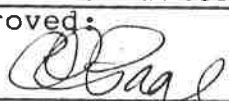


AUSTIN PEAY STATE UNIVERSITY  
POLICIES AND PROCEDURES MANUAL

Policy Number: 3:001	Supersedes Policy Number: 3:001
Date: May 16, 1988	Dated: August 1, 1986
Subject: Use of Campus Property and Facilities	
Initiating Authority: Dean of Students	SBR Policy/Guideline Reference: 3:02:02:00
Approved:  President	

Purpose

The purpose of this policy is to regulate the use of campus property and facilities by institution-affiliated and non-affiliated groups and various individuals. The policy provides a system of regulations to promote the orderly conduct of activities on campus property and in campus facilities, to prevent the interruption of or the interference with the normal missions, processes or functions of the University, to prevent scheduling conflicts, and to prevent the use of campus property and facilities for purposes which are contrary to federal, state, or local law and is consistent with the State Board of Regents Policy No. 3:02:02:00.

General Regulations

- A. For the purposes of these regulations, the following definitions shall apply:
1. Student: A person who is registered for a credit course or courses or a non-credit course or program at Austin Peay State 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.
  2. Invitee: A person who has official business at Austin Peay State University.
  3. Guest: Any person invited by a student, official or employee of Austin Peay State 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.

4. Affiliated Group or Organization: An officially registered student organization, or an organization funded by and/or sponsored by Austin Peay State University, or a group or organization of faculty or other employees of Austin Peay approved by the President. The term shall include any alumni association, booster club, etc., which is organized and operated for the benefit of Austin Peay State University.
5. Non-Affiliated Group or Organization: Any group or organization not officially registered by APSU.
6. Affiliated Individuals: Persons connected with Austin Peay State University, including students, faculty, staff, guests, and invitees.
7. Non-Affiliated Individual: Any person who is not connected with APSU, including students, faculty, staff, guests, and invitees.
8. Approving Officer: University Center Facilities Coordinator.
9. Building Supervisor: This person will be responsible for the building, locking and unlocking areas, getting special equipment, etc.
10. Area Coordinator: Some of the facilities require that all use of space be cleared through area coordinator. The Dunn Center in particular is managed by Herbert McCullah.
11. Facilities Coordinator: All use of space must be coordinated through the facilities coordinator's office in the University Center. Marsha Reynolds is the facilities coordinator.
12. Final Approving Officer: This will be the facilities coordinator, Marsha Reynolds, for affiliated groups; and the Dean of Students for all non-affiliated groups.

B. Access to Campus

1. The campus and facilities of Austin Peay State University are restricted by State Board of Regents policy to students, faculty, staff, guests, and invitees of Austin Peay State University, except

when any part or all of the campus, its buildings and/or facilities are open to the general public for a designated purpose and at a designated time.

2. All persons on the campus of Austin Peay State University, including students, faculty, staff, guests and invitees, shall be subject to all rules and regulations of the University and the State Board of Regents which are applicable to the conduct of students on the campus, and to all applicable federal and state laws and regulations. In addition, any and all persons who operate a motor vehicle on the campus agree by such operation to be subject to Austin Peay State University and State Board of Regents rules, regulations, policies and procedures on traffic and parking.
3. All persons on the Austin Peay State University campus shall provide adequate identification upon request by appropriate officials and security personnel of the University. Personnel and students who refuse to provide such identification may be subject to disciplinary action, and 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.

C. General Conditions of the Use of Property

1. University Use

The facilities at Austin Peay State University are primarily for the use of the faculty, staff and students of the University in connection with the normal functions of the University. However, because of seating capacities and/or unique characteristics, certain facilities on the grounds of the University are adaptable for community activities. Because of educational requirements, use of certain facilities for non-University functions requires special permission from the academic or other department which has priority in their use. Departments having this priority shall coordinate the use of their respective facilities with facility requests originating from outside of their departments.

