

MEMORANDUM

To: Board of Regents
From: Board Office
Subject: Final Approval of Iowa State University Administrative Rules
Date: July 8, 2002

Recommended Actions:

- (1) Approve adoption of Iowa Administrative Code Chapter 681-13, Iowa State University Organization and General Rules as amended, and grant authority to the Executive Director and university to file and implement the adopted rules.
 - (2) Approve adoption of Iowa Administrative Code §§ 681-4.26 to 4.32, Iowa State University Parking and Traffic Rules, as amended, and grant authority to the Executive Director and university to file and implement the adopted rules.
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Executive Summary:

Chapter 681-13 of the Iowa Administrative Code (IAC) contains rules applicable to the use of facilities and general organization at Iowa State University. This chapter implements statutory obligations to provide general information about the university, and includes rules applicable to the general public when they are using the university campus and facilities.

Revision will reorganize, update, and implement rules on use of facilities and safety

- In April, the Board approved proposed amendments to this chapter for publication.
- Prior to bringing the proposed amendments to the Board, the university provided extensive opportunity for comment by on-campus constituencies on the facility use rules, resulting in many changes.
- The Board Office and the university have received no comments or requests for a public hearing since the publication of the proposed rules in the *Iowa Administrative Bulletin*.
- After approval by the Board in April, but prior to publication, the Administrative Code Editor's Office asked for a number of non-substantive changes to make the rules clearer and consistent with approved style.
- Since publication, the university has made additional minor corrections and deletions.

- The proposed changes are ready for final adoption.

Amendment of ISU
Parking and Traffic
Rules

IAC §§ 681—4.26 to 4.32 contains rules applicable to parking and traffic at Iowa State University. These rules regulate traffic and parking rates on campus.

- Prior to bringing the proposed amendments to the Board, ISU's Transportation Advisory Council conducted a review of the rules.
- In April, the Board approved proposed amendments to the university's parking and traffic rules for publication.
- The rules were published as proposed rules for public comment in the May 15th, 2002 edition of the *Iowa Administrative Bulletin*, with minor editorial changes as requested by the Administrative Code Editor's Office.
- The Board Office and the university have received no comments or requests for a public hearing since the publication of the proposed rules in the *Iowa Administrative Bulletin*.
- After approval by the Board in April, but prior to publication, the Administrative Code Editor's Office asked for a number of non-substantive changes to make the rules clearer and consistent with approved style.
- No other changes have been made and the rules are ready for final adoption.

Strategic Plan:

Revision relates to
Quality and
Accountability

Revision of the administrative rules is consistent with the Board of Regent's Strategic Plan, KRA 1.1.0.0, Quality. More specifically this revision relates to KRA 4.0.0.0, Accountability, and particularly to Objective 4.2.0.0--to improve the operational effectiveness and efficiency of the institutions.

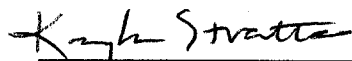
Background:


Changes to the administrative rules are described in Attachments 1 and 2 to this memorandum by striking current language to be revised and underscoring proposed new language.

- Attachment 1 describes Amended Chapter 681-13, Iowa State University Organization and General Rules.
 - Attachment 2 describes Amended sections 681—4.26 to 4.32, Iowa State University Parking and Traffic Rules.
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Analysis:

The proposed changes comply with the Administrative Procedure Act and with Governor Vilsack's Executive Order Number 8 and are recommended for final approval and adoption.


Kayla A.J. Stratton

Approved: 
Gregory S. Nichols

H:hr/Docket2002/julyISUA3

REGENTS BOARD [681]

ITEM 1. Amend rule 681—13.1(262) as follows:

681—13.1(262) Organization.

13.1(1) Statement of university mission. Iowa State University of science and technology at Ames is recognized as a broad-based university with an orientation around science and technology which has sufficient scope and depth in its undergraduate and graduate instruction, its research, and its extension and public service functions to enable it to continue to be a distinguished land-grant university. In addition to its graduate and undergraduate work in the physical, biological, and social sciences, it will maintain strong undergraduate programs in the liberal arts, and will offer such master's and Ph.D. programs in this area as are justified to meet the needs of the state and to maintain the overall strength and desirable balance of the university as a whole. Although a majority of the degrees will continue to be bachelor of science and master of science degrees, the degrees offered in those major programs which are more closely related to the arts than to the sciences may be designated as bachelor of arts or master of arts degrees. In its professional programs, principal emphasis will be given to the maintenance of strong programs in the sciences, agriculture, engineering, veterinary medicine, environmental design, education, and home economics, with graduate instruction, research, extension and public service functions in these subject matter areas clearly recognized and generously supported. There will be no major programs in law, library science, human medicine, dentistry, pharmacy, nursing, social work, hospital administration, occupational therapy, physical therapy, speech pathology, or hydraulics engineering.

—Future programs will be determined by the continuing study of existing programs and of developing needs. Programs will be curtailed or eliminated when the assessment of need and resources could best be spent on other programs. The university approaches the addition of new programs and courses with considerable caution. Generally, new programs are fashioned out of existing programs in response to developing needs. But if the university is to remain vital, it must consider at the appropriate time the development of some new programs that fall within its general mission and that meet the new needs of students and society.

This rule is intended to implement Iowa Code section 266.2.

Iowa State University of science and technology is a public land-grant institution serving the people of Iowa, the nation, and the world through its interrelated programs of instruction, research, extension and professional service. With an institutional emphasis in areas related to science and technology, the university carries out its traditional mission of discovering, developing, disseminating and preserving knowledge.

13.1(2) Officers. The university has three statutory officers: president, secretary, and treasurer. The president is the chief administrative officer of the university and has authority and duties as have been delegated by the board of regents.

The president has recommended, and the board of regents has appointed, five vice presidents who are directly responsible to the president. The vice president for academic affairs, through the deans and directors, coordinates and administers the academic

program and the personnel policies of the university. The vice president for research coordinates the research program of the university and also administers the graduate college. The vice president for student affairs coordinates all nonacademic student services. The vice president for business and finance manages the fiscal operations and physical plant of the university. The vice president for information and development is responsible for the information services and developmental activities of the university. The vice president also serves as advisor on many other aspects of university relations, both internal and external.

