

MIDDLE TENNESSEE STATE UNIVERSITY  
POLICIES AND PROCEDURES MANUAL

POLICY NO: I:01:06

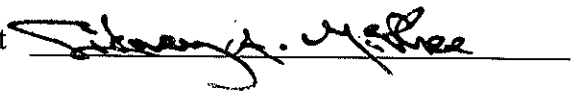
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SUBJECT: Use of Campus Property and Facilities Scheduling

APPROVED: Sidney A. McPhee, President



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I. PURPOSE

The purpose of this policy is to regulate the use of campus property and facilities; to promote the orderly conduct of activities on campus property and in campus facilities; to prevent interruption of or interference with normal missions, processes and functions of the university; to promote an educational rather than commercial atmosphere on campus; to prevent commercial exploitation of students; to preserve residential tranquility; and to comply with federal, state or local law or regulation, or policies or regulations of the Tennessee Board of Regents (TBR) or the university.

II. DEFINITIONS

For the purposes of these regulations, the following definitions shall apply:

- (1) University Affiliated - employees, students, and groups/ organizations which are registered with the University or funded/sponsored by the University.

- (2) "Non-university affiliated Group or Organization" -included, but not limited to, outside vendors, public users (not on campus as invited guests of students or staff).

### III. ACCESS TO CAMPUS

- (1) The campus and facilities of MTSU are restricted to students, faculty, staff, and guests of MTSU, except when part or all of a campus, its buildings or facilities are open to the general public for a designated time and purpose, or when use by non-affiliated groups, organizations or individuals has been granted or approved pursuant to the provisions of this policy.
- (2) All persons on the campus of MTSU shall be subject to all rules and regulations of MTSU and the TBR which are applicable to the conduct of students on campus, and to all applicable federal and state laws and regulations. In addition, all persons who operate motor vehicles shall be subject to MTSU and TBR rules, regulations, policies and procedures on traffic and parking.
- (3) All persons on the campus of MTSU shall provide adequate identification upon request to appropriate officials and security personnel of MTSU. Personnel and students of MTSU who refuse to provide such identification may be subject to disciplinary action. Other persons who refuse to provide such identification shall be requested to leave the campus, and if they refuse, may be subject to lawful removal and prosecution.

### IV. USE OF PROPERTY/FACILITIES BY NON-UNIVERSITY AFFILIATED USERS

- (1) Campus property and facilities may not be used by any non-affiliated group, organization, or individual for the conduct of commercial solicitation, on-site sales, or other profit-making activities except when: (1) a license or lease agreement exists; (2) the activity is conducted in accordance with any other valid contract or agreement with MTSU; or (3) the commercial solicitation, on-site sales or other profit-making activity is sponsored by a registered student organization for the purpose of raising funds to support the organization's activities pursuant to Section VI(2).
- (2) In the event that a non-affiliated organization is permitted use of MTSU property and/or facilities, in conjunction with a university-affiliated group, the sponsoring individual/group will be held responsible for seeing that in all advertising or reporting of the event or meeting, the name and/or mark of MTSU is used only to indicate location and in no way implies sponsorship or endorsement of the activity or the individual's/group's objectives or candidacy. Any misuse of the name and/or mark of MTSU by an individual/group could result in canceling of any scheduled use and the right of the individual/group to schedule future use. In such cases the manager of each facility will be responsible for enforcing all facilities use policies, investigating any alleged violations (specifically those relating to use

by the general public and the use of the name and/or mark of MTSU) and determining if a violation has occurred and making a recommendation to the Vice President for Student Affairs.

#### V. USE OF PROPERTY/FACILITIES BY UNIVERSITY-AFFILIATED USERS

- (1) Any group, organization or individual desiring to use campus property or facilities must submit a written application for registration of the proposed activity at least fourteen (14) days in advance (excluding weekends and holidays) to the appropriate facility's manager at MTSU provided, however, that the president, or his or her designee, may approve applications for registration filed at a later time upon such manager's determination that the use of property requested can be reasonably accommodated and that adequate cause exists for late filing of the application for registration. Approval of late applications shall be within the sole discretion of the president, or his or her designee. The decision of such official is final. Applications shall be submitted on a form designated by the Chancellor of the Board of Regents, or his or her designee.
- (2) Written notice of approval or disapproval of the proposed use of campus property or facilities shall be made available to the applicant group, organization or individual within seven (7) days (excluding weekends and holidays) from the time an application for registration is submitted to the facility manager, at the office of the facility manager at MTSU. Notice of disapproval of the proposed use shall include the grounds for disapproval. Notices will not be mailed or delivered. It shall be the responsibility of the applicant to inquire at the office of the facility manager as to the decision concerning the application, and the time and location in which the activity is authorized.
- (3) No assembly, meeting, demonstration or other activity shall be authorized or permitted on any property or in any building or facility, and an application for registration may be denied when:
  - (a) The requested use would cause substantial disruption to or interference with the normal activities of MTSU conducted in the course of its lawful mission, processes and functions;
  - (b) The requested use would be contrary to federal, state or local law or regulation, or policies or regulations of the TBR or MTSU;
  - (c) The applicant or sponsor of the activity has not fully provided accurate or complete information required on the application for registration;
  - (d) The applicant or sponsor of the activity has been responsible for violation of subparagraphs (a), (b) or (c) above during a previously registered use of campus property or facilities, or has violated any conditions or assurances

specified in a previous registration application and MTSU has reasonable cause to believe such violation will reoccur;