Requests for use of any facility must have the approval of the Building Security Coordinator (see PPM 4:007). In addition, requests for use of certain facilities must be approved by the individual indicated in the list below.

<u>Area</u>	<u>Contact Person</u>
Trahern Art Gallery and art related instruction space	Chairman, Art Department
Dunn Center classroom space and Dunn Center fields	Chairman, Health and Physical Education
Clement Auditorium and music related instructional space	Chairman, Music Department
Trahern space exclusive of Art Gallery and art classroom space	Chairman, Speech, Communication and Theatre
Football practice field, baseball diamond, Stadium, and four (4) tennis courts	Director of Athletics
Memorial Health, eight (8) tennis courts, and Killebrew playing field	Director of Intramurals
University Center	Facilities Coordinator
Armory	Professor of Military Science
Kimbrough Building	Dean, College of Business
Residence Life	Director of Residence Life

#### BUILDING SECURITY COORDINATORS

Browning	Mr. Wendell Gilbert
McCord	Dr. John Foote
McReynolds	Ms. Marcia Hobbs
University Center	Ms. Marsha Reynolds
Clement	Dr. Solie Fott
Claxton	Dr. Carl Stedman
Archwood	Dr. Vernon Warren
Library	Dr. Donald Joyce
Memorial Health	Mr. Andrew Simmons
Armory	Commanding Officer

Sexton	Dr. Evelyn Nixon
Dunn Center	Mr. Robert Brooks
Shasteen	Mr. Bill Taylor
Kimbrough Building	Dr. Rex Galloway
Ziegler	Dr. James Corgan
Ellington	Dr. Philip Weast
Trahern	Dr. Reece Elliott
Marks	Mr. Anthony Taglavore
Residence Halls	Mr. Gary Levy

The following functions are considered to be regularly scheduled academic or University programs for which facilities are specifically designed. These functions shall have priority in the use of respective buildings adapted for their specific use.

- a. Scheduled academic classes assigned by the Office of Admissions and Records.
- b. Scheduled intercollegiate sports activities as scheduled through the Director of Athletics.
- c. Scheduled organized intercollegiate team practices as scheduled by the Director of Athletics.
- d. Scheduled intramural recreation activities as approved by the Director of Intramural Recreation.
- e. Theatrical productions as approved by the Chairperson of the Department of Speech, Communication and Theatre.
- f. Scheduled musical productions and related rehearsals as approved by the Chairperson of the Department of Music.
- g. Regularly scheduled social programs as provided for by the University Activities Board and scheduled by the Director of Student Activities.
- h. Major activities, whether on or off-campus, in which a large segment of the University community or friends of the University are

involved should be scheduled on the calendar of Major Activities in the President's office. (See PPM 99:018) All other activities will be scheduled individually through the normal scheduling of activities outlined on the Use of Facilities Form.

D. Procedures for reserving facilities

1. Persons or groups seeking to use University facilities should contact the Facilities Coordinator located in the University Center.
2. A temporary reservation may be accepted by telephone but must be confirmed with the properly completed and signed reservation form(s) within three (3) work days of the initial telephone contact. A reservation not confirmed using this procedure will become invalid.
3. Charges for facility use will be assessed and payments made in accordance with other sections of this policy. For University groups, payment may be made immediately following the events.
4. Organizations will be liable for damages and for extraordinary cleaning which is required arising from the activity or event that is beyond normal wear.
  - a. For campus groups, reports of this type will be received by the Dean of Students prior to charges being assessed.
  - b. For non-affiliated groups, reports of this type will be reviewed by the Vice President for Development prior to charges being assessed.
5. The Facilities Coordinator is not empowered to prohibit groups from using University facilities who are otherwise qualified according to other sections of this policy.
  - a. With regard to student groups, only a sanction as a result of disciplinary action under the Student Code of Conduct can prohibit access to facilities.
  - b. With regard to non-students, University groups, and non-affiliated groups, only action by the President based upon recommendations from his staff can prohibit access to facilities.