A detailed listing of the university units is shown on the organizational chart contained in the university office procedure guide *and on its Web site at the following address: <http://www.adp.iastate.edu/vpbf/prod/docs/opg/orgcht.htm>.*

13.1(3) Operations. *The provost oversees the academic and extension activities of the university.*

The academic mission of the university is principally carried out through its ~~six~~ *nine* colleges: *graduate, agriculture, education, engineering, family and consumer sciences, sciences and humanities, liberal arts and sciences, design, business and veterinary medicine.* The dean of each college is its chief administrative officer.

~~Research conducted by the experiment station varies from broad studies of statewide, regional and national impact, through studies to meet specific local needs, to fundamental work in the community, laboratory or greenhouse. This research gains information about people, animal life, plant growth and development, soils, climatology, ecology, water resources, and the relationships that exist among them. The chief administrative officer of the experiment station is the director.~~

The extension service is an integral part of the land-grant university system and provides the link whereby the findings of research are taken to Iowa people. The chief administrative officer of extension service is the ~~director~~ *vice provost for extension.*

The vice president for student affairs oversees the various services provided to students, including student activities, student health and student housing and dining. The vice president for business and finance oversees the various business-related functions of the campus including physical plant, safety, accounting and purchasing.

13.1(4) Communications. Written and personal inquiry, submissions and requests should be addressed to the ~~Information Service Office of University Relations, 446 Morrill Hall 2041 Communications Building, Iowa State University, Ames, Iowa 50011; or the office of the Board of Regents, Old Historical Building, Des Moines, Iowa 50319 11260 Aurora Avenue, Urbandale, Iowa 50322-7905.~~ Generally, inquiries, submissions, and requests by the public may be submitted by informal letter. However, application for some purposes is to be made on a specified form. A list of the forms, general description and the address where they may be obtained are found in rule 13.6(262).

13.1(5) University office procedure guide. The university office procedure guide contains the policies governing the internal administrative operation of the university. It is available for public inspection ~~at the reference desk in the university library and in the office of the state board of regents in the Office of the Vice President for Business and Finance, 4251350 Beardshear Hall,~~ or on line at the following address: <http://www.adp.iastate.edu/vpbf/prod/docs/opg/opg.htm>.

This rule is intended to implement Iowa Code section 266.2.

ITEM 2. Amend rule 681—13.6(262) as follows:

681—13.6(262) Forms. The university uses the forms listed below in dealing with the public. The various forms are classified by subject matter, followed by the name of the office where they are available in care of the Iowa State University of Science and Technology, Ames, Iowa 50011.

Academic forms—deans of the colleges and departmental offices, registrar.

All academic matters such as enrollment, dropping and adding of courses, applying for graduation, waiver of academic requirements, academic grievances and the like.

Admission application forms—director of admissions.

Undergraduate, graduate, veterinary medicine, special student, Saturday and evening class—graduate and undergraduate. Graduate students may need to secure special forms from the department to which they are applying.

Housing forms—director of residence.

~~Application and contract~~ *All forms related to housing, including applications and contracts for residence halls and apartments quarters for unmarried students, application for married student housing, leasehold for married student housing at Pammel Court, Hawthorn Court, University Village, Schilleter Village.*

Intercollegiate athletic tickets—athletic ticket office.

All forms relating to purchase of athletic tickets.

Student financial aid—student financial aid office.

~~Application~~ *All forms related to financial aid including applications for student financial aid, loan applications.*

Educational placement—teacher and career placement office offices of the various colleges and the career services office.

~~Registration~~ *All forms related to placement for service learning, internships, registration forms for credential service, reference forms for credential files.*

International education—international education services.

All forms related to foreign study and immigration matters for visiting international students and scholars.

~~Engineering, sciences and humanities placement—engineering sciences and humanities placement office.~~

~~Alumni placement registration card.~~

~~Home economics placement—home economics placement office.~~

~~Registration forms for credential service, reference forms for credential files.~~

~~Agricultural placement—agriculture placement office.~~

~~Alumni placement registration card.~~

~~Veterinary placement—veterinary medicine placement office.~~

~~Placement information forms.~~

~~Soil testing—soil testing laboratory.~~

~~Informational forms for soil testing.~~

~~Veterinary services veterinary clinic.~~

~~Informational forms and euthanasia form.~~

~~Seed testing—seed laboratory.~~

~~Seed sample identification forms.~~

Registration—registrar.

Forms for registering and enrolling in classes.

Residency for tuition purposes—registrar.

Forms for requesting residency determinations.

Campus and student organizations—student activities center.

All forms for registering student groups, payment of club financial obligations, renting space, permission for holding events and the like.

Scientific testing—testing laboratories.

Each testing laboratory has its own forms for submission of samples and payment for testing services.

Artistic and cultural event tickets—Iowa State Center.

Forms for purchase of season tickets to events.

Iowa State University Center space use—Iowa State University Center.

Rental agreement.

Employment—personnel office.

Application All forms related to employment, including tax, benefits, employee information and applications for employment.

Parking and traffic—traffic office.

Violation citation All forms related to parking and traffic, including permit applications, and violation citations.

Transcript requests—registrar.

Requests for issuance of transcripts.

ITEM 3. Rescind and reserve rule 681—13.7(262).

ITEM 4. Amend rule 681—13.8(262) as follows:

681—13.8(262) Contracting authority.

13.8(1) General delegation. The state board of regents has delegated to the president authority to make contracts and agreements as specified in Iowa administrative rules, board of regents, 681—Chapter 8 681 IAC 8. The president has delegated authority for signing such agreements and contracts to the vice president for business and finance in all cases except the following:

1 *a.* Employment matters involving deans, directors, departmental executive officers and faculty are administered by the ~~vice president for academic affairs~~ provost.

2 *b.* Applications and agreements for grants for educational development and research from all sources are signed by the ~~contracts and grants officer~~ vice provost for research or director of the office of sponsored research administration.

