

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.

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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.

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