

*University of Wisconsin*  
**Eau Claire**

**Barron  
COUNTY**

**Student Rights and Responsibilities  
Handbook  
2018-2019**

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## **Introduction**

Beginning your higher education is an exciting prospect. You will have opportunities to participate in the life and governance of UW-Eau Claire – Barron County. You will have certain rights as a student. Along with those rights there are responsibilities. The rules, regulations and policies you will find in this booklet are intended to foster an environment of mutual respect for you and your fellow students. Included in this booklet is information about federal and state laws, UW System and UW-Eau Claire – Barron County regulations, policies and procedures. As you read the materials included in the booklet, you should feel free to contact the WHO on your campus if you have any questions.

## **Right to Participate in Governance**

Students at the University of Wisconsin are encouraged to participate in the governance of each institution in accordance with Section 36.09(5), Wis. Stats., which states:

*The students of each institution or campus subject to the responsibilities and powers of the board, the president, the chancellor and the faculty shall be active participants in the immediate governance of and policy development for such institutions. As such, students shall have primary responsibility for the formulation and review of policies concerning student life, services and interests. Students in consultation with the chancellor and subject to the final confirmation of the board shall have the responsibility for the disposition of those student fees which constitute substantial support for campus student activities. The students of each institution or campus shall have the right to organize themselves in a manner they determine and to select their representatives to participate in institutional governance.*

At the University of Wisconsin-Eau Claire – Barron County, student participation in the governance process is highly valued. If you are interested in becoming active in the governance of your campus or of the institution, you may wish to contact the student activities coordinator or the student government officers.

## **Annual Security Report**

The UW Colleges Campus Annual Security Report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by UW Colleges campuses and on public property within or immediately adjacent to and accessible from the campus.

The reports also include institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault and other matters.

Each student will be notified each year, via e-mail, of how to access the report on the UW Colleges Web site. Copies of the report may also be obtained from the Student Affairs Office at each campus.

<http://uwc.edu/students/safety/campus-security-reports>

## **Student Right-to-Know Graduation Rates**

For those full-time students who first entered the UW Colleges in fall of 2011, the graduation rate is 26%. A student is considered to graduate if he or she earned an associate degree within 150% (3 years) of the normal time for completion of their program.

For those full-time students who first entered the UW Colleges in fall of 2011, the transfer-out rate is 66%. A student is considered to have transferred out if within 150% of the normal time for completion of a degree (3 years) the student subsequently enrolls in any program of an eligible institution for which its program provides substantial preparation. This transfer-out rate is based on data from the National Student Clearinghouse (NSCH). However, the NSCH only includes 92% of total enrollments in the United States.

### **UW-Eau Claire – Barron County Policies**

#### **Rights of Access to Student Records; Family Education Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

- 1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access:** Requests regarding a student's behavioral, misconduct, and housing records should be submitted to the UW Eau Claire Dean of Students Office, via Assistant Dean of Students, Ashley Fritz at [fritzam@uwec.edu](mailto:fritzam@uwec.edu) All other requests regarding a student's educational records should be submitted to the Solution Center at [uwebcinfo@uwec.edu](mailto:uwebcinfo@uwec.edu). The appropriate office will make arrangements for access to the records and notify the student of the time and place where the records may be inspected.
- 2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading:** Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing. If the decision is not to amend, the student will have the right to place a statement in the record commenting about the contested information.
- 3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent:** One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney,

auditor, National Student Clearinghouse or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the University may disclose educational records without consent to officials of another school in which a student seeks or intends to enroll.

**4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA:**

The name and address of the Office that administers FERPA is:

Family Policy  
Compliance Office  
U.S. Department of Education  
600 Independence Ave., SW  
Washington, DC 20202-5901  
[ed.gov/policy/gen/guid/fpcos](http://ed.gov/policy/gen/guid/fpcos)

Students should be aware that, under the Act, the University construes the following to be directory information which is available to the public: name, address (including e-mail address), telephone number, date of birth, dates of attendance, part-time/full-time status, degrees and awards received, major field of study, participation in officially recognized activities and sports, and previous educational institution attended. No other information will be released to a third party, except as provided by law, without students' prior consent. In addition, students have the right to inform the campus that the above information cannot be released without students' prior consent. If students choose to have directory information restricted, students should log into their UWC PRISM account and make the necessary changes in the Self Service Center. Please contact the Solution Center for assistance.

The campus may publish a Dean's List to honor students with high grade point averages. Students may request that their name be deleted from the public announcement of the Dean's List by contacting their campus Solution Center.

## **Policy on Parental Notification**

UW-Eau Claire – Barron County recognizes all students as the adults they are as they pursue an education on our campuses. Grades and other official university communications are sent directly to the student through university email and the university PRISM account. What you choose to share with parents is your personal or family decision.

While UW-Eau Claire – Barron County also honor students' right to privacy regarding behavioral matters, there are several notable exceptions in which the university may choose to contact a parent or guardian:

- When a student's repeated abuse of chemicals is jeopardizing their own health or that of others.
- When there are violations of university alcohol, drug, and other behavioral policies.
- When a student's physical or emotional health has become threatened or has become potentially dangerous to others, and/or when the university feels the student may be incapable of making safe healthy decisions for themselves.

## **Americans with Disabilities Policies and Reasonable Accommodation Requests**

Students with documented disabilities have the right to request information and necessary accommodation services from the university as stipulated within Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA).

Students who feel they might have a disability which may need accommodation should direct inquiries to the Campus Contact for Student Accessibility Services who is located in the Solution Center on each of the University of Wisconsin Colleges campuses. Students may also contact the Director of Student Accessibility Services (DSAS):

Kristin Hoffmann  
Director of Student Accessibility Services  
University of Wisconsin Colleges  
1600 N. University Dr.  
Waukesha, WI 53188  
(262) 524-3957  
[kristin.hoffmann@uwc.edu](mailto:kristin.hoffmann@uwc.edu)

The DSAS should also be contacted to address student issues related to section 504 and the ADA. Students who believe they have been discriminated against on the basis of their disability should follow the institutional procedure which implements [s 36.12\(1\), Wis. Stats., Student Discrimination Prohibited](#). The University follows EEOC and state guidelines. To be timely, a written Statement of Complaint must be filed with the Office of Equity, Diversity, and Inclusion within 300 days of the date the complainant knew or should have known about the most recent alleged incident. General OEDI email:  
[oedi@uwex.uwc.edu](mailto:oedi@uwex.uwc.edu)

## **Accommodation of Religious Beliefs**

It is the policy of the board of regents that students' sincerely held religious beliefs shall be reasonably accommodated with respect to examinations and other academic requirements. This policy is intended to help meet the needs of students by reducing conflicts between educational requirements and the students' free exercise of religion. The purpose is to treat all students and all religions as fairly as possible. If you have questions or concerns regarding this matter or questions related to absences related to religious beliefs, please contact: Brittany Nielsen, Campus Director at [brittany.nielsen@uwc.edu](mailto:brittany.nielsen@uwc.edu). For further information, please see the UW System Policy:

[https://docs.legis.wisconsin.gov/code/admin\\_code/uws/22](https://docs.legis.wisconsin.gov/code/admin_code/uws/22)

## **Equity in Athletics Disclosure Act**

The Equity in Athletics Disclosure Act requires co-educational institutions of postsecondary education that participate in a Title IV, federal student financial assistance program, and have an intercollegiate athletic program, to prepare an annual report to the Department of Education on athletic participation, staffing, and revenues and expenses, by men's and women's teams. The Department will use this information in preparing its required report to the Congress on gender equity in intercollegiate athletics.

**Equity in athletics data is now available on the web at: <http://ope.ed.gov/athletics>.** This site provides data from thousands of colleges and universities in a convenient searchable form.

## **Discrimination, Harassment, and Violence**

UW Colleges faculty and staff are driven to support institutional fairness, provide equitable access to opportunities and resources, ensure university-wide compliance with system, state, and federal protections, and help prevent and address discrimination, harassment, and violence.

Cultivating open, collaborative environments where everyone can work, learn, and flourish. It's more than an ideal; it's a clear strategy for helping our students, partners, neighbors, and employees succeed in an increasingly interconnected world. Trained professionals work with offices and individuals throughout our institutions to serve, educate, and protect our students, and strengthen the diverse communities that make both the university and state of Wisconsin great.