3 *c.* ~~Supplies, equipment, and services to be ordered from sources outside the university in compliance with Iowa administrative rules, board of regents, 681—Chapter 8, are purchased only by means of purchase orders or purchase contracts approved and signed by the purchasing agent, and based on requisitions submitted to the purchasing agent. Agreements to form educational consortia for joint educational projects and for cooperative education may be signed and administered by the provost.~~

13.8(2) Specific delegations. Within the limits prescribed by the board of regents, the vice president for business and finance may delegate authority for contracts for supplies,

equipment and services to the director of business affairs and other persons as provided by the university's office procedure guide.

ITEM 5. Amend 681—Chapter 13 by adopting the following **new** rules:

681—13.9(262) Lost and found. Lost and found items are deposited with the department of public safety. Unclaimed items are treated as abandoned property.

USE OF FACILITIES

681—13.10(262) General priority on use of facilities. University grounds and facilities are primarily dedicated to the university's missions of teaching, research and service. While grounds and facilities are generally open to noncommercial use by the public, students, student organizations and staff, use for other than university-related purposes must not substantially interfere with university activities and must be in conformity with the requirements of this chapter. University-related activities, including the activities of recognized campus and student organizations, will be given priority.

Except as specifically indicated, the policies stipulated in rules 681—13.11(262) to 681—13.19(262) are applicable to noncommercial uses. Commercial uses, including solicitation, advertising and sales, are subject to the university's policy on commercial activities.

681—13.11(262) Access to facilities. University grounds and facilities are generally open to public access except as provided below:

13.11(1) Persons may not enter buildings or facilities without authorization when the buildings or facilities are locked, when signs indicate they are closed to the public or when they are closed to the public for specific events.

13.11(2) The following facilities and grounds are restricted areas. Access requires express permission of the relevant building supervisor, superintendent or other person in charge of the facility: individual residences or dwellings; research laboratories or facilities; farms and associated buildings; animal storage and confinement facilities; utility and maintenance closets; mechanical rooms; utility facilities; utility tunnels; storage areas; hazardous materials waste storage and handling areas; marked or fenced construction areas; institutional food preparation areas; private offices; work rooms; shops; areas where medical, psychological or other consultation takes place; radio and television studios; intercollegiate athletics competition facilities; or areas which bear signs indicating that access is restricted. The university has leased some of its property and facilities to other parties for use related to university purposes (for example, the Ames Laboratory and the National Soil Tilth Laboratory). Such areas are not open to public use except as provided by the lessee of the property or facility. The Memorial Union, the buildings at the Iowa State Center (Hilton Coliseum, Scheman Continuing Education Building, Stephens Auditorium and Fisher Theater) and the Iowa State University Research Park are managed by separate organizations that regulate the use of these facilities and property.

13.11(3) Access to grounds and facilities may be denied when they are closed to the public for special university events, or when access would conflict with another approved

use of the grounds or facilities. The university may limit or control access to areas of the campus for ceremonial events and celebrations such as graduation and VEISHEA.

13.11(4) Unapproved uses of university grounds and facilities by the general public are subject to preemption for university activities, for use by recognized student and campus organizations and for use by students, faculty and staff for purposes related to the university's mission.

13.11(5) Access to performances, art exhibits, museums and other exhibitions may be regulated by requirement of payment of a fee for entry. Visitors are required to abide by policies set by the various facilities.

13.11(6) Access to campus roads and parking is governed by university parking and traffic regulations, as well as sign-age erected upon campus roadways and parking areas.

681—13.12(262) When authorization is required for use of facilities open for general use. To prevent conflicts in the use of facilities, groups or persons wishing to use facilities, whether indoors or outdoors, should schedule use of university facilities as provided below. ISU has designated public forum areas with few restrictions. Public events, as defined below, require filing of a notice, or approval depending on the event.

"Public events" are defined as outdoor events in which more than 50 persons are participating or at which the sponsor reasonably expects more than 50 persons to be involved, or indoor events in which more than 15 persons are participating or at which the sponsor reasonably expects more than 15 persons to be involved.

13.12(1) Outdoor areas.

a. Designated public forums. The Edward S. Allen Area of Free Debate, located west and south of the Hub, and the area south of the Campanile have been designated as public forums for noncommercial expression. If these areas have not been reserved for use for university purposes or by student, faculty or staff organizations, any member of the public or of the university community may use these areas for expressive activities on a first-come, first-served basis. Signs or placards, each of which is carried by one or two persons, are permitted. Freestanding displays are permitted as long as the display occupies a space of less than 200 cubic feet, weighs less than 300 pounds and is accompanied at all times by an individual responsible for the display. Leafleting may be conducted in a way that avoids substantial littering of the campus.

b. Uses that require only notice. Organizations and groups of persons wishing to use outdoor areas other than a designated public forum for a public event must file with the Student Activities Center a notice of intent to use an area. If possible, such notice should be given at least 24 hours in advance of the event but, in any case, must be given at least three hours prior to the event. No approval is necessary if the event meets the following criteria:

(1) On weekdays between the hours of 8 a.m. and 4 p.m., the event will be held at least 100 feet away from buildings that normally hold classes;

(2) No other person or group has been authorized to use the area or has filed a notice of intent to use that area or an adjacent area;

(3) The organizers do not intend to use amplification equipment or equipment requiring use of electrical power connections. Hand-held megaphones are permitted if used so as to direct the sound away from nearby buildings that normally hold classes;

(4) Participants will not use displays other than signs or banners carried at all times by one or two participants (unattended displays may not be used without permission);

(5) If the event is not held at one of the two public forum areas, the event will occur only between the hours of 8 a.m. and 10 p.m.; and

(6) The sponsor of the event indicates that the event will comply with the general restrictions indicated above.

c. Uses that require approval. A public event not at an open forum area, which does not meet the above criteria, requires prior approval by the filing of an Activity Authorization Form with the Student Activities Center at least three business days in advance of the proposed event. The Student Activities Center will make every effort to provide approval or nonapproval, with a statement of the reasons for nonapproval, within one business day. The sponsors of the event may request a waiver of the three-day requirement. A waiver may be granted if the Student Activities Center determines that there are good reasons for an exception.