- (e) Approval for use of the property or facilities has previously been given to another group, organization or individual for the time(s) and location(s) requested;
  - (f) Use of the property or facilities requested would be impossible due to set-up time and/or take-down time required for other previously scheduled activities at the requested location immediately before and/or after the requested use, or due to other extenuating circumstances;
  - (g) The activity is of such nature or duration that it cannot reasonably be accommodated in the particular area for which application is made, provided that in such event, an alternative on-campus site, if available for the activity, shall be proposed by MTSU;
  - (h) The activity creates or would create a danger, or dangerous condition impacting on the health, safety, and welfare of others; or
  - (i) Such use conflicts or would conflict with existing contractual obligations of MTSU.
- (4) Any group, organization or individual whose timely application for registration for use of property or facilities of MTSU is denied for reasons cited in subparagraphs (a), (b), (d), (g), or (h) of paragraph (4) above shall have the right to appeal that denial to the president, or his or her designee. Notice of appeal shall be made in writing no later than five (5) days (excluding weekends and holidays) prior to the time of the proposed event. The decision of the president, or his or her designee, shall be made at least four (4) days before the time of the event.

## VI. PARTICULAR USES

- (1) Distribution of Literature or Advertising Material
  - (a) Any proposed distribution of literature or advertising material by an affiliated or non-affiliated group, organization or individual is subject to the specified registration requirements and procedures. No obscene literature or material shall be distributed on any property owned or used by MTSU.
  - (b) No literature, advertising material or other printed matter shall be distributed within: (1) classroom, library or other academic building or facilities; (2) administrative and employee offices and work areas; (3) student residence halls, dormitories or apartment buildings; (4) by placing it on vehicles parked on the MTSU campus; or (5) by placing it on utility

poles, trees or other objects on campus. However, MTSU may permit such sale or distribution in designated locations within the lobbies or other general use areas of the above-noted buildings or other campus facilities designated for placement of literature for distribution or sale. Further, this shall not restrict a faculty member from distributing within the classroom non-commercial material related to the particular course or subject matter.

- (c) The Vice President of Student Affairs (or his/her designee) shall designate the locations on campus which are available for the distribution of literature.
- (d) MTSU shall have the right to terminate the distribution or sale of literature by any group, organization or individual which violates the provisions of this policy.

(2) Solicitations

- (a) Unless otherwise provided, solicitation for the purpose of entering or consummating a commercial transaction on any property owned or used by MTSU is prohibited. Solicitation for other than a commercial purpose is prohibited unless expressly provided for by MTSU policy or approved by the President or his/her designee.
- (b) Activities or events engaged in by affiliated groups or individuals, or by registered student organizations for the purpose of raising funds to meet expenses of the group, organization, or individual are permitted, provided that funds raised by such activities or events shall be used for the benefit of the group, individual, or organization, and no funds shall be distributed to the officers, members, or any individual for personal profit or use.
- (c) Agreements between non-affiliated vendors sponsored by MTSU, or by a registered student organization, to engage in commercial solicitations, on-site sales, or other profit-making activities are subject to the following conditions:
  - (i) No student organization will be permitted to sponsor the same non-affiliated vendor more than two days per month, and no student organization may sponsor more than one non-affiliated vendor per day. Requests from student organizations to sponsor a non-affiliated vendor must be approved by the Associate Dean of Student Life.
  - (ii) Permission to sponsor a non-affiliated vendor may be denied if the presence of such vendor would be disruptive, would interfere with any aspect of the University's operation, or would detract from the orderly and aesthetic appearance of the campus.