2. Non-Affiliated Use

Use of the University facilities by non-affiliated groups is limited to activities which are consistent with the mission of the University. Any use of University facilities by non-affiliated groups requires signatures by: Director of Continuing Education and Community Service, Dean of Students, Vice President for Development, Vice President for Finance and Administration, President, and others as required for special services. A confirmation of the activity must be received by applicant before any advertising or announcement of the activity. Financial arrangements must be approved by the Vice President for Finance and Administration and the President. The following types of programs sponsored by the non-affiliated groups will be considered if there is no conflict with a University function:

- a. Community Concert Association program (all full-time students are members of the CCA).
  - b. State-wide, regional or local meetings of the Tennessee educational organizations.
  - c. State-wide, regional or local programs sponsored by a person or group with a specific public service function and/or is not for profit (i.e. a nonprofit organization).
  - d. State-wide, regional or educational programs of other groups or associations of an inservice or educational nature.
  - e. Concerts and other programs sponsored by private teachers or music dance, etc.
  - f. Non-regularly scheduled meetings, banquets, and programs sponsored by groups and/or organizations that routinely contribute financially or in kind to the advancement of the University.
3. No assembly, demonstration or meeting or other activity shall be authorized or permitted on Austin Peay State University property or in any building or facility on campus when:
- a. The activity is of such nature or duration that it cannot reasonably be accommodated in the particular area for which application is made.

In such an event, an alternative on-campus site, if available, for the activity shall be proposed by the University.

- b. 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.
  - c. 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 regulations of policies of the State Board of Regents or the University.
4. No demonstration, distribution of literature or solicitation shall be permitted within: (1) classroom, library, or other academic building or facility; (2) administrative and employee offices and work areas; (3) student residence halls, dormitories or apartment buildings. Austin Peay State University may permit distribution of literature in designated locations within the lobbies or other general use areas of the above buildings or other campus facilities for the placement of literature for distribution (see section on Literature Distribution).
  5. Use of Austin Peay State University property and facilities pursuant to prior approval as hereinafter required for meetings for other activities is subject to the limitations on the number of people who may attend in accordance with appropriate building and fire codes and safety standards.
  6. For events occurring outside normal working hours, affiliated and/or non-affiliated individuals and/or groups will be required to pay sufficient fees, before the event occurs, to cover expenses of clean-up, building supervision, building security and other out-of-pocket expenses which might be incurred by the University. University personnel required to work overtime will be paid at the rates stipulated in the pay scale for special events (See the Annual Rate Sheet). All deposits are to be made in the business office 72 hours prior to event.
  7. Non-affiliated groups or individuals may rent University facilities, provided that the use of such facilities are consistent with the conditions set forth in this policy. Rental rates are shown in Addendum 1. Costs/charges will be described on the



contract between the user and the University. Since liability insurance is required of all non-affiliated groups, a copy of the policy coverage must be attached to the contract. All payments shall be made in the Business Office.

### Particular Activities

#### A. Assemblies, Meetings, and Demonstrations

1. All regulations of Austin Peay State University which relate to conduct of assemblies and meetings of organizations affiliated with the University shall apply to assemblies and meetings of non-affiliated organizations.
2. Regular or special meetings of affiliated organizations will be planned and scheduled according to the procedures established by Austin Peay State University and as hereinafter indicated in this policy. All other group gatherings at a central location on the campus 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 President or his official designee. All such group gatherings must be conducted without the use of sound amplification equipment unless prior written approval is given by the Facilities Coordinator.
3. A request for any campus facility must be made in writing on the form available in the Facilities Coordinator's office (See PPM Form 3:001:a). The completed form must be received at least ten (10) days in advance (excluding weekends and holidays) of the proposed activity. The Facilities Coordinator may accept late applications upon the determination that the requested facilities can be accommodated or that adequate cause exists for late filing of application. By State Board of Regents policy, the approval of all late applications shall be in the sole discretion of the approving officer, and that decision is final.
4. If it becomes necessary to cancel an approved activity for which space has been reserved, the Facilities Coordinator must be notified at least 24 hours in advance of the scheduled time for the event. If no notice of cancellation is received within the prescribed time limits, fees paid in advance will not be refunded. Group is still liable for fees if proper procedures are not followed for cancelling event.