Approval of events will be based upon whether the event meets the general rules indicated in this chapter. Approval may be conditioned upon sponsors' making reasonable assurances that the event will comply with the general rules. In addition, reasonable time, place and manner restrictions may be required. Events will not be disapproved based upon the content of proposed speaking or expressive activity.

Following such clearance, the organization shall make particular arrangements regarding location, electrical power needs, custodial services, and provision for liability insurance as directed by the Student Activities Center. If streets or parking lots will be involved, the organization must receive clearance from the department of public safety, telephone (515)294-4428. Preferred locations for outdoor events likely to cause disruption of other activities are the areas south or north of the Campanile, west of Curtiss Hall, east of Ross Hall, south of the Hub, and south of the Parks Library, provided the events do not conflict with university classes or scheduled activities and provided the events conform to appropriate uses for the area.

13.12(2) Indoor areas.

a. General policy regarding use. Any use of indoor areas must not conflict with university programs and events and must be compatible with the purpose of the facility or the particular area to be used.

(1) Members of the general public and campus community are free to enter university facilities, other than restricted areas, during business hours as necessary to transact business, seek information about the university or deliver petitions or correspondence.

(2) Organizations and groups desiring to use academic and residence facilities for conferences should contact the offices listed in 13.12(2)"d" to determine availability and fees for use. Organizations desiring to use the Iowa State Center or the Iowa State Memorial Union for conferences, meetings and events should contact the relevant facility at the numbers listed below.

(3) Organizations (other than recognized campus and student organizations) using classrooms, auditoriums, and meeting rooms will be charged the customary rental of those facilities. All users will be responsible for costs incurred for setup, equipment use, cleanup and use of services and materials of the university.

(4) To avoid disruption, the following kinds of indoor areas are not available for non-university-related assembly or solicitation: hallways, stairways, waiting rooms, residence

halls and apartments, dining facilities, work rooms, common areas provided around service windows, the Veterinary Hospital and the Student Health Center. Atria and open areas in buildings are generally available for use except when they are used as waiting areas or common areas around service windows.

b. Uses that require scheduling. To avoid conflicts with university activities and permitted use by others, organized use of indoor areas by groups of 15 or fewer persons that will substantially exclude others from using the same or adjacent areas, other than transitory passage through public areas and hallways, requires scheduling through the Student Activities Center.

c. Uses that require approval. Organized or concerted assembly in or solicitation at indoor areas by groups involving more than 15 persons for non-university-related purposes must be approved by the filing of an activity authorization form with the Student Activities Center at least three days in advance of the activity. The Student Activities Center will make every effort to provide approval or nonapproval, with a statement of the reasons for nonapproval, within one business day. The sponsors of the event may request waiver of the three-day requirement. A waiver may be granted if the Student Activities Center determines that there are good reasons for an exception. Approval of events will be based upon whether the event is consistent with the facility's purpose and with university's general rules on facility use. In addition, reasonable time, place and manner restrictions may be required. Events will not be disapproved based upon the content of any expressive activity. Persons denied authorization may appeal to the vice president for business and finance.

d. Facilities managed by separate university offices or organizations. The Student Activities Center and users must coordinate use of these facilities with the listed offices:

1. Common areas in buildings—building coordinator for the building;
 2. Rooms in academic or administrative buildings—Room Scheduling, General Services Building, 294-5338;
 3. Memorial Union—Reservations, 210 Memorial Union, 294-1437;
 4. Iowa State Center—Center Office, 4 Scheman Conference Center, 294-3347;
 5. Residence halls—Undergraduate Residences (RCA, TRA and UDA), 294-8395;
 6. University Family Housing Office, 294-5360;
 7. Fredericksen Court Office, 294-2107;
 8. Recreation facilities—Recreation Services Office, 107 State Gym, 294-4980.
- Recreation facilities include Beyer Hall, State Gym, Armory, Physical Education Building, Leid Recreation/Athletic Facility, and outdoor intramural-recreation fields and courts.

Students and student organizations have priority for use of residence facilities, recreation facilities and the Memorial Union. Students and student organizations may directly contact the offices listed above to schedule use of meeting rooms and other facilities.

As part of the university's comprehensive effort to conserve energy and save money, activities will generally be scheduled in buildings normally open and operational in the evenings. More information may be obtained through the Room Scheduling Office.

681—13.13(262) Display of noninstructional materials.

13.13(1) Displays within buildings. Posters, advertisements, or other visual display materials may be affixed only on permanent building bulletin boards. Such display materials may not have a surface area of greater than 300 square inches.

a. "General" bulletin boards may be used by Iowa State University students and organizations as well as the general public without approval for posting.

(1) Bulletin board notices must include the date they are posted or the date of the event and may be posted no more than one month in advance of the event.

(2) Undated and early notices will be removed.

(3) Properly posted notices will be removed after 30 days or, in the case of advertisements for an event, after the date of the event.

b. "Restricted" bulletin boards are limited to the use of designated departments or organizations. Use of these bulletin boards must be approved by the official representative of the respective department or organization.

13.13(2) Exterior displays.

a. Residence department buildings. Signs, banners, and other display materials may be affixed to buildings only with the authorization of the coordinator of residence life in each residence complex.

b. Academic buildings. Signs, banners, and other display materials may not be affixed to buildings. Rare exceptions may be made in cases in which the display materials are clearly associated with an academic function. Prior approval must be obtained from the Student Activities Center and from Facilities, Planning and Management, General Services Building, by the submission of an Activity Authorization Form. Such forms are available at the Student Activities Center.

c. Exterior display, not on buildings. Signs, banners, and other display materials may not be affixed to sidewalks, trees, fences, shrubs, light poles, or any other fixture of the landscape, nor may freestanding displays be placed in any area other than those areas scheduled through the activity authorization process. Except for those displays indicated in 13.12(1)"a" and 13.12(1)"b"(4) at events for which approval is not required, prior approval of displays must be obtained from the Student Activities Center by the submission of an Activity Authorization Form.

d. Cleanup. All visual displays should be removed as they become outdated or after authorization has expired. Cleanup charges may be billed to the organization/department/individual for failure to clean up promptly. Organizations, departments, or individuals may be billed for cleanup expenses for illegally posted materials.