UW-Eau Claire – Barron County prohibits any form of retaliation for engaging in a protected activity such as making a complaint of discrimination or harassment, taking part in an investigation related to unlawful activities or behavior, or performing mandatory reporting duties. For more information on discrimination, harassment, or retaliation policies and associated complaint procedures, please contact the Office of Equity, Diversity and Inclusion at 608-262-0277 or view the website at <http://www.uwex.uwc.edu/about/office-diversity-inclusion>

## **Sexual Misconduct**

Title IX of the Education Amendments Act of 1972 is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded educational program or activity, which includes both UW Colleges.

Title IX is a living, breathing law that has been used to address inequalities in educational programming since 1972. It was first enacted to address different admittance standards and quotas for women in academic programs, but since then, has also been used to address access to athletics, sexual harassment, sexual assault, transgender students' rights, and rights of parenting students and employees. Title IX applies to all aspects of the institutions' programs and services.

On a regular basis, the Department of Education, Office of Civil Rights, issues Dear Colleague Letters as a form of guidance to institutions about their responsibilities. In 2011, they released this Dear Colleague Letter that gave significant guidance on responding to sexual harassment and sexual violence.

Institutions must be proactive to ensure a campus is free from discrimination, harassment, and violence, including sexual misconduct and interpersonal violence. The 2011 DCL requires schools to designate a Title IX Coordinator, develop a policy and procedures to investigate complaints, stop misconduct, and remedy its effects.

Joseph Abhold  
Dean of Students  
Deputy Title IX Coordinator  
240 Scofield Hall  
UW-Eau Claire campus  
[DOS@uwec.edu](mailto:DOS@uwec.edu)

### **Reporting a Concern**

We encourage all members of our educational community to seek support for and report all sexual misconduct, relationship violence, and gender-based discrimination. Learn more about the different avenues you have to share your concerns: <https://www.uwec.edu/dean-of-students/safety-resources/>

## **Policy on Consensual Relationships**

It is the policy of the University of Wisconsin System Board of Regents that consensual relationships that might be appropriate in other circumstances are not appropriate when they occur between:

(1) an employee of the university and a student over whom the employee has or potentially will have supervisory, advisory, evaluative, or other authority or influence, or

(2) an employee of the university and another employee over whom the employee has or potentially will have supervisory, advisory, evaluative, or other authority or influence.

Even where negative consequences to the participants do not result, such relationships create an environment charged with potential or perceived conflicts of interest and possible use of academic or supervisory leverage to maintain or promote the relationship. Romantic or sexual relationships that the parties may view as consensual may still raise questions of favoritism, as well as of an exploitative abuse of trust and power.

The following two types of consensual relationships are addressed in this policy:

(1) employee with a student; and

(2) employee with another employee.

Citation: University of Wisconsin System of Board of Regents Policy 14-8

UW-Eau Claire – Barron County is committed to fostering the development of an environment based on professionally ethical behavior and free of discriminatory attitudes. Therefore, consenting amorous or sexual relationships between instructor and student or supervisor and employee are unacceptable.

## **UW-Eau Claire – Barron County Encourages Healthy, Mutually Satisfying Relationships**

Men and women can take proactive steps to build strong relationships that are free of violence and disrespect. Key contributing factors include:

- Open and honest communication that involves asking questions, giving feedback, and establishing boundaries
- Actively listening to your partner and respecting his/her thoughts and feelings
- Speaking up when you feel uncomfortable
- Clarifying responses that are confusing
- Maintaining control over your mind and body by limiting alcohol consumption

Sexual assault is sexual contact without consent. **It is the responsibility of every initiator of sexual contact to get consent from his/her partner BEFORE proceeding.** When it comes to consent:

- Both partners must be in complete agreement with any and all contact
- The consent agreement can be changed or revoked at anytime
- Ask for clarification if you are not sure that your partner is completely willing
- Sexual assault is a violent act based on power and control, not sexual intimacy
- If you're not willing, say so clearly and directly with words and actions

- People who are drunk or incapacitated cannot give consent

The vast majority of sexual assaults are perpetrated by someone the victim knows. While sexual assault is never a victim's fault, there are some things you can do to reduce your risk:

- Set sexual limits, being firm and forceful
- Trust your instincts when you feel uncomfortable and take action immediately
- Limit the amount of alcohol you consume to ensure your perception and judgment stay intact
- Stay in groups at parties and never leave alone (especially if you've been drinking)
- Avoid isolated areas and be alert to your surroundings
- Do not accept open or poured drinks or leave your drink unattended
- Lock doors, including your home and car

When it comes to preventing sexual assault, we all play a part. As a community, we need to:

- Report suspicious/dangerous behavior
- Speak up when we hear derogatory language that disrespects a person, gender, or sex-role
- Step in when we see inappropriate actions
- Ensure that our own interactions with others are respectful

## Computing and Networking Usage Guidelines

Access to computing and networking resources is a privilege normally extended to University faculty, staff, and students. Accompanying that privilege is an obligation, on the part of users, to understand and abide by the responsibilities and regulations that govern the computing environment at UW System Campuses. These guidelines reflect the general ethical principles of the University community and indicate what responsibilities are characteristic of the University computing environment. UW System policies can be found online at:

<https://www.wisconsin.edu/regents/policies/acceptable-use-of-information-technology-resources/>

It is the responsibility of the student to read and abide by the appropriate use policies of the UW System.

## Alcohol and Other Drug Information

The abuse of alcohol and the use of other drugs are detrimental to the health of the user. Further, the use of drugs and alcohol is not conducive to an academic atmosphere. Drugs impede the learning process and can cause disruption for other students and can disturb their academic interests. The use of alcohol or drugs in the workplace may also impede the employee's ability to perform in a safe and effective manner, and may result in injuries to others. Early diagnosis and treatment of drug and alcohol abuse is in the best interest of the student, employee and the university.

## Warning Signs of Substance Abuse

**Warning Signs:** If you know someone who has problems related to drinking alcohol or other drug use, you're not alone. You don't have to be an expert to know if your friend has a problem. If he or she has these kinds of troubles related to alcohol or other drugs, your friend may need to talk with someone. Do they:

- Try to hide his or her drinking or other drug use?
- Not remember what happened while he or she was using drugs or drinking?
- Have problems with job or school performance?
- Take physical risks, such as having unprotected sex, driving, biking or swimming, while intoxicated?
- Think about getting high a lot?
- Limit friends to those who drink or use drugs a lot?
- Seem unable to have a good time or to party unless alcohol or drugs are available?
- Say he or she sometimes NEEDS a drink or drug?
- Get angry when you mention your concerns and deny that there's anything wrong?
- Have a history of alcohol or other drug problems in the family?

**How You Can Help:** First, learn more about alcohol and other drug abuse. Libraries, alcohol and other drug information agencies and treatment programs are good places to get more information.

Next, find out where your friend can get help on campus or in your community. Having this information available if and when your friend needs it will pay off: most people who seek help for alcohol or drug problems get better.

Let your friend know how much you care. Explain how his or her drinking and/or other drug use affects you and your friendship. Use your own words and say what is right for you. Be honest and specific. Say exactly what makes you unhappy and how those problems relate to drinking and/or drugs.

Don't get discouraged if your friend gets angry, refuses to listen or denies the problem. These reactions are common in people who have alcohol or other drug problems. All you can do is say how you feel, show that you care and suggest ways to get help. Feel okay if you do that. Only your friend can make the final decision to get help.

