

SUBJECT: Use of University Property and Facilities for Non-Credit Activities

POLICY NO.: 1:2A:04:03      DATE: January 2, 1990

SUPERSEDES POLICY NO.: 1:2A:04:03 DATED: February 24, 1982

The University of Memphis will adhere to the Tennessee Board of Regents Policy on Use of Campus Property and Facilities for non-credit activities by affiliated and non-affiliated groups and individuals.

This policy applies to all use of property and facilities for purposes other than as assigned.

#### GENERAL REGULATIONS

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

a. "Student" - a person who is registered for a credit course or courses or a non-credit course at the University 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 University.

c. "Guest" - a person invited by a student, official or employee of the University 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.

d. "Affiliated Group or Organization" - an officially recognized student organization, or an organization funded by and/or sponsored by the University, or a group or organization of faculty or other employees of the University approved by the President. The term shall include any alumni association, booster club, etc., which is organized and operated for the benefit of the University.

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 University including the University's students, faculty, staff, guests and invitees.

g. "Non-Affiliated Individual" - Any person who is not an "affiliated individual."

h. "Educational Use" - utilization of University property and facilities as a fulfillment of the University's educational missions.

i. "Non-Educational Use" - utilization of University property or facilities by a person or organization for personal benefit and which does not further the educational missions of the University.

j. "Co-sponsorship" - sponsorship of a use (activity) by a University division, college or department which shall include active participation by the division, college or department and is related to their professional and educational function.

k. "Student Activity" - scheduled activity of students and/or student affiliated groups and organizations.

##### 2. Access to Campuses

a. The campuses and facilities of the University are restricted to students, faculty, staff, guests and invitees of the University, except when part or all of a campus, its buildings or facilities are open to the general public for an approved designated time and purpose.

b. All persons on the campus of the University, including faculty, staff, guests and invitees, shall be subject to all rules and regulations of the University and the Board which are applicable to the conduct of students on campus, and to all applicable federal and state laws and regulations.

c. All persons on the campus of the University shall provide adequate identification, upon request, to appropriate officials and security personnel of the University. Personnel and students of the University who refuse to provide such identification may be subject to disciplinary action, and other persons who refuse to provide such identifications shall be requested to leave campus, and if they refuse, may be subject to lawful removal and prosecution.

##### 3. General Conditions of Use of Property

a. No assembly, meeting, demonstration, or other activity shall be authorized or permitted on any property or in any building or facilities of a campus when:

1. The activity is of such nature or duration that it cannot reasonably be accommodated in the particular area for which application is made.

2. The activity presents a clear and present danger of causing or actually causes/ substantial and material disruption of classroom or other academic, administrative, or extracurricular activities of the University, or unreasonable interference with the rights of others.

3. The sponsors of the activity refuse to abide by reasonable regulations of the University, or propose activities which violate federal, state or local law or regulation or policies or regulations of the Board or of the University.

4. In the opinion of the appropriate approving official, the requested use would not be in the best interest of the University as it relates to the University's educational missions.

b. All individuals and groups, regardless of their affiliation with the University, who desire to utilize University property and facilities, shall be charged the appropriate fee for the property and facility utilized. In addition, the individual or group shall pay all other

expenses which arise out of said use. Student activities and University budgeted departments developing and sponsoring non-credit activities related to their educational purpose shall be exempt from the basic use fee.

c. Student activities shall be permitted in any approved University facility with no space fee charge to students and student affiliated groups or organizations. Student activities shall be charged for all other expenses which arise out of use of facilities.

d. Non-educational use shall not be permitted unless permitted as a public service activity approved by the Director of Public Service.

e. Use by a non-affiliated group or organization shall be permitted only with co sponsorship by a University division, college or department; and the activity must be related to the professional or educational function of the division, college or department.

f. Co-sponsorship by an officially recognized student organization or use by a non-affiliated group or organization shall not relieve the group or organization from paying the appropriate space use fee.

g. Programs or activities coordinated by the University budgeted divisions shall not require co-sponsorship by any other activity.

h. All non-affiliated individuals or organizations 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 University, provided that the University may waive the requirement of security and insurance coverage for non-profit activities of non-affiliated groups, organizations or individuals upon request.

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 University, to indemnify the University and hold harmless from any and all liabilities arising out of such organization's use of property and/or facilities of the University including, but not limited to, personal injury, property damage, court costs and attorney's fees.

j. Blanket requests for facility use by non-affiliated individuals and groups shall not be considered. Requests by non-affiliated individuals and groups shall be for one specific purpose, time and location.

k. Faculty, staff and students shall not use office space, laboratory facilities, studios, university equipment and/or any other University properties or facilities for personal purposes such as private lessons, instructions, business or profit-making ventures whether or not the faculty/staff receives income in connection with said use unless the university is compensated the schedule rate of fee for said use and the use is approved in accordance herewith.

#### PARTICULAR USES

##### 1. Political Use

a. The use of University property or facilities for speaking engagements by candidates for political office or for other political activities shall be subject to the regulations of the University concerning other types of meetings or activities on campus property.

b. Affiliated organizations may invite candidates for public office to speak on campus property or in campus facilities, provided that the meeting is limited to members of the campus community and is closed to the general public, and provided further that reasonably equal speaking opportunities are available to all other candidates for the same political office, or that reasonably equal access is extended to such candidates to use the property or facilities.

##### 2. Access to Campuses

a. The campuses and facilities of the University are restricted to students, faculty, staff, guests and invitees of the University, except when part or all of a campus, its buildings or facilities are open to the general public for an approved designated time and purpose.

b. All persons on the campus of the University, including faculty, staff, guests and invitees, shall be subject to all rules and regulations of the University and the Board which are applicable to the conduct of students on campus, and to all applicable federal and state laws and regulations.

c. All persons on the campus of the University shall provide adequate identification, upon request, to appropriate officials and security personnel of the University. Personnel and students of the University who refuse to provide such identification may be subject to disciplinary action, and other persons who refuse to provide such identifications shall be requested to leave campus, and if they refuse, may be subject to lawful removal and prosecution.

##### 3. Fund Raising

a. Fund raising for purely commercial purposes is strictly prohibited.

b. Fund raising activities, other than for purely commercial purposes, may be conducted only by:

(1) Affiliated groups, organizations or individuals;

(2) Charitable organizations holding such activities with the sponsorship of the University; or

(3) Other groups, organizations or individuals whose presence is authorized on campus, but only to the extent that such activity is protected within the scope of the First Amendment of the Constitution of the United States.

c. No fund raising shall be permitted unless the group, organization or individual provides evidence to the University demonstrating that the proposed activity is in accordance with or exempt from the provisions of T.C.A. Sections 48-3-501 through 48-3-518.