STANDARDS OF CONDUCT ON CAMPUS

681—13.14(262) General rules on use of grounds and facilities.

13.14(1) University grounds and facilities may not be used in a manner that:

- a. Substantially disrupts university events or the lawful use by other persons;
- b. Substantially interferes with the free flow of vehicle or pedestrian traffic;
- c. Results in injury or creates the threat of injury to persons;
- d. Involves commission of a crime or illegal behavior;
- e. Damages or defaces university property or threatens to damage property; or
- f. Results in significant littering, pollution or other nuisance.

13.14(2) No person shall engage in harassment or stalking as defined by Iowa criminal law, or engage in sexual or racial harassment in violation of university policy.

13.14(3) No person may engage in public urination, defecation or other actions that create a sanitary hazard.

13.14(4) A person who enters specialized facilities, such as libraries, recreation facilities, clinics, research laboratories and other research facilities, and areas not open to the general public must comply with policies established by such facilities. Questions about applicable policies should be directed to the manager or supervisor of the facility.

13.14(5) Weapons are not permitted on the campus except for purposes of law enforcement and as specifically authorized for purposes of instruction, research or service. A weapon is any instrument or device which is designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death or injury when used in the manner for which it was designed. Weapons include any pistol, revolver, shotgun, machine gun, rifle or other firearm, BB or pellet gun, tazer or stun gun, bomb, grenade, mine or other explosive or incendiary device, ammunition, archery equipment, dagger, stiletto, switchblade knife, or knife having a blade exceeding five inches in length. Residents of university housing may possess knives having a blade exceeding five inches for cooking purposes.

13.14(6) Consumption of alcohol is not permitted in outdoor areas of the campus. An exception is made for the consumption of alcoholic beverages served at approved events for which a valid liquor permit has been issued as provided by state law, and for private events or designated areas at events. Unauthorized alcoholic beverages are subject to confiscation.

13.14(7) Vehicles are not permitted off roadways or parking areas without permission from Room Scheduling, General Services Building, telephone (515)294-5338 or the Manager of Parking Division, 27 Armory, telephone (515)294-1987.

681—13.15(262) Commercial uses. This rule applies to private commercial uses other than those of university units, of university-affiliated entities or of recognized campus organizations.

13.15(1) Commercial solicitation, advertising and sales. Commercial solicitation, advertising and sales are not permitted on the campus except as follows:

a. Newspapers and periodicals may be distributed in established locations in accordance with the university's periodical distribution policy, which is available from the vice president for business and finance.

b. Commercial advertising or displays on bulletin boards must conform to the provisions of 681 IAC 13.13(1).

c. Commercial sales or solicitation may be approved by the vice president for business and finance. Such activity may be approved for academic areas of the campus if the activity directly relates to the academic program. Otherwise, such commercial activity may be approved only in the area directly to the north of the Memorial Union, with priority being given to all other campus-related uses.

13.15(2) Mail systems. Use of university mail systems and related facilities may be approved by the vice president for business and finance for the solicitation of employees by charitable organizations when the following criteria are met.

a. The charitable organization presents documentation of its tax-exempt status as provided in Section 501(c)(3) of the Internal Revenue Code;

- b. The solicitation is conducted once a year through an on-campus coordinated campaign of all eligible organizations meeting the conditions and giving written notice to the university of the desire to participate at least 120 days prior to the campaign period;
- c. The organization may be expected to pay the administrative and out-of-pocket costs associated with using the university campus mail system or other university facilities;
- d. The solicitation by any one charitable organization may occur once in any calendar year; and
- e. Any eligible charitable organization acting pursuant to the authority of this rule may also make use of the payroll deduction system described in Iowa Code sections 70A.14 and 70A.15, if qualified under the terms of those provisions.

681—13.16(262) Conduct at public events. The following rules are intended to ensure the safety of students, faculty, staff and visitors to the campus and to ensure widest enjoyment of the benefit of public events at Iowa State University.

13.16(1) No person may engage in behavior that causes or threatens injury or damage to property, that results in disruption of a public event or that causes unreasonable interference with others' enjoyment of a public event.

13.16(2) Special rules may be enforced with respect to events that are open to the public, based upon the nature of the event. For example, performers may require that no cameras or audio- or video-recording devices be permitted in the arena. Persons may be refused entry with items that may be used as projectiles. Umbrellas and other items that may obstruct the views of other attendees may be excluded from facilities.

13.16(3) Possession of, carrying in or consumption of alcohol is not permitted at public events. An exception may be made for the consumption of beer or wine served at approved events for which a valid liquor permit has been issued as provided by state law, and for designated events or designated areas at events. Unauthorized alcoholic beverages are subject to confiscation.

13.16(4) Aisles, walkways and stairs must be kept clear of hazards and obstacles. Knapsacks, duffel bags, backpacks, bags or other containers shall be small enough to fit completely on or under one seat, and shall be so kept at all times.

13.16(5) Laser pointers and similar devices are not permitted at athletic and performing events and are subject to confiscation. A person who uses any such device to interfere with athletes and performances is subject to immediate removal from the facility.

13.16(6) Iowa State University reserves the right to reassign parking and seating locations at public events for purposes of access, efficiency or to reduce the likelihood of disruption.

13.16(7) Any person carrying containers or bags which may contain materials not permitted at public events may be required either to open the container or bag to assure compliance, or to check the container or bag, if such facilities are available for storage of such items, or to dispose of such materials, or to return the materials to the person's automobile. In addition, a patron may be subject to search using a magnetometer to ensure the absence of weapons or other hazardous or banned materials.

13.16(8) Auditorium doors will be closed when performances begin. A latecomer may be required to wait to be seated until an appropriate program break. Standing in aisles during performances is not permitted, except by employees.

13.16(9) In order to ensure that a person attending events may enter facilities efficiently, a person leaving the facility early in the event may be denied the right to secure a pass to reenter.

681—13.17(262) Regulation of smoking, alcohol and food and beverages.

