

SOUTHWEST TENNESSEE COMMUNITY COLLEGE**SUBJECT: Use of Campus Property and Facilities****EFFECTIVE DATE: July 1, 2000 / Revised: December 1, 2005****I. Purpose**

The purpose of this policy is to provide a uniform basis upon which Southwest Tennessee Community College can regulate the use of campus property and facilities by college affiliated and non-affiliated groups and individuals. The policy is intended to provide a system of regulations calculated to promote the orderly conduct of activities on Southwest Tennessee Community College property and facilities, to prevent interruption of or interference with the mission, processes, and functions, and to prevent use of campus property and facilities which is contrary to federal, state or local law, or policies or regulations of the Tennessee Board of Regents.

II. Definitions

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

- A. Student – a person who is registered for credit course(s) or non-credit course(s) or program at Southwest Tennessee Community College, including any such person during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period.
- B. Invitee – a person who has official business at the College.
- C. Guest – a person invited by a student, official, or employee to visit the campus at a specific time and place, and persons or members of groups or organizations which have received approval to conduct an activity on campus at a specific time and place.

Source of Policy: _____**Related Policy:** N/A**Approved:** _____**President****Responsible VP for Financial and
Administrator: Administrative Services****TBR Policy Reference: 3:02:02:00****TBR Guideline Reference: N/A****Date: December 1, 2005**

- D. **Affiliated Group or Organization** – an officially registered student organization, an organization funded by and/or sponsored by the college, or a group or organization of faculty or other employees approved by the President. The term shall include any alumni association, student organization, etc., which is organized and operated for the benefit of the College.
- E. **Non-Affiliated Group or Organization** – any group or organization which is not an “affiliated group or organization.”
- F. **Affiliated Individuals** – persons connected with the College, including students, faculty, staff, guests, and invitees.
- G. **Non-Affiliated Individuals** – any person who is not an “affiliated individual.”
- H. **Co-sponsorship** – sponsorship for a use of the facility by an outside group. This shall include active participation by the division, college or department.
- I. **Student Services** – scheduled activity of students and/or student affiliated groups and organizations.

III. Access to Campus

- A. The campus and facilities of Southwest Tennessee Community College are restricted to students, faculty, staff, guests and invitees of the college, except when part or all of the campus, its buildings, or facilities are open to the general public for a designated time and purpose.
- B. All persons on the campus of Southwest Tennessee Community College, including faculty, staff, guests, and invitees, shall be subject to all rules and regulations of the College 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 on the campus of Southwest Tennessee Community College agree by such operation to be subject to College and Board rules, regulations, policies, and procedures on traffic and parking.
- C. All persons on the campus of Southwest Tennessee Community College shall provide adequate identification upon request to appropriate officials and security personnel. Personnel and students 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. General Conditions for Use of Property or Facilities

- A. Use of campus property and facilities, pursuant to prior approval as hereinafter required for meetings or other activities, is subject to limitations on the number of persons who may attend in accordance with appropriate building and fire codes and safety standards.
- B. Regulations of Southwest Tennessee Community College which relate to the conduct of assemblies, meetings and demonstrations of affiliated groups, organizations and individuals shall apply to assemblies, meetings and demonstrations of non-affiliated groups, organizations and individuals.
- C. College equipment may be used in connection with the use of campus property and facilities only with the approval of the Executive Director for Business. In case of a student organization maybe approve by the Vice President of Student Services and Enrollment Management.
- D. Affiliated groups, organizations and individuals will be given priority in the use of property and facilities.
- E. Campus property and facilities may not be used by any non-affiliated group, organization or individual for the conduct of profit-making activities except when a rental or lease agreement is negotiated and the college receives a fair rental value for the property or facilities used. Rental or lease agreements may be required for non-profit activities of non-affiliated groups, organizations or individuals provided that rental charges for such use may be reduced or waived at the discretion of the College depending upon the nature and extent of the proposed use.
- F. Rental rates may include the fair market value of providing the property or facilities which may include overhead, depreciation, maintenance and security expenses. Rental charges may be based in part upon a fixed percentage of the gross receipts of the activity with a minimum rental charge for use of the facilities.
- G. All rental or lease agreements between the College and non-affiliated groups, organizations, or individuals must be approved by the Chancellor of the Board of Regents, or his or her designee if such agreement deviates from Guideline G-030.
- H. In utilizing campus property or facilities, non-affiliated groups, organizations and individuals shall provide: 1) adequate bond or other security for damage to the property or facilities during the period of the use; 2) personal injury and property damage insurance coverage; 3) a performance bond or insurance guaranteeing or insuring performance of its obligations under the contract; and, 4) other types of insurance in such amounts as are designated by the College; provided that the

College may waive the requirements of security, college performance bond or insurance coverage.