For further information concerning alcohol and drug issues: <https://www.uwec.edu/student-health-service/health-promotion/alcohol-support/>

## **Code of Conduct**

### **Academic Integrity Statement**

Academic Integrity is an expectation of each UW-Eau Claire – Barron County student. Our campus community members are responsible for fostering and upholding an environment in which student learning is fair, just, and honest. Through your studies as a UW-Eau Claire – Barron County student, it is essential to exhibit the highest level of personal honesty and respect for the intellectual property of others. Academic misconduct is unacceptable. It compromises and disrespects the integrity of our university and those who study here. To maintain academic integrity, a student must only claim work which is the authentic work solely of their own, providing correct citations and credit to others as needed. Cheating, fabrication, plagiarism, unauthorized collaboration, and/or helping others commit these acts are examples of academic misconduct, which can result in disciplinary action. Failure to understand what constitutes academic misconduct does not exempt responsibility from engaging in it. For more information please read the Academic Misconduct Guide for students. <https://www.uwec.edu/kb/article/academic-integrity/>

### **Chapter UWS 14 Wis. Adm. Code:**

### **Student Academic Disciplinary Procedures**

Chapter UWS 14, Wisconsin Administrative Code  
STUDENT ACADEMIC DISCIPLINARY PROCEDURES

- [UWS 14.01](#) Statement of principles.
- [UWS 14.02](#) Definitions.
- [UWS 14.03](#) Academic misconduct subject to disciplinary action.
- [UWS 14.04](#) Disciplinary sanctions.
- [UWS 14.05](#) Disciplinary sanction imposed at the discretion of the instructor.
- [UWS 14.06](#) Disciplinary sanction imposed following a report of academic misconduct by the instructor.
- [UWS 14.07](#) Disciplinary sanction imposed following a report of academic misconduct by the investigating officer.
- [UWS 14.08](#) Hearing.
- [UWS 14.09](#) Appeal to the chancellor.
- [UWS 14.10](#) Discretionary appeal to the Board of Regents.
- [UWS 14.11](#) Settlement.
- [UWS 14.12](#) Effect of discipline within the university system.
- [UWS 14.13](#) Right to petition for readmission.
- [UWS 14.14](#) Investigating officer.
- [UWS 14.15](#) Academic misconduct hearing committee: institutional option.
- [UWS 14.16](#) Notice to students.
- [UWS 14.17](#) Notice to instructors.
- [UWS 14.18](#) Consistent institutional policies.

**Note:** See ch. [UWS 17](#) for rules on student nonacademic disciplinary procedures.

**UWS 14.01 Statement of principles.** The Board of Regents, administrators, faculty, academic staff and students of the University of Wisconsin System believe that academic honesty and integrity are fundamental to the mission

of higher education and of the University of Wisconsin System. The university has a responsibility to promote academic honesty and integrity and to develop procedures to deal effectively with instances of academic dishonesty. Students are responsible for the honest completion and representation of their work, for the appropriate citation of sources, and for respect of others' academic endeavors. Students who violate these standards must be confronted and must accept the consequences of their actions.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89; [2015 Wis. Act 330](#) s. [20](#): am. [Register April 2016 No. 724](#), eff. 5-1-16.

**UWS 14.02 Definitions.** In this chapter:

- (1) "Academic misconduct" means an act described in s. [UWS 14.03](#).
- (2) "Academic misconduct hearing committee" means the committee or hearing examiner appointed pursuant to s. [UWS 14.15](#) to conduct hearings under s. [UWS 14.08](#).
- (3) "Chancellor" means the chancellor or designee.
- (4) "Days" means calendar days.
- (5) "Disciplinary file" means the record maintained by the student affairs officer responsible for student discipline.
- (6) "Disciplinary probation" means a status in which a student may remain enrolled in the university only upon the condition that the student complies with specified standards of conduct for a specified period of time, not to exceed 2 semesters.
- (7) "Disciplinary sanction" means any action listed in s. [UWS 14.04](#) taken in response to student academic misconduct.
- (8) "Expulsion" means termination of student status with resultant loss of all student rights and privileges.
- (9) "Hearing examiner" means an individual appointed by the chancellor in accordance with s. [UWS 14.15](#) for the purpose of conducting a hearing under s. [UWS 14.08](#).
- (10) "Institution" means any university or college, or organizational equivalent designated by the board.
- (11) "Instructor" means the faculty member or instructional academic staff member who has responsibility for the overall conduct of a course and ultimate responsibility for the assignment of the grade for the course.
- (12) "Investigating officer" means an individual, or his or her designee, appointed by the chancellor of each institution to carry out certain responsibilities in the course of investigations of academic misconduct under this chapter.
- (13) "Student" means any person who is registered for study in an institution for the academic period in which the misconduct occurred.
- (14) "Student affairs officer" means the dean of students or student affairs officer designated by the chancellor to carry out duties described in this chapter.
- (15) "Suspension" means a loss of student status for a specified length of time, not to exceed 2 years, with resultant loss of all student rights and privileges.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89; [2015 Wis. Act 330](#): am. (10) [Register April 2016 No. 724](#), eff. 5-1-16.

**UWS 14.03 Academic misconduct subject to disciplinary action.**

- (1) Academic misconduct is an act in which a student:
  - (a) Seeks to claim credit for the work or efforts of another without authorization or citation;
  - (b) Uses unauthorized materials or fabricated data in any academic exercise;
  - (c) Forges or falsifies academic documents or records;
  - (d) Intentionally impedes or damages the academic work of others;
  - (e) Engages in conduct aimed at making false representation of a student's academic performance; or
  - (f) Assists other students in any of these acts.
- (2) Examples of academic misconduct include, but are not limited to: cheating on an examination; collaborating with others in work to be presented, contrary to the stated rules of the course; submitting a paper or assignment as one's own work when a part or all of the paper or assignment is the work of another; submitting a paper or assignment that contains ideas or research of others without appropriately identifying the sources of those ideas;

stealing examinations or course materials; submitting, if contrary to the rules of a course, work previously presented in another course; tampering with the laboratory experiment or computer program of another student; knowingly and intentionally assisting another student in any of the above, including assistance in an arrangement whereby any work, classroom performance, examination or other activity is submitted or performed by a person other than the student under whose name the work is submitted or performed.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.04 Disciplinary sanctions.**

(1) The following are the disciplinary sanctions that may be imposed for academic misconduct in accordance with the procedures of s. [UWS 14.05](#), [14.06](#) or [14.07](#):

- (a) An oral reprimand;
- (b) A written reprimand presented only to the student;
- (c) An assignment to repeat the work, to be graded on its merits;
- (d) A lower or failing grade on the particular assignment or test;
- (e) A lower grade in the course;
- (f) A failing grade in the course;
- (g) Removal of the student from the course in progress;
- (h) A written reprimand to be included in the student's disciplinary file;
- (i) Disciplinary probation; or
- (j) Suspension or expulsion from the university.

(2) One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of academic misconduct.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.05 Disciplinary sanction imposed at the discretion of the instructor.**

(1) Where an instructor concludes that a student enrolled in one of his or her courses has engaged in academic misconduct in the course, the instructor for that course may impose one or more of the following disciplinary sanctions, as listed under s. [UWS 14.04 \(1\) \(a\)](#) through [\(c\)](#):

- (a) An oral reprimand;
- (b) A written reprimand presented only to the student; or
- (c) An assignment to repeat the work, to be graded on its merits.

(2) No disciplinary sanction may be imposed under this section unless the instructor promptly offers to discuss the matter with the student. The purpose of this discussion is to permit the instructor to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

(3) A student who receives a disciplinary sanction under this section has the right to a hearing before the academic misconduct hearing committee under s. [UWS 14.08](#) to contest the determination that academic misconduct occurred, or the disciplinary sanction imposed, or both. If the student desires such a hearing, he or she must file a written request with the student affairs officer within 10 days of imposition of the disciplinary sanction by the instructor.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.06 Disciplinary sanction imposed following a report of academic misconduct by the instructor.** Where an instructor believes that a student enrolled in one of his or her courses has engaged in academic misconduct and the sanctions listed under s. [UWS 14.04 \(1\) \(a\)](#) through [\(c\)](#) are inadequate or inappropriate, the instructor may proceed in accordance with this section to impose, subject to hearing rights in s. [UWS 14.08](#), one or more of the disciplinary sanctions listed under s. [UWS 14.04 \(1\) \(d\)](#) through [\(h\)](#).

(1) CONFERENCE WITH STUDENT. When an instructor concludes that proceedings under this section are warranted, the instructor shall promptly offer to discuss the matter with the student. The purpose of this discussion is to permit the instructor to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

(2) DETERMINATION BY THE INSTRUCTOR THAT NO ACADEMIC MISCONDUCT OCCURRED. If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did not in fact occur or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action or a written report.

(3) PROCESS FOLLOWING DETERMINATION BY THE INSTRUCTOR THAT ACADEMIC MISCONDUCT OCCURRED.

