

EVENT SECURITY POLICY

- (a) **General Statement of Policy.** Western Michigan University (“WMU”) seeks to ensure the safety of all persons on campus, and to protect all facilities on campus from damage. Proposed events can create a substantial, non-speculative concern about the safety of attendees, the WMU community, and/or the general public, or a substantial, non-speculative concern about potential damage to WMU property. WMU may, at its own cost, provide Department of Public Safety (“DPS) security services for campus events. When security concerns are present and demonstrable, WMU may also require event sponsors or organizers to pay a portion of security costs deemed necessary to protect attendees and WMU property. Event organizers also may request security at an event but it is not required.
- (b) **Factors for Assessing Security Costs.** In determining the amount of such costs to be charged to the event sponsor, the University will consider only the following content-neutral, objective criteria:
- (i) a reasonable estimate of the number of anticipated attendees;
 - (ii) the proportion of program participants/attendees who are expected to be and who are members of the WMU community;
 - (iii) the venue in which the event is to take place;
 - (iv) maximum occupancy limits;
 - (v) the number of event staff present;
 - (vi) the time of day, and day and date of the week, that the event is to take place;
 - (vii) the planned duration of the event;
 - (viii) whether tickets are required for attendance, the proceeds for which might be used to defray security costs; and
 - (ix) the amount of cash anticipated to be present at the event;
 - (x) whether alcohol will be served; and
 - (xi) the general format of the event.
- (c) **Prohibited Considerations in Assessing Security Costs.** Criteria that shall not be used in the determination of security costs to be charged to the event sponsor include:
- (i) any viewpoint(s) expected to be expressed at the event; or

- (ii) any reaction expected in response to the viewpoints expressed.
- (d) **Amount of Security Costs.** The costs for DPS security staffing may vary, depending upon such considerations as whether the event will occur on a weekday or weekend, during the day or evening, etc. Please contact DPS to obtain the cost per hour (or overtime hour) for security personnel. There is no minimum number of hours required for use of security personnel. These costs may be updated at the beginning of each academic year by the **DPS**. These costs are limited to the direct expenses incident to providing the security services.
- (e) **Written Assessment.** If security costs are assessed, DPS will, sufficiently before the scheduled event for the appeal process described below to be completed, provide the event sponsor or organizer a written summary of DPS review of criteria and costs, and an explanation for the determination.
- (f) **Additional services upon request.** Individuals or RSOs may contact DPS to request security services outside of regular DPS patrols for a particular event. Generally, these services must be requested a minimum of ten (10) days prior to the planned event. Requests made less than 10 days prior to the date of use will be considered, where possible, where exigent circumstances, such as reacting to breaking current events, necessitates less advance notice. A reasonable fee will be charged. This fee must be paid in advance by cash, certified check, money order, or by a campus financial transaction. Subject to appeal, WMU will make the determination on the number of officers needed for a scheduled event to maintain campus safety and security.
- (g) **Appeal.** A person or RSO that disagrees with an event security decision may appeal the decision, including the amount to be charged, to the WMU Vice President for Business and Finance and Vice President for Student Affairs by providing written notice to the Vice President for Business and Finance or the Vice President for Student Affairs on or before the third (3rd) business day when WMU is in session after the date the person or RSO is notified of the decision being appealed. The notice of appeal must contain the person or RSO's name and address, a brief description of the decision being appealed, the person or RSO's reason for appealing, and the date the person or RSO received notification of the decision being appealed. When timely notice of appeal is received, the appealing party shall have an opportunity to meet with the Vice President for Business and Finance and Vice President for Student Affairs, or their representatives, prior to receiving a decision on the appeal. The appealing party shall be notified of the date and time of the meeting at least one (1) business day in advance. In considering the appeal, the reviewing parties will review whether the assessment is necessitated by the existence of a non-speculative concern about safety and property damage, reasonable in light of the reviewers' conclusions, and content-neutral. The University will consider appeals promptly and issue a decision within two (2) business days from the meeting with the appealing party.