- I. All non-affiliated groups, organizations and individuals agree, by making application for registration of an activity and by subsequent use after approval by the College, to indemnify the College and hold it harmless from any and all liabilities arising out of such group's organization's or individual's use of the property and/or facilities, including, but not limited to, personal injury, property damage, court costs and attorney fees.
- J. Affiliated groups, organizations and individuals may be assessed the cost of providing maintenance and or security required as a result of their use of campus property or facilities.
- K. Applications for the use of campus property and facilities during the week of registration for fall, spring and summer terms will not be accepted.
- L. Applications for the use of campus property and facilities will not be accepted by non-affiliated groups for activities scheduled more than three (3) months in advance.
- M. Application for the use of campus property and facilities by affiliated groups, organizations and individuals will not be accepted more that (twelve) 12 months in advance.
- N. Any request for an event exceeding (seven) 7 days duration will require the approval of the Vice President for Financial and Administrative Services.
- O. Non-affiliated groups, organizations and individuals are required to have a sponsor and the sponsor is required to attend the event.
- P. Use by a non-affiliated group or organization shall be permitted only with co-sponsorship by a campus division, college or department.
- Q. Co-sponsorship by an officially recognized student organization or use by non-affiliated group or organization shall not relieve the group or organization from paying the appropriate space use fee.

V. General Procedure – Application for Use of Property or Facilities

- A. Regular or special meetings of student organizations affiliated with the College may be planned and scheduled according to Southwest Tennessee Community College Policy No. 3:01:01:00/5. All other gatherings at a central location on campus property which are sponsored or instigated by affiliated groups, organizations or individuals may be permitted without prior registration only at such times and locations as may be designated by the Executive Director for Business and/or the Vice President of Student Services and Enrollment Management.
- B. Any affiliated group, organization or individual desiring to use campus property or facilities at any time, and/or location other than those designated pursuant to paragraph (A) above, and all non-affiliated groups, organizations or individuals desiring use of 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 Executive Director for Business; however, the Vice President for Financial and Administrative Services may approve applications for registration filed at a later time upon 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 Vice President for Financial and Administrative Services and the decision is final. Authorization for approval order listing: (1) Physical Plant Control Center - Advance notice up to 14 days and event duration up to 4 days (2) Executive Director for Business - Advance notice from 15 to 60 days and event duration 5 to 7 days (3) Vice President, Financial and Administrative Services - Advance notice from 61 days and event duration exceeding 7 days
- C. 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 Physical Plant Control Center. 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 Physical Plant Control Center as to the decision concerning the application, and the time and location in which the activity is authorized.
- D. No assembly, meeting, demonstration or other activity shall be authorized or permitted on any property or in any building or facility when:
- (1) A determination by the Executive Director for Business is made that the requested use would cause substantial disruption or interference with the

normal activities conducted in the course of its lawful mission, processes and functions.

- (2) A determination is made that the requested use would be contrary to federal, state or local law or regulation, or policies or regulations of the Board of Regents or the College.
 - (3) The applicant or sponsor of the activity has not fully provided accurate or complete information required on the application for registration.
 - (4) The applicant or sponsor of the activity has been responsible for violation of subparagraphs (1), (2) or (3) 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 the College has reasonable cause to believe such violation will reoccur.
 - (5) 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.
 - (6) 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.
 - (7) 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 the College.
 - (8) The activity creates or would create a danger, or dangerous condition impacting on the health, safety, and welfare of others.
 - (9) Such use conflicts or would conflict with existing contractual obligations.
 - (10) Non-affiliated groups, organizations and individuals who do not have a sponsor.
 - (11) The college reserves the right to cancel an approved scheduled event if necessary. This cancellation can only be approved by the President. In the event this becomes necessary the college will notify applicant within 24 hours of this decision and assist finding a new location for the event.
- E. Any group, organization or individual whose timely application for registration for use of property or facilities is denied for reasons cited in subparagraphs (1),

(2), (4), (7), (8) or (9) of paragraph D. above shall have the right to appeal that denial to the Executive Director for Business. Notice of appeal shall be made in writing during normal business hours no later than five (5) days (excluding weekends and holidays) prior to the time of the proposed event. The decision of the Executive Director for Business shall be made at least four (4) days before the time of the event.