5. Within seven (7) days (excluding weekends and holidays) from the time an application for the use of facilities is submitted to the Facilities Coordinator, written notice of approval or disapproval of the proposed use of property shall be available to the applicant group, organization or individual through the office of the designated official. Notices will not be mailed or delivered, and it shall be the responsibility of the applicant to inquire at the office of the Facilities Coordinator as to the action taken on the application and the time and location at which the activity is authorized.
6. Grounds for denying a request include, but are not limited to:
  - a. A determination by the approving officer that the requested use would cause substantial disruption or interference with the normal activities of Austin Peay conducted in the course of its lawful mission, processes and functions or is not consistent with the mission of Austin Peay.
  - b. A determination that the requested use would be contrary to federal, state, or local law or regulations or policies of the Tennessee State Board of Regents or Austin Peay.
  - c. The applicant has not provided full or complete information required on the written application.
  - d. The applicant has been responsible for violation of the policy during a previously registered use of campus property or has violated conditions or assurances specified in a previous registration application and Austin Peay has reasonable cause to believe such a violation or similar violation will occur.
  - e. Approval for the use of the property or facilities has previously been given to another group or organization for the time and/or location requested.
  - f. Use of the property or facilities at the time requested would be impossible due to set-up time and/or take-down time required for some other previously scheduled activity or other extenuating circumstances.
  - g. Written notice from the Associate Dean of Students of an affiliated group or individual

being under disciplinary sanctions prohibiting their use of University facilities.

- h. Other grounds particular to the individual situation.
- 7. Any group, organization or individual whose application for registration for use of campus property or facilities is denied for reasons cited in preceding paragraphs shall have the right to appeal that denial to the Dean of Students. Notice of the appeal must 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 and the decision of the Dean of Students shall be made at least four (4) days prior to the scheduled time of the event.
- 8. Sound amplification equipment may be used by groups, organizations, and individuals at assemblies, meetings and demonstrations for which prior approval has been granted by the appropriate official provided, however, that such sound amplification is subject to reasonable regulation by the University with respect to time, place, manner, and volume.
- 9. Austin Peay equipment may be used in connection with the use of campus property and facilities only under the supervision of Austin Peay personnel.
- 10. Priority in the use of property and facilities will be given to organizations and individuals affiliated with Austin Peay.

B. Literature Distribution

- 1. Literature distribution and solicitation may only take place at locations inside the University Center or on the sidewalks directly outside the University Center or at sporting events upon approval by the facility coordinator in the University Center and the area coordinator or the building coordinator at the location of the sporting event. Special exceptions may be granted under certain circumstances upon receipt of the request. SOLICITATION AND LITERATURE DISTRIBUTION IN CLASSROOMS OR DOOR-TO-DOOR ARE PROHIBITED.
- 2. Any literature which is proposed to be distributed or which is distributed on the Austin Peay Campus shall comply with all applicable federal, state, and local laws and regulations and with the regulations of the University and the State Board of Regents.

No obscene literature or material, as determined by the Dean of Students shall be distributed on campus.

3. No literature, material or other printed matter shall be sold or distributed within: classrooms, library, or other academic buildings or facilities; administrative and employee offices and work areas; and student residence halls, dormitories or apartment buildings. The University may, at its discretion, provide racks in the University Center Lobby or other common-use areas of these buildings for the placement of literature for distribution.
4. The institution prohibits the sale or distribution of literature in any area where such would: cause injury or damage to campus property; unreasonably impair the academic atmosphere of the campus; unreasonably interfere with the academic programs and/or other activities of the University or with the administrative functions of the institution; and substantially impair the use of facilities or services on campus or the flow of vehicular or pedestrian traffic.
5. No person, whether distributor or recipient of literature shall cause litter to occur on the campus and literature shall be discarded in trash receptacles as provided on campus. It is the responsibility of the distributor to meet this requirement.
6. Groups, organizations, or individuals not affiliated with the University may sell or distribute literature only in conjunction with their authorized presence on campus, and/or only after the proposed distribution has been registered with the Facilities Coordinator of the University. 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/her designee.
7. Applications for use of Campus Property and Facilities are available at the Information Desk in the University Center for registration by non-affiliated individuals, groups or organizations or attempts to distribute literature by affiliated individuals, groups or organizations shall be denied or prohibited in the event that:

- a. Prior application for registration for the same time and location has been received and approved or the location and/or time will be used by another approved activity.
  - b. The sale or distribution will present a clear and present danger to the public health or safety.
  - c. 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 used.
  - d. The activity would constitute a violation of an applicable law or regulation or any other provision of this policy.
8. 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 persons engaged in the sale or distribution, or misrepresent whether the printed matter is available without cost or donation.
9. Austin Peay retains the right to terminate the distribution of literature by any group, organization or individual which is determined to be in violation of the provisions of this policy or State Board of Regents policies.

C. Solicitations

1. Except as is otherwise permitted by this provision, solicitation for purely commercial purposes is prohibited on all property owned or used by Austin Peay State University, provided that solicitations by the University and solicitations by vendors incidental to the vendor providing services on behalf of the University pursuant to a contract between the University and the vendor are permissible. For purposes of this provision the following activities are not prohibited:
  - a. Advertising as permitted by this policy;
  - b. Placement of commercial literature as permitted by this policy;
  - c. Conversations or communications between a dorm resident and a properly admitted guest notwithstanding the commercial content of the conversa-

- tion or communication; provided, however, other dorm residents may not be solicited for the purposes of selling a product or service or enrolling the individual in a contest, program or other commercial venture; or
- d. Conversations or communications between a resident of University owned apartments and a properly admitted guest notwithstanding the commercial content of the conversation or communication, provided the conversations or communications are confined to the specific unit of the resident inviting the guest or other area properly reserved by the resident for such purpose.
2. Solicitation and fund-raising activities other than for purely commercial purposes may be conducted on campus property only by affiliated groups, organizations or individuals, charitable organizations holding these activities with the sponsorship of the University or the State of Tennessee, or other groups, organizations or individuals whose presence is authorized on campus but only to the extent that such solicitation by other groups, organizations or individuals is protected activity within the First Amendment to the Constitution of the United States.
  3. Solicitation in connection with the distribution of literature is subject to the guidelines on solicitation in this policy.
  4. Solicitation of dues and/or membership in an organization is permissible only by officially registered organizations of the University.
  5. No solicitation of charitable funds shall be permitted unless the group, organization, or individual can provide evidence to the University demonstrating that the proposed activity is in accordance with, or exempt from the provisions T.C.A. Sections 48-3-501 through 48-3-518.
  6. Any group, organization, or individual requesting to solicit funds must submit a Use of Facilities form along with a solicitation form for registration of the proposed solicitation.
  7. Solicitations shall be permitted in those areas designated by the University and applications for the solicitation may be denied for any of the

reasons set forth in Section B, No. 7, Paragraphs a - d (Literature Distribution), and persons engaged in solicitation shall comply with the provisions therein.

8. No funds solicited on campus property shall inure to the benefit of any individuals unless contributions are requested for the relief of an individual specified by name at the time of the solicitation, and all funds contributed are turned over to the named beneficiary for his or her use without any deductions.
9. Austin Peay State University may, at its discretion, require any group, organization or individual to provide notarized verification of the use, application or disposition of funds solicited on campus.

### Specific 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 shall be subject to the registration requirements and procedures specified in this policy, and shall be subject to the regulations of the University concerning other types of meetings or activities on campus.
2. 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 reasonable speaking opportunities are available to all other candidates for the same political office or that reasonable equal access is extended to such candidates to use the property or facilities.
3. No campaign posters, signs or other items of campaigning or political advertising may be placed on campus property.