- (iii) All non-affiliated vendors sponsored by a student organization will be charged a per diem fee to be paid at the time the activity is registered. This fee will be assessed apart from any financial arrangement made between the sponsoring student organization and the non-affiliated vendor.
- (iv) Non-affiliated vendors sponsored by MTSU or a student organization are strictly prohibited from engaging in conduct that is unduly intrusive in their interactions with students, staff, or faculty, or otherwise harasses, disturbs, or interferes with the rights of students, staff, and faculty to the use and enjoyment of institutional facilities or property.
- (v) Non-affiliated vendors sponsored by student organizations may be required to show proof of compliance with all state and local laws and ordinances governing their activities.
- (d) Solicitation of charitable funds shall be permitted subject to the provisions of MTSU Policy No. I:01:11 (Charitable Solicitations).
- (e) MTSU may require any group, organization or individual to verify the use, application or disposition of funds solicited on campus property.
- (f) Solicitation of dues and/or membership in an organization is permissible only by affiliated groups or individuals, or by registered student organizations. This section shall not be construed to prohibit a non-affiliated group from distributing literature containing general information about their organization in compliance with the provisions of section (VI) (1) (Distribution of Literature or Advertising Material).
- (g) Solicitations shall be permitted only in those areas designated for such activity by MTSU.
- (h) Any registered student organization desiring to solicit funds must submit a written application for registration of the proposed solicitation to the Dean of Student Life or his/her designee. All other groups or organizations shall submit such application to the Vice President for Student Affairs or his/her designee.
- (i) Decisions by the Dean of Student Life or his/her designee denying permission to conduct solicitations may be appealed to the Vice President for Student Affairs or his/her designee. Decisions by the Vice President for Student Affairs or his/her designee denying permission to conduct solicitations may be appealed to the President or his/her designee.

(2) Advertising

- (a) No advertising signs, posters, or other material may be placed on any campus property or facility by any non-affiliated group, organization or individual; except that MTSU may permit advertising on specifically designated bulletin boards and other designated locations on campus. Affiliated groups, organizations and individuals may place advertising materials on campus property but only in such places as are designated by MTSU.
- (b) MTSU may authorize the inclusion of advertisements in appropriate campus publications for a reasonable fee.
- (c) MTSU may permit limited advertising by groups, organizations or individuals when incidental to a donation of property or services to MTSU or pursuant to a contract with MTSU.

(4) Bulletin Boards

MTSU may require prior approval for the use of any or all bulletin boards on campus, and if required, the name of the official authorized to approve use of the board shall be posted on the board. Use of a board may be denied on the basis of one or more of the following: 1) the person or group is not authorized to use the board in question; 2) the material is not the type authorized for the board in question, or fails to meet any special conditions as posted on the board; 3) the material is obscene or otherwise violates any federal or state law or regulation of MTSU; or 4) there is insufficient space available for the material on the board in question due to the previous posting of other materials.

(5) Camping.

Except in the circumstances provided below, all individuals or groups engaging in activities covered under this policy are prohibited from constructing or erecting any permanent or semi-permanent structure(s) on University property and from erecting, maintaining, or occupying any temporary sleeping equipment, including but not limited to tents, sleeping bags, hammocks, and other non-permanent structure, sleeping quarters, or apparatus.

The above prohibitions shall not apply in the following circumstances:

- (a) Erecting, maintaining, and occupying temporary sleeping equipment between the hours of 7:00 a.m. and 11:00 p.m.;
- (b) Maintaining or occupying a motor vehicle or trailer equipped with living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, provided that: (1) the vehicle or trailer is licensed for use and operation and a license plate demonstrating

this fact is affixed to the vehicle; (2) the use of the vehicle or trailer has been approved in advance by either the Blue Raider Athletic Association, Tennessee Livestock Center, or the Tennessee Miller Coliseum (collectively the "approving entity") in a manner consistent with the existing policies of the approving entity and all required fees have been paid; and (3) the vehicle or trailer is parked in a space for such vehicles or trailers as designated by the approving entity;

- (c) Maintaining or occupying motor vehicles or trailers equipped with office space or living space and amenities found in a home, such as a recreational vehicle, camper van, motor home, or the like, on University property that has been leased by the University to another entity or on property assigned to, and under the control of, a contractor of the University. Activities under this paragraph must specifically be permitted by contract and/or lease and be conducted in accordance with the terms of the contract or lease;
- (d) Participants in events being held in unsecured or open buildings or structures, including specifically the animal barns at the Tennessee Livestock Center and the Tennessee Miller Coliseum, may erect, maintain or occupy overnight sleeping equipment to stay overnight with belongings, including livestock, for purposes of protecting or securing said belongings. Participants shall notify the organizer of the event of their intent to remain on the premises overnight.

## VII. GENERAL RESTRICTIONS AND SCHEDULING GUIDELINES:

- (1) Each Vice President (or his/her designee) will develop general restrictions, scheduling and priority of use guidelines for use of facilities under his/her control. All Vice-Presidents will review suggested fee increases for specific buildings. The President will approve any such increases.
- (2) Exceptions to this policy can be made upon approval of the President of MTSU.

Cross-references: MTSU Policy No. I:01:11, *Charitable Solicitation*.

Revisions: September 16, 1997; July 6, 1993.