(a) If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did occur and that one or more of the disciplinary sanctions listed under s. [UWS 14.04 \(1\) \(d\)](#) through (h) should be recommended, the instructor shall prepare a written report so informing the student, which shall contain the following:

1. A description of the misconduct;
2. Specification of the sanction recommended;
3. Notice of the student's right to request a hearing before the academic misconduct hearing committee; and
4. A copy of the institutional procedures adopted to implement this section.

(b) The written report shall be delivered personally to the student or be mailed to the student by regular first class United States mail at his or her current address, as maintained at the institution. In addition, copies of the report shall be provided to the institution's student affairs officer and to others authorized by institutional procedures.

(c) A student who receives a written report under this section has the right to a hearing before the academic misconduct hearing committee under s. [UWS 14.08](#) to contest the determination that academic misconduct occurred, or the choice of disciplinary sanction, or both. If the student desires the hearing before the academic misconduct hearing committee, the student must file a written request with the student affairs officer within 10 days of personal delivery or mailing of the written report. If the student does not request a hearing within this period, the determination of academic misconduct shall be regarded as final, and the disciplinary sanction recommended shall be imposed.

(4) PROCESS FOLLOWING DETERMINATION BY THE INSTRUCTOR THAT DISCIPLINARY PROBATION, SUSPENSION OR EXPULSION MAY BE WARRANTED.

(a) If, as a result of a discussion under sub. (1), the instructor determines that academic misconduct did occur and that disciplinary probation, suspension or expulsion under s. [UWS 14.04 \(1\) \(i\)](#) or (j) should be recommended, the instructor shall provide a written report to the investigating officer, which shall contain the following:

1. A description of the misconduct; and
2. Specification of the sanction recommended.

(b) Upon receipt of a report under this subsection, the investigating officer may proceed, in accordance with s. [UWS 14.07](#), to impose a disciplinary sanction.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.07 Disciplinary sanction imposed following a report of academic misconduct by the investigating officer.** The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. [UWS 14.04 \(1\) \(g\)](#) through (j).

(1) AUTHORITY OF INVESTIGATING OFFICER. The investigating officer may proceed in accordance with this section when he or she receives information that a student at the institution has engaged in alleged academic misconduct and:

- (a) Some or all of the alleged academic misconduct occurred outside the scope of any course for which the involved student is currently registered;
- (b) The involved student has previously engaged in academic misconduct subject to the disciplinary sanctions listed in s. UWS 14.04 (1) (d) through (j);
- (c) The alleged misconduct would, if proved to have occurred, warrant a sanction of disciplinary probation, suspension or expulsion; or
- (d) The instructor in the course is unable to proceed.

(2) CONFERENCE WITH STUDENT. When the investigating officer concludes that proceedings under this section are warranted, he or she shall promptly offer to discuss the matter with the student. The purpose of this discussion is to permit the investigating officer to review with the student the bases for his or her belief that the student engaged in academic misconduct, and to afford the student an opportunity to respond.

(3) CONFERENCE WITH INSTRUCTOR. An investigating officer proceeding under this section shall discuss the matter with an involved instructor. This discussion may occur either before or after the conference with the student. It may include consultation with the instructor on the facts underlying the alleged academic misconduct and on the propriety of the recommended sanction.

(4) DETERMINATION BY THE INVESTIGATING OFFICER THAT NO ACADEMIC MISCONDUCT OCCURRED. If, as a result of discussions under subs. (2) and (3), the investigating officer determines that academic misconduct did not in fact occur or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action or a written report.

(5) PROCESS FOLLOWING DETERMINATION BY THE INVESTIGATING OFFICER THAT ACADEMIC MISCONDUCT OCCURRED.

(a) If, as a result of discussions under subs. (2) and (3), the investigating officer determines that academic misconduct did occur and that one or more of the disciplinary sanctions listed under s. UWS 14.04 (1) (g) through (j) should be recommended, the investigating officer shall prepare a written report so informing the student, which shall contain the following:

1. A description of the misconduct;
2. Specification of the sanction recommended;
3. Notice of the student's right to a hearing before the academic misconduct hearing committee; and
4. A copy of the institutional procedures adopted to implement this section.

(b) The written report shall be delivered personally or by electronic means to the student or mailed to the student by regular first class United States mail at his or her current address, as maintained at the institution. In addition, a copy of the report shall be provided to the instructor and to the institution's student affairs officer.

(c) A student who receives a written report under this section has the right to a hearing before the academic misconduct hearing committee under s. UWS 14.08 to contest the determination that academic misconduct occurred, or the choice of disciplinary sanction, or both.

1. Except in cases where the disciplinary sanction recommended is disciplinary probation, suspension or expulsion, if the student desires the hearing before the academic misconduct hearing committee, the student must file a written request with the student affairs officer within 10 days of personal delivery or mailing of the written report. If the student does not request a hearing within this period, the determination of academic misconduct shall be regarded as final, and the disciplinary sanction recommended shall be imposed.

2. In cases where the disciplinary sanction recommended is disciplinary probation, suspension or expulsion, the student affairs officer shall, upon receipt of the written report under par. (b), proceed under s. UWS 14.08 to schedule a hearing on the matter. The purpose of the hearing shall be to review the determination that academic misconduct occurred and the disciplinary sanction recommended. A hearing will be conducted unless the student waives, in writing, the right to such a hearing.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89; [2015 Wis. Act 330](#): am. (5) (b) [Register April 2016 No. 724](#), eff. 5-1-16.

**UWS 14.08 Hearing.**

- (1) If a student requests a hearing, or a hearing is required to be scheduled under s. [UWS 14.07 \(5\) \(c\) 2.](#), the student affairs officer shall take the necessary steps to convene the academic misconduct hearing committee and shall schedule the hearing within 10 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the student, instructor or investigating officer, and the members of the hearing committee.
- (2) Reasonably in advance of the hearing, the committee shall obtain from the instructor or investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide a copy of ch. [UWS 14](#) to the student.
- (3) The hearing before the academic misconduct hearing committee shall be conducted in accordance with the following requirements:

- (a) The student shall have the right to question adverse witnesses, the right to present evidence and witnesses, and to be heard in his or her own behalf, and the right to be accompanied by a representative of his or her choice.
- (b) The hearing committee shall not be bound by common law or statutory rules of evidence and may admit evidence having reasonable probative value, but shall exclude immaterial, irrelevant, or unduly repetitious testimony, and shall give effect to recognized legal privileges.
- (c) The hearing committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the hearing. Any party to the hearing may obtain copies of the record at his or her own expense. Upon a showing of indigency and legal need, a party may be provided a copy of the verbatim record of the testimony without charge.
- (d) The hearing committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.
- (e) The hearing committee may find academic misconduct and impose a sanction of suspension or expulsion only if the proof of such misconduct is clear and convincing. In other cases, a finding of misconduct must be based on a preponderance of the credible evidence.
- (f) The committee may impose a disciplinary sanction that differs from the recommendation of the instructor or investigating officer.
- (g) The instructor or the investigating officer or both may be witnesses at the hearing conducted by the committee, but do not have responsibility for conducting the hearing.
- (h) The decision of the hearing committee shall be served upon the student either by personal delivery, electronic means, or first class United States mail and shall become final within 10 days of service, unless an appeal is taken under s. [UWS 14.09](#).

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89; [2015 Wis. Act 330](#): am. (3) (h) [Register April 2016 No. 724](#), eff. 5-1-16.

**UWS 14.09 Appeal to the chancellor.**

- (1) Where the sanction prescribed by the hearing committee is suspension or expulsion, the student may appeal to the chancellor to review the decision of the hearing committee on the record. In such a case, the chancellor shall sustain the decision of the academic misconduct hearing committee unless the chancellor finds:
  - (a) The evidence of record does not support the findings and recommendations of the hearing committee;
  - (b) Established procedures were not followed by the academic misconduct hearing committee and material prejudice to the student resulted; or
  - (c) The decision was based on factors proscribed by state or federal law regarding equal educational opportunities.
- (2) If the chancellor makes a finding under sub. (1), the chancellor may remand the matter for consideration by a different hearing committee, or, in the alternative, may invoke an appropriate remedy of his or her own.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.10 Discretionary appeal to the Board of Regents.** Institutional decisions under ss. [UWS 14.05](#) through [14.09](#) shall be final, except that the Board of Regents may, at its discretion, grant a review upon the record.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89; [2015 Wis. Act 330](#) s. [20](#): am. [Register April 2016 No. 724](#), eff. 5-1-16.