COMMON AREA, ACADEMIC AND NON-ACADEMIC SPACE EVENT POLICY

- (a) **General Statement of Policy.** Free and open association, discussion and debate are important aspects of the WMU educational environment, and should be actively protected and encouraged, even where positions advocated are controversial and unpopular. These policies have been formulated to provide for the greatest possible range of programs and activities for members of the University community, while at the same time both: (1) protecting individual safety; and (2) assuring an orderly and safe conduct of a particular event as well as the general functioning of the University.
- (b) **Outdoor Common Spaces.** WMU will not restrict free expression in “areas generally available to students and the community,” defined as grassy areas, walkways or other similar common areas. This definition governs the phrase “areas generally available to students and the community” as it is used in this policy. These areas generally available to students and the community are designated public forums. All areas generally available to students and the community, including recognized student organizations (“RSO”), may be temporarily reserved for specific uses, as long as the use does not conflict with WMU programs and operations. Reservations must be made online at <http://www.wmich.edu/studentcenter/reservation/>. If possible, reservations should be made five (5) days prior to the event.
- (c) **Use of Outdoor Common Spaces.** These common spaces shall be subject to the following:
- (i) Persons wishing to engage in speech or expressive activities in areas generally available to students and the community are encouraged to inform the Department of Public Safety (“DPS”) of their intent to be present in such areas. WMU encourages such check-in as a means to provide for safety and for the equitable use of such areas. Those availing themselves of areas generally available to students and the community, whether they decide to check-in or not, may remain anonymous.
 - (ii) Persons using areas generally available to students and the community shall not touch, strike or physically impede the progress of passersby, except for incidental or accidental contact or contact initiated by a passerby, nor shall they force passersby to accept distributed materials.
 - (iii) Those using areas generally available to students and the community may solicit donations, through direct requests, sales of tickets, goods, or otherwise, on behalf of organizations that are registered with the Secretary of State as a nonprofit corporation or that are approved RSOs.
 - (iv) Those using areas generally available to students and the community shall not use amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes, or other lawful activities.

- (v) Persons using areas generally available to students and the community are allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Individuals or groups distributing materials in these areas, other than material discarded or dropped in or around appropriate receptacles, shall make a reasonable effort to retrieve and remove such materials, prior to their departure from the areas that day.
- (d) **Academic and other Nonpublic Indoor Spaces.** Some WMU rooms and spaces are dedicated to special purposes. The primary purpose of academic buildings is educational in nature. Academic buildings are not spaces intended for free and unrestricted public use; some of these rooms contain special equipment and may be subject to special rules. The Associate Registrar maintains a list of academic spaces subject to special rules.
- (e) **Use of Public Indoor Spaces.** Some WMU rooms and spaces are designated for student use, such as meeting spaces. Use is allowed for such places and at such times as identified by WMU.
 - (i) **Factors for Assessing Availability of Public Indoor Space.** In determining whether a requested Public Indoor Space is available, the University will consider only the following content-neutral, objective criteria:
 - a. whether the space has been designated as restricted to use for only teaching, research, administration, and/or other authorized campus activities;
 - b. competing requests for the same space at the same time, based solely on a “first-come, first-served” standard; and
 - c. the estimated number of anticipated attendees.
 - (ii) **Prohibited Factors.** Criteria that shall not be used in determining availability of requested Indoor Space include:
 - a. any viewpoint(s) expected to be expressed at the event; or
 - b. any reaction expected in response to the viewpoints expressed.
- (f) **Rules for Public Indoor Space Use.** When available, eligible persons or groups may use Public Indoor Space for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or public interest, subject to these rules and regulations.

- (i) All requests for use of Indoor Space, whether public or nonpublic, must be made online at <http://www.wmich.edu/studentcenter/reservation/>. All requests must be made at least ten (10) days prior to the event for which space is requested. This time limit is necessary, in part, so that the request may be coordinated with the Department of Public Safety and WMU's Event Security Policy. Requests made less than 10 days prior to the date of use will be considered, where possible, where exigent circumstances, such as reacting to breaking current events, necessitates less advance notice. WMU shall grant access to the requested space, grant access to an alternative equivalent space, or specify in writing why access cannot be granted.
 - (ii) No prospective user will be denied access to facilities based on content of the speech to be undertaken during use. However, speech that is defamatory or obscene according to current legal standards, or that incites others as to create an immediate clear and present danger of the commission of unlawful acts or violations of WMU policy, is prohibited.
 - (iii) WMU rooms and meeting spaces may not be used for speech, expression, or assembly that disrupts or interferes with WMU's educational mission, including teaching, research, administration, and other authorized campus activities, or with free and unimpeded flow of vehicular or pedestrian traffic. Continuous or repeated sound audible to those in contiguous or nearby classrooms, offices or other rooms (e.g., loud music) may be considered disruptive.
 - (iv) Tobacco and non-prescription drugs may not be consumed in Indoor Spaces. Alcohol may be consumed only if specifically requested and approved.
 - (v) No speech, expression or assembly may be conducted in a way that damages or defaces WMU property or the property of any person who has not authorized the speaker to deface his or her property. No electrical modifications, structures, or mechanical apparatus may be erected or installed without specific written approval.
- (g) **Other Policies Apply.** Other policies may apply to the use of public and non-public indoor spaces, including but not limited to, the WMU Event Security Policy and Flyer/Poster Posting Guidelines, as well as WMU's Student Code and RSO Handbook. In addition, information regarding special rules applicable to WMU buildings may be obtained from the applicable Building Coordinator.
- (h) **Prohibited Claims.** Individuals and organizations may not in any way represent that their activities are endorsed, sponsored or sanctioned by WMU without the express written consent of the Vice President for Business and Finance or Vice President for Student Affairs.