13.17(1) Smoking is prohibited in all university academic, administrative and service buildings. Smoking may be allowed in some student living areas. The university may also limit smoking at outdoor events, such as football games at Jack Trice Stadium, by entryway and courtyard areas. Smoking areas will be designated away from seating and assembly areas. Smoking is prohibited in Iowa State Center buildings, including Hilton Coliseum and C.Y. Stephens Auditorium.

13.17(2) Unless specifically authorized, the consumption of alcoholic beverages is not permitted on the campus, within university buildings, within university vehicles, or on other university property. Alcohol may be consumed in residences or privately leased units on the campus as allowed by law and the rules or lease agreement applicable to the unit. Otherwise, the university will determine the time, place, and conditions under which alcoholic beverages are consumed on university property. Events at which alcoholic beverages are served require evidence of a properly issued state alcohol permit. Persons violating state law with respect to possession and consumption of alcohol are subject to citation, arrest or exclusion from the campus.

13.17(3) Food and beverages shall be consumed in academic buildings only in areas designated by the responsible departmental supervisor.

681—13.18(262) Livestock and pets. All livestock and other domesticated animals, including but not limited to fowl, cats, dogs, cows, horses, mules, sheep, goats, swine, or reptiles, when on university property, must be kept confined or otherwise physically constrained. Any such animal found running at large or found within university facilities and not part of a university-sponsored research program or project may be impounded. Consistent with the laws of the state of Iowa, such animals may be turned over to a city pound or other appropriate state or university agency. For sanitation and safety reasons, pets are not permitted in university buildings. Leader dogs and experimental subjects are excepted.

Pets are permitted on the campus in outdoor areas when properly controlled and confined and when their presence does not jeopardize the safety or sanitation of university facilities or the safety of individuals on the campus. In the case of pets such as dogs, proper confinement shall consist of a cage or a leash of sufficient strength to restrain the dog held by a person competent to govern the behavior of the dog. Any pets brought on the campus must be properly licensed and vaccinated under the laws of Iowa, and tags indicating such license and vaccination shall at all times be attached to the collar of the pet. In those cases in which impoundment is necessary, the owner of the animal or its claimant shall be personally responsible for all costs associated with reclaiming the animal.

Any person who walks an animal on public areas of the campus shall be responsible for the prompt collection and disposal of the solid waste excreted by that animal. This rule shall not apply to animals under control of a handicapped person and especially trained for the purpose of assisting handicapped persons.

681—13.19(262) Authority to order persons off the campus. Any person violating university regulations may have the person's permission to remain in or on university premises revoked. A person who does not voluntarily leave, or who immediately returns, is subject to arrest for trespassing under state law. A person who has engaged in serious or repeat violations of university regulations, who has committed crimes, or who has endangered other persons may be banned by the director of public safety or the director's designee from all or part of the campus. Such orders shall be issued in writing. Any person who is subject to such an order may appeal such action to the vice president for business and finance, who shall promptly handle the appeal. A person who violates such orders is subject to arrest and prosecution for trespassing.

ITEM 6. Amend **681—Chapter 13** by adopting the following new implementation clause:

These rules are intended to implement Iowa Code sections 17A.3 and 262.9.

ITEM 1. Amend rule 681—4.26(262) as follows:

681—4.26(262) Definitions. For the purposes of these rules, the following definitions shall apply unless the context clearly requires otherwise, and all other words shall have meaning according to their common usage.

“Bicycle” means any vehicle which is not self-propelled and which is designed to be pedaled by the rider. *Any bicycle equipped with a motor is considered a motorcycle and subject to the traffic and parking regulations for motorcycles.*

“Campus” means all property under the control of the university.

“Employee” means any person regularly employed by the university who is not a student.

“Manager” means *the* person(s) designated by the president of the university to perform any function or duty of the manager hereunder. *At Iowa State University that person is the director of public safety, who further delegates the duties and responsibilities to the manager of the parking division within the university’s department of public safety.*

“Motorcycle” or “moped” means any vehicle which is self-propelled and has less than four wheels in contact with the ground. *For purposes of these rules, a moped is considered a motorcycle.*

“Motor vehicle” means any vehicle which is self-propelled and has four or more wheels in contact with the ground.

“Roller blades” means *any frame or shoe with a single row of wheels that is used for gliding or skating. Roller blades are also known as in-line skates.*

“Roller skates” means *any frame or shoe with a pair of small wheels near the heel and near the toe that is used for gliding or skating.*

“Skateboard” means *a board with small wheels that is usually ridden by a person. For purposes of these rules, a nonmotorized scooter (a board with a handle) is considered a skateboard.*

“Student” means any person registered with the university for academic credit who is not employed by the university on a full-time salaried or equivalent basis.

“University” means Iowa State University of science and technology.

“Vehicle” means any wheeled or treaded device used or designated for use as a means of transportation or conveyance of persons or property.

“Visitor” means any person who owns, operates or parks a vehicle on the university campus who is neither a student nor an employee.

ITEM 2. Amend subrule 4.27(1) as follows:

4.27(1) These rules shall not apply to moving traffic violations on institutional roads and property of the university. Such violations will be charged and prosecuted as violations of Iowa Code chapters 262 and 321. *All state of Iowa motor vehicle laws are in effect on campus.*

ITEM 3. Amend subrule 4.27(2) as follows:

4.27(2) The manager shall erect speed limit signs in conformity with maps of the institutional roads and property of the university designating such speed limits as adopted by the ~~state board of regents~~ *board of regents, state of Iowa*. The maps will be available for inspection during business hours at the office of the manager and the ~~state board of regents~~ *board of regents, state of Iowa*.

ITEM 4. Amend subrule 4.27(4) as follows:

4.27(4) The manager is delegated authority to erect traffic control signs and devices, and to designate pedestrian crosswalks and bicycle lanes. *All vehicle operators must obey all signs directing traffic flow on campus.*

ITEM 5. Amend subrule 4.27(7) as follows:

4.27(7) Driving of vehicles, motor vehicles and motorcycles in parts of institutional roads marked as bicycle lanes *or on designated bicycle paths* is prohibited.