**UWS 14.11 Settlement.** The procedures set forth in this chapter do not preclude a student from agreeing that academic misconduct occurred and to the imposition of a sanction, after proper notice has been given. Required written reports, however, may not be waived.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.12 Effect of discipline within the university system.** Suspension or expulsion shall be systemwide in effect.

(1) A student who is suspended or expelled from one institution in the University of Wisconsin System may not enroll in another institution in the system unless the suspension has expired by its own terms or one year has elapsed after the student has been suspended or expelled.

(2) Upon completion of a suspension period, a student may re-enroll in the institution which suspended him or her as if no suspension had been imposed.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89; [2015 Wis. Act 330](#) s. [20](#): am. (1) [Register April 2016 No. 724](#), eff. 5-1-16.

**UWS 14.13 Right to petition for readmission.** A student who has been expelled may petition for readmission, and a student who has been suspended may petition for readmission prior to the expiration of the suspension period. The petition for readmission must be in writing and directed to the chancellor of the institution from which the student was suspended or expelled. The petition may not be filed before the expiration of one year from the date of the final determination in expulsion cases, or before the expiration of one-half of the suspension period in suspension cases. The chancellor shall, after consultation with elected representatives of the faculty, academic staff, and students, adopt procedures for determining whether such petitions will be granted or denied.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.14 Investigating officer.** The chancellor of each institution, in consultation with faculty, academic staff, and student representatives, shall designate an investigating officer or officers for student academic misconduct. The investigating officer shall have responsibility for investigating student academic misconduct and initiating procedures for academic misconduct under s. [UWS 14.07](#). An investigating officer may also serve on the academic misconduct hearing committee for a case, if he or she has not otherwise been involved in the matter.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.15 Academic misconduct hearing committee: institutional option.** The chancellor of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student academic misconduct hearing committee or designation of a hearing examiner to fulfill the responsibilities of the academic misconduct hearing committee in this chapter.

(1) A student academic misconduct hearing committee shall consist of at least 3 persons, including a student or students, and the presiding officer shall be appointed by the chancellor. The presiding officer and at least one other member shall constitute a quorum at any hearing held pursuant to due notice.

(2) A hearing examiner shall be selected by the chancellor from the faculty and staff of the institution.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.16 Notice to students.** Each institution shall publish and make freely available to students copies of ch. [UWS 14](#) and any institutional policies implementing ch. [UWS 14](#).

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.17 Notice to instructors.** Each institution shall adopt procedures to ensure that instructors are familiar with these policies. Each institution shall provide instructors with copies of ch. [UWS 14](#) and any institutional policies implementing ch. [UWS 14](#) upon employment with the university, and each department chair shall be provided such copies upon assuming the duties of the chair.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89.

**UWS 14.18 Consistent institutional policies.** Each institution is authorized to adopt policies consistent with this chapter. A copy of such policies shall be filed with the Board of Regents and the University of Wisconsin System office of academic affairs.

History: Cr. [Register, February, 1989, No. 398](#), eff. 3-1-89; [2015 Wis. Act 330](#) s. [20](#): am. [Register April 2016 No. 724](#), eff. 5-1-16.

## Commitment to a Safe Campus Community

The University of Wisconsin Colleges have a long-standing commitment to providing a safe and secure environment for the members of the campus community. It is important for all members of the campus community to help keep our campus safe. We encourage everyone to report any crime or situation that violates the safety and well-being of our campus community. It is an expectation that all members of our campus community understand and acts according to UW System administrative codes and policies, as well as federal, state, and municipal laws and regulations. UWS Administrative Codes, Chapter 17 and 18, are valuable resources which outline student's rights and responsibilities in a non-academic misconduct situation, as well as provide expectations for student conduct.

# **Chapter UWS 17 Wis. Admin. Code:**

## **Student Nonacademic Disciplinary Procedures**

Chapter UWS 17, Wisconsin Administrative Code

### **STUDENT NONACADEMIC DISCIPLINARY PROCEDURES**

UWS 17.01 Policy statement.

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**Note:** See ch. [UWS 14](#) for student academic disciplinary procedures.

**Note:** Chapter UWS 17 as it existed on August 31, 1996 was repealed and a new chapter UWS 17 was created effective September 1, 1996. Chapter UWS 17 as it existed on August 31, 2009, was repealed and a new chapter UWS 17 was created effective September 1, 2009.

**UWS 17.01 Policy statement.** The missions of the University of Wisconsin System and its individual institutions can be realized only if the university's teaching, learning, research and service activities occur in living and learning environments that are safe and free from violence, harassment, fraud, theft, disruption and intimidation. In promoting such environments, the university has a responsibility to address student nonacademic misconduct; this responsibility is separate from and independent of any civil or criminal action resulting from a student's conduct. This chapter defines nonacademic misconduct, provides university procedures for effectively addressing misconduct, and offers educational responses to misconduct. The University of Wisconsin System is committed to respecting students' constitutional rights. Nothing in this chapter is intended to restrict students' constitutional rights, including rights of freedom of speech or to peaceably assemble with others.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09.

**UWS 17.02 Definitions.** In this chapter:

(1) "Chief administrative officer" means the chancellor of an institution or dean of a campus or their designees.

(2) "Clear and convincing evidence" means information that would persuade a reasonable person to have a firm belief that a proposition is more likely true than not true. It is a higher standard of proof than "preponderance of the evidence."

(2m) "Complainant" means any individual who is reported to have been subjected to sexual harassment, sexual assault, dating violence, domestic violence, or stalking, as defined in s. [UWS 17.09](#).

- (3) "Days" means calendar days.
- (4) "Delivered" means sent by electronic means to the student's official university email address and, in addition, provided by any of the following methods:
- (a) Given personally.
  - (b) Placed in the student's official university mailbox.
  - (c) Mailed by regular first class United States mail to the student's current address as maintained by the institution.
- (5) "Disciplinary file" means the record maintained by the student affairs officer responsible for student discipline.
- (6) "Disciplinary probation" means a status in which a student may remain enrolled in the university only upon the condition that the student complies with specified standards of conduct or other requirements or restrictions on privileges, for a specified period of time, not to exceed two years.
- (7) "Disciplinary sanction" means any action listed in s. [UWS 17.10 \(1\)](#) taken in response to student nonacademic misconduct.
- (8) "Expulsion" means termination of student status with resultant loss of all student rights and privileges.
- (9) "Hearing examiner" means an individual, other than the investigating officer, appointed by the chief administrative officer in accordance with s. [UWS 17.06 \(2\)](#) for the purpose of conducting a hearing under s. [UWS 17.12](#).
- (10) "Institution" means any university, or an organizational equivalent designated by the board, and the University of Wisconsin colleges.
- (11) "Investigating officer" means an individual, or his or her designee, appointed by the chief administrative officer of each institution, to conduct investigations of nonacademic misconduct under this chapter.
- (12) "Nonacademic misconduct hearing committee" or "committee" means the committee appointed pursuant to s. [UWS 17.07](#) to conduct hearings under s. [UWS 17.12](#).
- (13) "Preponderance of the evidence" means information that would persuade a reasonable person that a proposition is more probably true than not true. It is a lower standard of proof than "clear and convincing evidence" and is the minimum standard for a finding of responsibility under this chapter.
- (13m) "Respondent" means any student who is accused of violating any provision of this chapter, and was registered for study in an institution for the academic period, or between academic periods for continuing students, when the misconduct occurred.
- (14) "Student" means any person who is registered for study in an institution for the academic period in which the misconduct occurred, or between academic periods, for continuing students.
- (15) "Student affairs officer" means the dean of students or student affairs officer designated by the chief administrative officer to coordinate disciplinary hearings and carry out duties described in this chapter.
- (16) "Suspension" means a loss of student status for a specified length of time, not to exceed two years, with resultant loss of all student rights and privileges.
- (17) "University lands" means all real property owned by, leased by, or otherwise subject to the control of the Board of Regents of the University of Wisconsin System.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [2015 Wis. Act 330](#) s. [20](#): am. (17) [Register April 2016 No. 724](#), eff. 5-1-16; [CR 15-060](#): cr. (2m), (13m) [Register June 2016 No. 726](#), eff. 7-1-16; correction in (2m), (13m) under 13.92 (4) (b) 7., Stats., [Register June 2016 No. 726](#).