#### B. Religious Use

1. No religious worship or evangelistic activity of any nature can be held on campus property unless it is sponsored by an affiliated group or is open only to the non-affiliated group sponsoring the event.

2. No religious worship activities of any nature may be conducted in any building or facility constructed in whole or in part with funds provided under Title VII of the Higher Education Act of 1965, or any other federal program with similar limitations.
3. Non-affiliated religious groups or organizations may hold meetings on campus property or in facilities provided that such meetings are limited to members of the group or organization and that no religious worship activities or services are engaged in by members thereof; e.g., altar calls, offerings, sermons, etc.

C. Uses by Non-Affiliated Organizations and Individuals

1. Austin Peay State University may prohibit the use of campus property and facilities for profit-making activities by any affiliated or non-affiliated group, organization or individual if the activity is not related to the stated mission of the institution and must prohibit such use if the activity does not comply with other provisions of this policy.
2. Campus property and facilities may not be used by any group, organization or individual not affiliated with the University for the conduct of profit-making activities except when a rental or lease agreement is negotiated and the institution receives a fair rental value for the property or facilities used. Rental or lease agreements may be required for non-profit activities by non-affiliated groups, organizations or individuals, provided that rental charge for such use may be reduced or waived at the discretion of Austin Peay dependent upon the nature and extent of the proposed use. Requests for waiving of any and all rental charges will be handled on an individual basis and must be approved by the Vice President for Finance and Administration and the Dean of Students.
3. Rental rates are designated to cover the entire cost of providing the facilities including overhead, maintenance and security expenses as required by the University.
4. All rental or lease agreements between the institution or school and non-affiliated organizations, groups or individuals for profit-making activities must be approved by the Chancellor of the State Board of Regents or his or her designee.
5. Sponsoring organizations not affiliated with the University are required to provide adequate bond,



insurance or other security for damages to the property or facility during the rental period and are required to secure personal injury or property insurance coverage and other type of insurance in such amounts as are designated by Austin Peay. The University has the right to waive the requirement of security and insurance coverage for non-profit activities of non-affiliated groups, organizations or individuals. Determination of this requirement will be by the Director of Public Safety, Vice President for Development, and the Vice President for Finance and Administration, and/or Dean of Students.

6. Non-affiliated groups and organizations which are seeking approval for use of campus property and facilities for profit-making activities must provide a performance bond or insurance guaranteeing performance of its obligations under the contract.
7. 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 institution and hold it harmless from any and all liabilities arising out of such organization's use of the property and/or facilities of the University including, but not limited to, personal injury, property damage, court costs and attorney fees.

D. Advertising

1. No advertising signs, posters, or other material may be placed on any campus property or facilities by any non-affiliated group, organization or individual; provided that the University 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 the University and only after receiving approval by designated persons as set forth in Austin Peay PPM 99:003.
2. The University may authorize the inclusion of advertisements by affiliated and non-affiliated groups, individuals and organizations in appropriate campus publications for reasonable fees. Determination of these fees, acceptance of the advertisement, and exceptions for publication will be at the discretion of the senior administrator by whom the publication is supervised.

3. The University may, at its discretion, permit limited advertising by groups, organizations or individuals when incidental to a donation of property or services to the University or pursuant to a contract with the University.

E. Miscellaneous

1. The office of the Facilities Coordinator shall make copies of the State Board of Regents or Austin Peay State University policies for use of facilities available upon request and upon payment of reasonable fees to cover printing charges.

F. Transmittal Guidelines

In not more than seven (7) days (excluding weekends and holidays) from the time an application for the use of facilities is submitted to the Facilities Coordinator, written notice of approval or disapproval of the proposed use of property shall be made available to the applicant group, organization or individual through the Office of the Facilities Coordinator. It is the responsibility of the applicant to inquire concerning the action taken on the application and the time and location at which the activity may or may not be authorized.