ITEM 6. Amend rule 681—4.27(262) by adopting the following new subrule:

4.27(8) Every person riding a bicycle on a street or highway on campus is granted all the privileges and is subject to all the regulations applicable to a driver of any motor vehicle on that street or highway and to the special regulations of this subrule. A bicycle rider on campus must:

- a. Obey the instructions of official traffic control devices, signs and signals applicable to motor vehicles, unless otherwise directed by a peace officer or other authorized traffic director;
- b. Obey the direction of any sign whenever authorized signs are erected indicating that no right, left or U-turn is permitted;
- c. Obey the regulations applicable to pedestrians when the bicycle rider dismounts from the bicycle;
- d. Yield the right-of-way to all vehicles approaching on a street whenever a rider is on a separate bicycle path that intersects the street;
- e. Not use campus sidewalks except those specifically designated as bicycle paths;
- f. Yield the right-of-way to any pedestrian in a designated crosswalk;
- g. Not ride on lawns.

This subrule does not apply to peace officers of the university's department of public safety while they are acting within the scope of their regularly assigned duties.

ITEM 7. Amend rule 681—4.27(262) by adopting the following new subrule:

4.27(9) Roller skates, roller blades and skateboards are permitted on campus sidewalks. Roller skates, roller blades and skateboards are not permitted on or in university structures or buildings, on stairways, sub-walks, elevated sidewalks, access ramps, steps, retaining walls, handrails or other architectural elements, on or in planting, grass or seeded areas, or where otherwise prohibited by sign, peace officer or other authorized traffic director. Any person on roller skates, roller blades or a skateboard must yield the right-of-way to any wheelchair, or other mobility assistance device for the disabled, pedestrian or bicycle.

ITEM 8. Amend rule 681—4.28(262), introductory paragraph, as follows:
681—4.28(262) Registration. ~~Vehicles~~ *Motor vehicles, motorcycles, mopeds and bicycles* shall be registered as follows:

ITEM 9. Amend subrule 4.28(1) as follows:

4.28(1) Students. Any student who operates, maintains or owns a vehicle on university property is responsible for the proper registration of the vehicle and the display of the registration identification thereon in the manner prescribed by the manager. *A student must register the vehicle within 48 hours of initial operation of the vehicle on campus.*

ITEM 10. Amend rule 681—4.28(262) by renumbering subrule **4.28(3)** as **4.28(5)** and adopting the following new subrules:

4.28(3) Visitors. Vehicles owned or operated by visitors may be registered with the university if the visitor so desires, but registration of these vehicles is not required unless the visitor desires parking privileges on campus. A registration identification shall be displayed on registered vehicles by visitors in the manner prescribed by the manager.

4.28(4) Bicycles. Any person who rides, parks or propels a bicycle on any university property must display a bicycle identification sticker issued by Iowa State University.

ITEM 11. Amend subrule 4.29(3) as follows:

4.29(3) Hours of operation. Reasonable hours shall be established for the normal operation of the parking facilities, and a schedule of hours of operation shall be published and available for public inspection in the office of the manager. *Overnight parking is prohibited except in residence hall and vehicle storage parking facilities. Parking regulations remain in effect during semester breaks and seasonal holidays.*

ITEM 12. Amend subrule 4.29(4) as follows:

4.29(4) Closing. The manager may temporarily close any parking facility for cleaning, maintenance, or any other university purpose, or may temporarily restrict or reassign the use of any facility as may be necessary or convenient. The manager shall give advance notice of such temporary closing, restriction, or reassignment by posting or otherwise when practical. *No parking fees will be refunded during the temporary closing of a parking facility.*

ITEM 13. Amend rule 681—4.29(262) by renumbering subrules **4.29(5)** to **4.29(8)** as **4.29(6)** to **4.29(9)** and adopting the following new subrule:

4.29(5) Restricted areas. The manager is delegated authority to restrict access to campus streets, parking lots and other facilities by means of gates or other barriers. Streets or portions of streets may be closed to vehicle traffic or limited to specific vehicles. Access to restricted areas is limited to established gate openings or designated entrances, and no other means of access is permitted. Moving or driving around authorized barriers is prohibited.

ITEM 14. Amend renumbered subrule 4.29(7) as follows:

4.29(7) No parking. Vehicle parking on the campus shall be restricted to designated parking facilities, and no parking shall be permitted at any other place on campus.

a. Vehicles shall not be parked in such a manner as to block or obstruct sidewalks, crosswalks, driveways, roadways, or designated parking stalls.

b. No parking is permitted in prohibited zones, such as in the vicinity of fire lanes, and these zones shall be conspicuously posted or marked by painted curbs or other standard means.

c. *Motor vehicles are not allowed in university buildings except:*

(1) *Where a shop or garage is designated as a vehicle repair or storage area;*

(2) *Where there is a designated vehicle loading area; or*

(3) *Where there is a parking ramp or deck.*

d. *Illegal parking is parking in any place on campus other than those areas designated for parking.*

e. *Improper parking is parking incorrectly in designated parking areas. Improper parking includes, but is not limited to:*

(1) *Parking in an area restricted by signs;*

(2) *Parking without an appropriate permit;*

(3) *Parking in an area designated for persons with disabilities;*

(4) *Parking in a loading zone over the time limit; and*

(5) *Parking over a stall marker line.*

ITEM 15. Amend renumbered subrule 4.29(8) as follows:

4.29(8) *Motorcycle and moped parking.* The manager may designate areas of the parking facilities for motorcycle parking, and these areas shall be conspicuously posted. Motorcycles shall be parked only in areas designated for motorcycle parking, and no other vehicles shall be parked in these areas. *The university may require that a parking permit be displayed on all motorcycles and mopeds.*

ITEM 16. Amend renumbered subrule 4.29(9) as follows:

4.29(9) *Bicycle parking.* The manager may install and maintain bicycle parking racks or designate other facilities for bicycle parking. Bicycles shall be parked only in bicycle racks or other facilities designated for bicycle parking. *Improperly or illegally parked and abandoned bicycles may be impounded. Locking devices may be cut and removed when necessary. Bicycles may not be taken inside university buildings except as approved by the manager.*

ITEM 17. Amend rule 681—4.30(262), introductory paragraph, as follows:

681—4.30(262) Parking privileges. Students and employees may be granted parking privileges on the campus in accordance with these rules and upon reasonable terms and conditions as established by the manager. *An application for parking privileges may be denied if the applicant has fines for parking violations that are unpaid and past the appeal date set by these rules.*

ITEM 18. Amend rule 681—4.30(262) by renumbering subrules 4.30(4) to 4.30(9) as 4.30(5) to 4.30(10) and adopting the following new subrule:

4.30(4) Persons with disabilities. Persons with disabilities will be granted parking privileges in parking facilities designated for use by persons with disabilities. Persons with disabilities may apply for special parking privileges for up to six months upon issuance of a letter by the director of student health service, or the director's designee; rehabilitation counselor, student counseling service; or by a personal physician, indicating the character, extent, probable duration of the disability, and certifying the need for special parking. After an initial six months, a faculty or staff member or a student must present a currently valid department of transportation parking permit for persons with disabilities to renew the campus permit. Parking facilities designated for persons with disabilities shall be so regulated all hours of all days.

ITEM 19. Amend renumbered subrule 4.30(5) as follows:

4.30(5) Procedure. Applications for parking privileges shall be submitted in the manner prescribed by the manager. No student shall apply for parking privileges for any vehicle owned or actually maintained by another student. The manager shall determine the eligibility and priority of each applicant for parking privileges within the classifications established in 4.30(1), 4.30(2) and 4.30(3) and shall make all parking assignments. A parking permit will be issued to each applicant who is granted parking privileges, and the permit shall be displayed on the vehicle in a manner prescribed by the manager. *Parking permits are not transferable. The unauthorized possession, use, alteration or counterfeiting of a parking permit, or any portion thereof, is prohibited.* Parking privileges will not be granted to a student and to an employee or visitor for the same vehicle, and a student parking permit and an employee or visitor parking permit shall not be displayed on the same vehicle. *Temporary parking permits may be issued to accommodate special situations. The manager shall adopt a procedure to replace lost, stolen and destroyed parking permits and controlled access entry cards.*

ITEM 20. Amend subrule 4.31(2) as follows:

4.31(2) Sanction. Reasonable monetary sanctions may be imposed for violation of these rules. The amount of the ~~sanctions shall be~~ *sanction* approved by the ~~state board of regents~~ *board of regents, state of Iowa*, is as follows:

| <u>Offenses</u> | <u>Sanctions for Each Offense</u> |
|---|-----------------------------------|
| <i>Altering or counterfeiting any parking permit (4.30(5))</i> | \$40 |
| <i>Unauthorized possession and use of a parking permit (4.30(5))</i> | \$40 |
| <i>Failure to comply with signs regulating campus traffic flow (4.27(262))</i> | \$20 |
| <i>Driving on campus walks or lawns (4.27(6), 4.27(8))</i> | \$20 |
| <i>Driving on closed streets (4.27(3))</i> | \$20 |
| <i>Driving on bike paths (4.27(7))</i> | \$20 |
| <i>Access to restricted areas by means other than established gate openings (4.29(5))</i> | \$20 |
| <i>Moving or driving around a barricade (4.29(5))</i> | \$20 |
| <i>Improper use of gate card (4.29(262))</i> | \$10 |
| <i>Illegal parking (4.29(7))</i> | \$12 |
| <i>Improper parking (4.29(7))</i> | \$12 |
| <i>Overtime parking at meters (4.29(2))</i> | \$5 |
| <i>Parking without an appropriate permit in a reserved lot or space (4.29(262))</i> | \$15 |

| | |
|---|-------|
| <i>Improper affixing or failure to display a permit (4.28(262))</i> | \$5 |
| <i>Failure to purchase a parking receipt (4.29(2))</i> | \$10 |
| <i>Improper parking in a space or stall designated for persons with disabilities (4.29(262), 4.30(4))</i> | \$100 |
| <i>Failure to display a current bicycle registration (4.28(4))</i> | \$5 |
| <i>Bicycle improperly parked (4.29(9))</i> | \$5 |
| <i>Improper use of roller skates, roller blades or skateboard (4.27(9))</i> | \$20 |
| <i>All other violations</i> | \$12 |

Violations that continue for more than one hour may receive additional sanctions.

~~A schedule of all sanctions shall be published and available for public inspection during normal business hours in the office of the manager and in the office of the state board of regents.~~ Sanctions may be assessed against the owner or operator of the vehicle involved in each violation or against any person in whose name the vehicle is registered or parking privileges have been granted and charged to ~~their~~ the violator's university account. Sanctions may be added to student tuition bills or may be deducted from student deposits or from the salaries or wages of employees or from other funds in the possession of the university.

ITEM 21. Amend subrule 4.31(4) as follows:

~~4.31(4) Administrative hearing~~ *Appeal of sanction or impoundment decisions.* A person may request a hearing and administrative ruling concerning a controversy, based on the imposition of a sanction for a registration or parking violation, or an impoundment procedure, by the appropriate *university official or hearing body as set forth in the published traffic and parking procedures.* A written request for a hearing and administrative ruling shall be made at the office of the university's department of public safety within ten business days of the imposition of the sanction. The manager is delegated the authority to establish a procedure, appoint an appropriate official or board, and to adopt forms and schedules to facilitate the provisions of this subrule.

ITEM 22. Amend rule 681—4.31(262) by adopting the following new subrule:

4.31(5) Judicial review. Judicial review of an administrative ruling may be sought in an Iowa district court in accordance with the terms of the Iowa administrative procedure Act.

ITEM 23. Amend rule 681—4.32(262) as follows:

681—4.32(262) Administration of rules. The president of the university shall be responsible for the proper administration of these rules. The president is authorized to establish traffic and parking procedures not inconsistent with these rules as may be reasonably necessary and convenient for the effective administration of the duties hereunder, and any procedure so established shall be published and available for public inspection during the normal business hours in the office of the manager and the office of the ~~state board of regents~~ *board of regents, state of Iowa.* The document in which such rules are published shall be known as the *Department of Public Safety Parking Division Manual.* The president may delegate the authority under these rules to the manager to perform any function or duty hereunder.