**UWS 17.03 Consistent institutional policies.** Each institution is authorized to adopt policies consistent with this chapter. A copy of such policies shall be filed with the Board of Regents and the University of Wisconsin System office of academic affairs.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [2015 Wis. Act 330](#) s. [20](#); am. [Register April 2016 No. 724](#), eff. 5-1-16.

**UWS 17.04 Notice to students.** Each institution shall publish ch. [UWS 17](#) on its website and shall make ch. [UWS 17](#) and any institutional policies implementing ch. [UWS 17](#) freely available to students through the website or other means.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09.

**UWS 17.05 Designation of investigating officer.** The chief administrative officer of each institution shall designate an investigating officer or officers for allegations of student nonacademic misconduct. The investigating officer shall investigate student nonacademic misconduct and initiate procedures for nonacademic misconduct under s. [UWS 17.11](#). For allegations involving sexual assault, domestic violence, dating violence, stalking, or sexual harassment, the chief administrative officer shall involve the Title IX Coordinator, or designee, in accordance with applicable institutional policies.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.06 Nonacademic misconduct hearing examiner.**

(1) The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the designation of a student nonacademic misconduct hearing examiner to fulfill the responsibilities of the nonacademic misconduct hearing examiner in this chapter.

(2) A hearing examiner shall be selected by the chief administrative officer from the faculty and staff of the institution, pursuant to the policies adopted under sub. [\(1\)](#).

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09.

**UWS 17.07 Nonacademic misconduct hearing committee.**

(1) The chief administrative officer of each institution, in consultation with faculty, academic staff, and student representatives, shall adopt policies providing for the establishment of a student nonacademic misconduct hearing committee to fulfill the responsibilities of the nonacademic misconduct hearing committee in this chapter.

(2) A student nonacademic misconduct hearing committee shall consist of at least three persons, including at least one student, except that no such committee shall be constituted with a majority of members who are students. The presiding officer shall be appointed by the chief administrative officer. The presiding officer and at least one other member shall constitute a quorum at any hearing held pursuant to due notice.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09.

**UWS 17.08 Nonacademic misconduct occurring on or outside of university lands.**

(1) MISCONDUCT ON UNIVERSITY LANDS. Except as provided in s. [UWS 17.08 \(2\)](#), the provisions contained in this chapter shall apply to the student conduct described in s. [UWS 17.09](#) that occurs on university lands or at university-sponsored events.

(2) MISCONDUCT OUTSIDE OF UNIVERSITY LANDS. The provisions contained in this chapter may apply to the student conduct described in s. [UWS 17.09](#) that occurs outside of university lands only when, in the judgment of the investigating officer, the conduct adversely affects a substantial university interest. In determining whether the conduct adversely affects a substantial university interest, the investigating officer shall consider whether the conduct meets one or more of the following conditions:

- (a)** The conduct constitutes or would constitute a serious criminal offense, regardless of the existence of any criminal proceedings.
- (b)** The conduct indicates that the student presented or may present a danger or threat to the health or safety of himself, herself or others.
- (c)** The conduct demonstrates a pattern of behavior that seriously impairs the university's ability to fulfill its teaching, research, or public service missions.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09.

**UWS 17.09 Conduct subject to disciplinary action.** In accordance with s. [UWS 17.08](#), the university may discipline a student for engaging in, attempting to engage in, or assisting others to engage in any of the following types of nonacademic misconduct:

- (1) **DANGEROUS CONDUCT.** Conduct that endangers or threatens the health or safety of oneself or another person.
- (2) **SEXUAL ASSAULT.** Conduct defined in s. [940.225](#), Stats.
- (3) **STALKING.** Conduct defined in s. [940.32](#), Stats.
- (4) **HARASSMENT.** Conduct defined in s. [947.013](#), Stats.
- (5) **HAZING.** Conduct defined in s. [948.51](#), Stats.
- (6) **ILLEGAL USE, POSSESSION, MANUFACTURE, OR DISTRIBUTION OF ALCOHOL OR CONTROLLED SUBSTANCES.** Use, possession, manufacture, or distribution of alcoholic beverages or of marijuana, narcotics, or other controlled substances, except as expressly permitted by law or university policy.
- (7) **UNAUTHORIZED USE OF OR DAMAGE TO PROPERTY.** Unauthorized possession of, use of, moving of, tampering with, damage to, or destruction of university property or the property of others.
- (8) **DISRUPTION OF UNIVERSITY-AUTHORIZED ACTIVITIES.** Conduct that obstructs or impairs university-run or university-authorized activities, or that interferes with or impedes the ability of a person to participate in university-run or university-authorized activities.
- (9) **FORGERY OR FALSIFICATION.** Unauthorized possession of or fraudulent creation, alteration, or misuse of any university or other governmental document, record, key, electronic device, or identification.
- (10) **MISUSE OF COMPUTING RESOURCES.** Conduct that involves any of the following:
  - (a)** Failure to comply with laws, license agreements, and contracts governing university computer network, software, and hardware use.
  - (b)** Use of university computing resources for unauthorized commercial purposes or personal gain.
  - (c)** Failure to protect a personal password or university-authorized account.
  - (d)** Breach of computer security, invasion of privacy, or unauthorized access to university computing resources.
- (11) **FALSE STATEMENT OR REFUSAL TO COMPLY REGARDING A UNIVERSITY MATTER.** Making a knowingly false oral or written statement to any university employee or agent of the university regarding a university matter, or refusal to comply with a reasonable request on a university matter.
- (12) **VIOLATION OF CRIMINAL LAW.** Conduct that constitutes a criminal offense as defined by state or federal law.
- (13) **SERIOUS AND REPEATED VIOLATIONS OF MUNICIPAL LAW.** Serious and repeated off-campus violations of municipal law.
- (14) **VIOLATION OF CH. UWS 18.** Conduct that violates ch. [UWS 18](#), including, but not limited to, provisions regulating fire safety, theft, and dangerous weapons.
- (15) **VIOLATION OF UNIVERSITY RULES.** Conduct that violates any published university rules, regulations, or policies, including provisions contained in university contracts with students.

- (16) NONCOMPLIANCE WITH DISCIPLINARY SANCTIONS. Conduct that violates a sanction, requirement, or restriction imposed in connection with previous disciplinary action.
- (17) DATING VIOLENCE. Violence committed by a student against another person with whom they are in a "dating relationship" as defined in s. [813.12 \(1\) \(ag\)](#), Stats.
- (18) DOMESTIC VIOLENCE. Conduct defined as "domestic abuse" in ss. [813.12 \(1\) \(am\)](#) and [968.075](#), Stats.
- (19) SEXUAL HARASSMENT. Conduct defined in s. [111.32 \(13\)](#), Stats., or as defined in Board of Regent Policy that addresses sexual harassment

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): cr. (17), (18), (19) [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.10 Disciplinary sanctions.**

(1) The disciplinary sanctions that may be imposed for nonacademic misconduct, in accordance with the procedures of ss. [UWS 17.11](#) to [17.13](#), are any of the following:

- (a) A written reprimand.
- (b) Denial of specified university privileges.
- (c) Payment of restitution.
- (d) Educational or service sanctions, including community service.
- (e) Disciplinary probation.
- (f) Imposition of reasonable terms and conditions on continued student status.
- (g) Removal from a course in progress.
- (h) Enrollment restrictions on a course or program.
- (i) Suspension.
- (j) Expulsion.

(2) One or more of the disciplinary sanctions listed in sub. (1) may be imposed for an incident of nonacademic misconduct.

(3) Disciplinary sanctions shall not include the termination or revocation of student financial aid; however, this shall not be interpreted as precluding the individual operation of rules or standards governing eligibility for student financial aid under which the imposition of a disciplinary sanction could result in disqualification of a student for financial aid.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09.

**UWS 17.11 Disciplinary procedure.**

(1) PROCESS. The investigating officer may proceed in accordance with this section to impose, subject to hearing and appeal rights, one or more of the disciplinary sanctions listed in s. [UWS 17.10 \(1\)](#).