- F. Affiliated and non-affiliated groups, organizations, or individuals may sell or distribute literature only in conjunction with their authorized presence on campus after such proposed sale or distribution has been registered with and approved by the Executive Director for Business as specified in paragraph B. above. Any application for registration shall include, but not be limited to, the name of the applicant; the name of the organization, if any; the date, time, duration and location of the proposed sale or distribution; and the number of participants, and shall be on a form which has been designated by the Chancellor of the Board of Regents, or his or her designee.
- G. Applications for registration by affiliated and non-affiliated groups, organizations or individuals required in paragraph F. above to distribute or sell literature shall be denied in the event that: 1) a prior application for registration for the same time and location has been made which has been or will be granted; 2) the location is or will be in use for the same time by an affiliated group, organization or individual; 3) the activities would not reasonably permit multiple occupancy of the particular area; 4) the sale or distribution will present a clear and present danger to the public health or safety; 5) the number of persons engaged in the sale or distribution exceeds the number that can reasonably be accommodated in the particular location applied for; or 6) the activity would constitute a violation of applicable law or regulation, or any other provision of this policy.
- H. No demonstration, distribution or sale of literature, or solicitation unless otherwise permitted elsewhere by this policy shall be permitted within: 1) classroom, library or other academic buildings or facilities; or 2) administrative and employee offices and work areas. Southwest Tennessee Community College provides racks in the student lounge for placement of literature for distribution.
- I. Any group, organization or individual whose application for registration required by paragraph F. above is denied shall have the right to appeal that denial to the Executive Director for Business. Notice of appeal shall be made in writing during normal business hours no later than five (5) days (excluding weekends and holidays) prior to the time of the proposed sale or distribution. The decision of the Executive Director for Business shall be made at least four (4) days before the time of the proposed sale or distribution.

VI. Particular Uses

A. Political Use

- (1) The use of campus property or facilities for speaking engagements by candidates for political office or for other political activities whether at the request of an affiliated or non-affiliated group, organization or individual shall be subject to the registration requirements and procedures specified above and shall be subject to the regulations concerning other types of meetings or activities on campus property or in campus facilities.
- (2) When campus property or facilities are used for political purposes, reasonably equal opportunity shall be provided for presentation of all sides or views or reasonably equal access to the property or facilities shall be provided all sides.
- (3) No campaign posters, signs or other items of campaign or political advertising may be placed on campus property or facilities, except as specified in subparagraph (4).
- (4) Affiliated and non-affiliated groups, organizations or individuals, with the exception of state employees, may place campaign posters, signs or other items of campaign or political advertising, whether pertaining to a campus or general election, on bulletin boards or other locations on campus specifically designated for such use by the College. Any distribution of such material may be made only subsequent to the registration and approval process.

B. Use by Non-Affiliated Organizations and Individuals

- (1) Organizations and individuals not affiliated with the College shall provide adequate bond or other security for damage to the property or facilities during the period of the use and shall secure personal injury and property damage insurance coverage and other types of insurance in such amounts as are designated by the College; however, the College may waive the requirement of security and insurance coverage for non-profit activities of non-affiliated groups, organizations, or individuals.
- (2) All non-affiliated groups, organizations, and individuals agree, by making application for registration of an activity and by subsequent use after approval by the College, to indemnify the College and hold it harmless from any and all liabilities arising out of such organization's use of the

property and/or facilities, including, but not limited to, personal injury, property damage, court costs, and attorneys' fees.

C. Literature Distribution or Sale

- (1) Any proposed distribution or sale of literature by an affiliated or non-affiliated group, organization or individual is subject to the specified registration requirements and procedures.
- (2) Any literature which is, or which is proposed to be, distributed or sold shall comply with all applicable federal, state and local laws and regulations, and with the regulations and policies and the Tennessee Board of Regents. No obscene literature or material shall be distributed on any property owned or used by a college.
- (3) No literature, material or other printed matter shall be sold or distributed within: (1) classroom, library or other academic building or facilities; or (2) administrative and employee offices and work areas. However, the College 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.
- (4) In addition to those areas designated in subparagraph (3) above, the College prohibits the use of areas where such would: 1) cause injury or damage to campus resources; 2) unreasonably impair the academic atmosphere of the campus; 3) unreasonably interfere with the academic program and other activities, or with the administrative functions; or 4) substantially impair the use of facilities or services on the campus, or the flow of vehicular or pedestrian traffic.
- (5) No person, whether distributor or recipient of literature, shall cause any litter to occur on the campus, and literature shall only be discarded in trash receptacles on campus.
- (6) Persons engaged in the sale or distribution of printed matter shall not obstruct or impede pedestrians or vehicles, harass other persons with physical contact or persistent demands, misrepresent the purposes or affiliations of those engaged in the sale or distribution, or misrepresent whether the printed matter is available without cost or donation.

- (7) Southwest Tennessee Community College reserves the right to terminate the distribution or sale of literature by any group, organization or individual which violates the provisions of this policy.

VII. Miscellaneous

- A. The Office of Physical Plant is responsible for receiving and processing applications and registrations pursuant to this policy and shall maintain a copy of the policy for inspection by groups, organizations and individuals interested in the use of campus property and/or facilities and shall provide a copy of such policy upon request and payment of a reasonable charge.
- B. Exceptions to this policy can be made upon approval of the Chancellor of the Tennessee Board of Regents.