizations not associated with that institution, to use university facilities at his or her institution if he or she determines that:

(a) The proposed use is under the sponsorship or at the invitation of an organization associated with the institution;

(b) The proposed use will not interfere with or detract from the teaching, research and public service missions of the institution, or the use of the facilities by organizations associated with the institution;

(c) The institution has appropriate facilities available for the proposed use; and

(d) The person or organization has complied with institutional procedures adopted under s. UWS 21.06.

(2) Persons or organizations using university facilities under this section must reimburse the institutions for the costs, if any, incident to the use of the facilities.

(3) Persons or organizations using university facilities under this section may be required to pay rental charges for use of facilities if the use is revenue producing.

21.05 ACCESS TO PUBLIC EVENTS HELD AT UNIVERSITY FACILITIES.

(1) It is the policy of the board to ensure maximum access to public events held in university facilities, consistent with the legally recognized rights and interests of performers, lecturers, artists and speakers.

(2) Where a person or organization has secured the use of university facilities for a public event, any contemplated restriction or condition on access to the event must be made known prior to the event, and must be embodied in a written agreement with the institution, which agreement shall be open to public inspection. However, such agreements may not deny or restrict access to university facilities in a manner contrary to other applicable laws or regulations or on any basis prohibited by law.

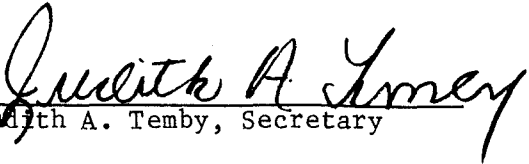
21.06 INSTITUTIONAL PROCEDURES. The Chancellor of each institution, in consultation with appropriate staff and students, shall develop procedures for the administration of this chapter which shall, at a minimum, include the following:

- (1) Procedures for securing permission to use university facilities;
- (2) A schedule of the costs and rental fees, if any, assessed for the use of facilities; and
- (3) A description of any institutional limitations concerning the time of availability and manner of the use of institutional facilities.

[EFFECTIVE DATE]

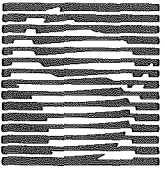
The proposed rules and amendments contained in this order shall take effect as provided in s. 227.22, Stats.

Board of Regents of the
University of Wisconsin System


Judith A. Temby, Secretary

SEAL

Dated: November 6, 1986



Board of Regents of The University of Wisconsin System

Office of the Secretary
1860 Van Hise Hall, 1220 Linden Drive
Madison, Wisconsin
(608) 262-2324

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November 6, 1986

Mr. Orlan L. Prestegard
Revisor of Statutes
411 W. State Capitol
Madison, WI 53702

Dear Mr. Prestegard:

The enclosed rules, relating to the use or possession of alcohol beverages on university premises; political campaigning in state owned residence halls; and the use of and access to university facilities of the University of Wisconsin System are forwarded for filing with your office.

Sincerely,

Judith A. Temby
Secretary

Enclosures