(2) CONFERENCE WITH RESPONDENT. When the investigating officer concludes that proceedings under this section are warranted, the investigating officer shall promptly contact the respondent in person, by telephone, or by electronic mail to offer to discuss the matter, review the investigating officer's basis for believing that the respondent engaged in nonacademic misconduct, and to afford the respondent an opportunity to respond. If the respondent fails to respond to the investigating officer, the investigating officer may proceed to make a determination on the basis of the available information. A complainant shall have all the rights provided to the respondent in this subsection.

(3) DETERMINATION BY THE INVESTIGATING OFFICER THAT NO DISCIPLINARY SANCTION IS WARRANTED. If, as a result of a discussion under sub. (2) or review of available information, the investigating officer determines that nonacademic misconduct did not in fact occur, or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without the necessity for further action. The investigating officer shall simultaneously

notify the respondent and the complainant of this outcome and offer to discuss it separately with either one. If the investigating officer determines that nonacademic misconduct did not occur or that no disciplinary sanction is warranted, the complainant may appeal this decision in accordance with s. [UWS 17.13](#).

(4) PROCESS FOLLOWING DETERMINATION BY THE INVESTIGATING OFFICER THAT NONACADEMIC MISCONDUCT OCCURRED.

(a) If, as a result of a discussion under sub. [\(2\)](#) or review of available information, the investigating officer determines that nonacademic misconduct did occur and that one or more of the disciplinary sanctions listed under s. [UWS 17.10 \(1\)](#) should be recommended, the investigating officer shall prepare a written report which shall contain all of the following:

1. A description of the alleged misconduct.
2. A description of all information available to the university regarding the alleged misconduct. Such information shall be available to the complainant and the respondent, except as may be precluded by applicable state or federal law.
3. Specification of the sanction sought.
4. Notice of the respondent's right to a hearing.

5. A copy of this chapter and of the institutional procedures adopted to implement this section.

(b) The written report shall be delivered simultaneously to the respondent and complainant, excluding any information that may be precluded by applicable state or federal law.

(c) A respondent who receives a written report under this section has the right to a hearing under s. [UWS 17.12](#) to contest the determination that nonacademic misconduct occurred, the choice of disciplinary sanctions, or both.

1. Where the disciplinary sanction sought is one of those listed in s. [UWS 17.10 \(1\) \(a\)](#) to [\(g\)](#), and if the respondent desires a hearing, the respondent shall file a written request with the student affairs officer within 10 days of the date the written report is delivered to the respondent. If the respondent does not request a hearing within this period, the determination of nonacademic misconduct shall be regarded as final, and the disciplinary sanction sought shall be imposed.

2. Where the disciplinary sanction sought is one of those listed in s. [UWS 17.10 \(1\) \(h\)](#) to [\(i\)](#), the investigating officer shall forward a copy of the written report under par. [\(b\)](#) to the student affairs officer. The student affairs officer shall, upon receipt of the written report, proceed under s. [UWS 17.12](#) to schedule a hearing on the matter. A hearing shall be conducted unless the respondent waives, in writing, the right to such a hearing.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; correction to (1) (title) made under s. [13.92 \(4\) \(b\) 2.](#), Stats., [Register August 2009 No. 644](#); [CR 15-060](#): am. (2), (3), (4) (a) 2., 4., (b), (c) [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.12 Hearing.**

(1) A respondent who requests a hearing, or for whom a hearing is scheduled under s. [UWS 17.11 \(4\) \(c\) 2.](#), shall have the right to decide whether the matter will be heard by a hearing examiner or a hearing committee. In cases of sexual assault, dating violence, domestic violence, stalking, or sexual harassment the university shall have the right to decide whether the matter will be heard by a hearing examiner or a hearing committee.

(2) If a respondent requests a hearing under s. [UWS 17.11 \(4\) \(c\) 1.](#), or a hearing is required to be scheduled under s. [UWS 17.11 \(4\) \(c\) 2.](#), the student affairs officer shall take the necessary steps to convene the hearing and shall schedule it within 15 days of receipt of the request or written report. The hearing shall be conducted within 45 days of receipt of the request or written report, unless a different time period is mutually agreed upon by the respondent and investigating officer, or is ordered or permitted by the hearing examiner or committee.

(3) No less than 5 days in advance of the hearing, the hearing examiner or committee shall obtain from the investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based, and shall provide the respondent and the complainant with access to or copies of the investigating officer's explanation, together with any other materials provided to the hearing examiner or committee by the investigating officer, including any additional available information of the type described in s. [UWS 17.11 \(4\) \(a\) 2.](#)

(4) The hearing shall be conducted in accordance with the following guidance and requirements:

**(a)** The hearing process shall further the educational purposes and reflect the university context of nonacademic misconduct proceedings. The process need not conform to state or federal rules of criminal or civil procedure, except as expressly provided in ch. [UWS 17](#).

**(b)** The respondent shall have the right to question adverse witnesses, the right to present information and witnesses, the right to be heard on his or her own behalf, and the right to be accompanied by an advisor of the respondent's choice. The advisor may be a lawyer. In cases where the recommended disciplinary sanction is identified in s. [UWS 17.10 \(1\) \(a\)](#) to [\(h\)](#), the advisor may counsel the respondent but may not directly question adverse witnesses, present information or witnesses, or speak on behalf of the respondent except at the discretion of the hearing examiner or committee. In cases where the recommended disciplinary sanction is identified in s. [UWS 17.10 \(1\) \(i\)](#) or [\(j\)](#), or where the respondent has been charged with a crime in connection with the same conduct for which the disciplinary sanction is sought, the advisor may question adverse witnesses, present information and witnesses, and speak on behalf of the respondent. In accordance with the educational purposes of the hearing, the respondent is expected to respond on his or her own behalf to questions asked of him or her during the hearing. The complainant shall have all the rights provided to the respondent in this subsection.

**(c)** The hearing examiner or committee:

- 1.** Shall admit information that has reasonable value in proving the facts, but may exclude immaterial, irrelevant, or unduly repetitious testimony.
- 2.** Shall observe recognized legal privileges.
- 3.** May take reasonable steps to maintain order, and to adopt procedures for the questioning of a witness appropriate to the circumstances of that witness's testimony, provided, however, whatever procedure is adopted, the complainant and respondent are allowed to effectively question the witness.

**(d)** The hearing examiner or committee shall make a record of the hearing. The record shall include a verbatim record of the testimony, which may be a sound recording, and a file of the exhibits offered at the hearing. The respondent and the complainant may access the record, except as may be precluded by applicable state or federal law.

**(e)** The hearing examiner or committee shall prepare written findings of fact and a written statement of its decision based upon the record of the hearing.

**(f)** A hearing examiner's or committee's finding of nonacademic misconduct shall be based on one of the following:

- 1.** Clear and convincing evidence, when the sanction to be imposed is one of those listed in s. [UWS 17.10 \(1\) \(h\)](#) to [\(j\)](#).
- 2.** A preponderance of the evidence, when the sanction to be imposed is one of those listed in s. [UWS 17.10 \(1\) \(a\)](#) to [\(g\)](#).
- 3.** A preponderance of the evidence, regardless of the sanction to be imposed, in all cases of sexual harassment, sexual assault, dating violence, domestic violence, or stalking.

**(g)** The hearing examiner or committee may impose one or more of the disciplinary sanctions listed in s. [UWS 17.10 \(1\) \(a\)](#) to [\(g\)](#) that differs from the recommendation of the investigating officer. Sanctions under s. [UWS 17.10 \(1\) \(h\)](#) to [\(j\)](#) may not be imposed unless previously recommended by the investigating officer.

**(h)** The hearing shall be conducted by the hearing examiner or committee, and the university's case against the respondent shall be presented by the investigating officer or his or her designee.

**(i)** The decision of the hearing examiner or committee shall be prepared within 14 days of the hearing, and delivered simultaneously to the respondent and the complainant, excluding information that may be precluded by state or federal law. The decision shall become final within 14 days of the date on the written decision, unless an appeal is taken under s. [UWS 17.13](#).

**(j)** If a party fails to appear at a schedule hearing and to proceed, the hearing examiner or committee may issue a decision based upon the information provided.

**(k)** Disciplinary hearings are subject to the Wisconsin open meetings law and may be closed if the respondent or complainant requests a closed hearing or if the hearing examiner or committee determines that it is necessary to hold a closed hearing, as permitted under the Wisconsin open meetings law. Deliberations of the committee shall be held in closed session, in accordance with s. [19.85](#), Stats. As such, proper notice and other applicable rules shall be followed.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. (1), (2), (3), (4) (b), (c) 3., (d), (f) 3., (h), (i), (j), (k) [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.13 Appeal to the chancellor.**

(1) Where the sanction prescribed by the hearing examiner or committee is one of those listed in s. [UWS 17.10 \(1\) \(h\)](#) to [\(j\)](#), the respondent may appeal in writing to the chief administrative officer within 14 days of the date of the written decision to review the decision of the hearing examiner or committee, based upon the record. In cases involving sexual assault, dating violence, domestic violence, stalking, or sexual harassment, the complainant shall be notified of the appeal.

(2) In cases involving sexual assault, dating violence, domestic violence, stalking or sexual harassment, the following appeal rights shall be provided:

**(a)** The complainant may appeal in writing to the chief administrative officer within 14 days of the date of the decision of the investigating officer pursuant to s. [UWS 17.11 \(3\)](#) or the hearing committee or examiner pursuant to s. [UWS 17.12 \(4\) \(i\)](#). The appeal shall be based upon the record. The respondent shall be notified of the appeal.

**(b)** The respondent may appeal in writing to the chief administrative officer within 14 days of the date of the decision of the hearing committee, or examiner pursuant to s. [UWS 17.12 \(4\) \(i\)](#). The appeal shall be based upon the record. The complainant shall be notified of the appeal.

(3) The chief administrative officer has 30 days from receipt of an appeal to respond and shall sustain the decision unless the chief administrative officer finds any of the following:

**(a)** The information in the record does not support the findings or decision.

**(b)** Appropriate procedures were not followed which resulted in material prejudice to the respondent or complainant.

**(c)** The decision was based on factors proscribed by state or federal law.

(4) If the chief administrative officers makes a finding under sub. [\(3\)](#), the chancellor may return the matter for consideration, or may invoke an appropriate remedy of his or her own. The chief administrative officer's decision shall be communicated simultaneously to the respondent and the complainant.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): renum. (1) (intro.) to (1) and am., r. (1) (a), (b), (c), r. and recr. (2), cr. (3), (4) [Register June 2016 No. 726](#), eff. 7-1-16; correction in (2) (a), (b) under ss. [13.92 \(4\) \(b\) 7.](#) and [35.17](#), Stats., [Register June 2016 No. 726](#).

**UWS 17.14 Discretionary appeal to the Board of Regents.** Institutional decisions under ss. [UWS 17.11](#) to [17.13](#) shall be final, except that the board of regents may, at its discretion, grant a review upon the record, upon written request submitted by any party within 14 days of the final institutional decision. In cases involving sexual assault, dating violence, domestic violence, stalking, or sexual harassment, the non-appealing party shall receive notice of the appeal.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [2015 Wis. Act 330](#) s. [20](#): am. [Register April 2016 No. 724](#), eff. 5-1-16; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.15 Settlement.** The procedures set forth in this chapter allow the university and a respondent to enter into a settlement agreement regarding the alleged misconduct, after proper notice has been given. Any such agreement and its terms shall be in writing and signed by the respondent and the investigating officer or student affairs officer. The case is concluded when a copy of the signed agreement is delivered to the respondent. The investigating officer shall confer with the complainant regarding the proposed settlement and provide notice of the outcome.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.16 Effect of discipline within the institution.** A respondent who, at the time of commencement, is subject to a continuing disciplinary sanction under s. [UWS 17.10 \(1\)](#) or unresolved disciplinary charges as a result of a report under s. [UWS 17.11](#), shall not be awarded a degree during the pendency of the sanction or disciplinary proceeding.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.17 Effect of suspension or expulsion within the university system.**

(1) Suspension or expulsion shall be systemwide in effect and shall be noted on an individual's transcript, with suspension noted only for the duration of the suspension period.

(2) An individual who is suspended from one institution in the University of Wisconsin System may not enroll in another institution in the system until the suspension has expired by its own terms, except as provided in s. [UWS 17.18](#).

(3) An individual who is expelled from one institution in the University of Wisconsin System may not enroll in another institution in the system, except as provided in s. [UWS 17.18](#).

(4) An individual who is in a state of suspension or expulsion from the university under this chapter, or who leaves or withdraws from the university while under nonacademic misconduct charges under this chapter, may not be present on any campus without the written consent of the chief administrative officer of that campus.

(5) Upon completion of a suspension period, an individual who is academically eligible may re-enroll in the institution which suspended him or her, provided all conditions from previous disciplinary sanctions have been met.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. (2), (3), (4), (5) [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.18 Petition for restoration of rights after suspension or expulsion.** A respondent who has been suspended may petition to have his or her student status, rights, and privileges restored before the suspension has expired by its own terms under s. [UWS 17.17 \(2\)](#). A respondent who has been expelled may petition for the right to apply for readmission. The petition shall be in writing and directed to the chief administrative officer of the institution from which the respondent was suspended or expelled or of a different University of Wisconsin institution to which the respondent seeks admission. The chief administrative officer shall make the readmission decision. In cases of sexual harassment, sexual assault, dating violence, domestic violence, and stalking cases, the readmission decision should be made in consultation with the Title IX coordinator, and the complainant should be notified of any change to the disciplinary outcome.

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. [Register June 2016 No. 726](#), eff. 7-1-16.

**UWS 17.19 Emergency suspension.**

- (1) The chief administrative officer may impose an emergency suspension on a respondent, pending final institutional action on a report of nonacademic misconduct, in accordance with the procedures of this section.
- (2) The chief administrative officer of each institution may impose an emergency suspension on a respondent when all of the following conditions are met:
- (a) The investigating officer has made a reasonable attempt to offer the respondent the opportunity for discussion, either in person or by telephone.
- (b) The investigating officer recommends a sanction of suspension or expulsion.
- (c) The chief administrative officer concludes, based on the available information, that the misconduct occurred and that the respondent's continued presence on campus meets one or more of the following conditions:
1. Would constitute a potential for serious harm to the respondent.
  2. Would constitute a potential for serious harm to others.
  3. Would pose a threat of serious disruption of university-run or university-authorized activities.
  4. Would constitute a potential for serious damage to university facilities or property.
- (3) If the chief administrative officer determines that an emergency suspension is warranted under sub. (2), the chief administrative officer shall promptly have written notification of the emergency suspension delivered to the respondent. In cases of sexual harassment, sexual assault, dating violence, domestic violence, and stalking, the written notification of the emergency suspension shall be delivered simultaneously to the complainant and the respondent. The chief administrative officer's decision to impose an emergency suspension shall be effective immediately when delivered to the respondent and is final.
- (4) Where an emergency suspension is imposed, the hearing on the underlying allegations of misconduct shall be held, either on or outside of university lands, within 21 days of the imposition of the emergency suspension, unless the respondent agrees to a later date.
- (5) An emergency suspension imposed in accordance with this section shall be in effect until the decision in the hearing on the underlying charges pursuant to s. [UWS 17.12](#) is rendered or the chief administrative officer rescinds the emergency suspension. In no case shall an emergency suspension remain in effect for longer than 30 days, unless the respondent agrees to a longer period.
- (6) If the chief administrative officer determines that none of the conditions specified in sub. (2)(c) are present, but that misconduct may have occurred, the case shall proceed in accordance with s. [UWS 17.12](#).

History: [CR 08-099](#): cr. [Register August 2009 No. 644](#), eff. 9-1-09; [CR 15-060](#): am. (1), (2) (intro.), (a), (c) (intro.), 1., (3), (4), (5) [Register June 2016 No. 726](#), eff. 7-1-16.

# **Chapter UWS 18 Wis. Adm. Code: Conduct on University Lands**

## **Chapter UWS 18, Wisconsin Administrative Code**

### **CONDUCT ON UNIVERSITY LANDS**

<u><a href="#">UWS 18.01</a></u>	Jurisdiction.
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<u><a href="#">UWS 18.13</a></u>	Penalties.
<u><a href="#">UWS 18.14</a></u>	Institutional regulations.
<u><a href="#">UWS 18.15</a></u>	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](#): renum. (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, fund-raising, 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.