- (i) **No Indemnification or Redress.** Individuals, groups and organizations are solely responsible for their expressive and other activities on or off campus. Any individual, group or organization participating in or conducting activities not under the written auspices of WMU does so voluntarily and at its own risk, with no right to seek indemnification or other redress from WMU for the consequences of its actions.

- (j) **Setup and Cleaning fees.** Individuals and RSOs may need to request or utilize nonstandard services when reserving a room, such as the use of audio/visual equipment, rental of other equipment, or any substantial deviation from standard room setup. WMU will charge a reasonable fee based upon any nonstandard service or setup, as well as reasonable cleaning fees. Requests for nonstandard services or setups must be submitted to the Student Activities and Leadership Programs (“SALP”) Office at least five (5) business days in advance of the event. Unless waived, a nonrefundable deposit of 50% will be required at least one (1) business day before the services are provided.

- (k) **Appeal.** A person or RSO that disagrees with a space reservation decision may appeal the decision, as follows:
 - (vi) Decisions must be appealed to the Vice President for Business and Finance and Vice President for Student Affairs by providing written notice to the Vice President for Business and Finance or Vice President for Student Affairs on or before the third (3rd) business day when WMU is in session after the date the person or RSO is notified of the decision being appealed. The notice of appeal must contain the person or RSO’s name and address, a brief description of the decision being appealed, the person or RSO’s reason for appealing, and the date the person or RSO received notification of the decision being appealed. When timely notice of appeal is received, the appealing party shall have an opportunity to meet with the Vice President for Business and Finance and Vice President for Student Affairs, or their representatives, prior to receiving a decision. The appealing party shall be notified of the date and time of the meeting at least one (1) business day in advance. The University will consider appeals promptly and issue a decision within two (2) business days from the meeting with the appealing party.

FLYER/POSTER POSTING GUIDELINES

- (a) **General Statement of Policy.** After first obtaining permission from the Student Activities and Leadership Programs Office (“SALP”). Students, RSOs, and members of the community may post flyers or posters of up to 14” x 22” on kiosks, and under certain circumstances on bulletin boards in academic buildings, and may chalk on WMU sidewalks, subject to this policy. SALP will date stamp the flyer or poster. Programs or projects sponsored in whole or part by the Student Assessment Fee must include the statement “SAF Funded” on all publicity documents. Failure to do this may result in subsequent loss of funding.
- (b) **Flyers.** Students, RSOs, and members of the community may leaflet or otherwise hand out flyers or other printed material in areas generally available to students and the community. No advance permission is required for any such dissemination of printed materials. No person shall be forced to accept distributed materials.
- (c) **Prohibited expression and means of expression.** No flyer or poster shall be posted that utilizes one of the following prohibited expressions or means of expression:
- (i) **Disruption.** Flyers and posters may not be used, posted, or handed out in such a manner as to disrupt or interfere with WMU’s educational mission, including teaching, research, administration, and other authorized campus activities, or with free and unimpeded flow of vehicular or pedestrian traffic.
 - (ii) **Property Damage.** No flyer or poster may be used or displayed in a way that damages or defaces WMU property or the property of any person who has not authorized the speaker to deface his or her property.
 - (iii) **Improper Posting.** Postings are not permitted on any trees, buildings, walls, doors, windows, utility poles, wires, fire hydrants, parking meters, light poles, trashcans, public signs, or any other structure or natural feature not specifically identified for posting purposes on campus. Violators will be charged full restitution for costs to remove such literature from the unwarranted areas.
 - (iv) **Incitement.** No person shall make, distribute, or display on the campus any statements directed to inciting or producing imminent violations of local, state or federal law or ordinance under circumstances such that the statements are likely to actually and imminently incite or produce violations of law or ordinance.
- (d) **Size and quantity.** Posters or flyers must not exceed 14” by 22.” No more than two posters per event/activity may be placed per kiosk or bulletin board.
- (e) **Flyers and posters on kiosks.** WMU students, faculty, administrators and RSOs may post signs on kiosks. Posts made on kiosks must be taped. Individuals may not post on kiosks any sign advertising goods or services for sale. SALP will date stamp

the flyer or poster. Programs or projects sponsored in whole or part by the Student Assessment Fee must include the statement “SAF Funded” on all publicity documents. Failure to do this may result in subsequent loss of funding.

- (f) **Flyers and posters on bulletin boards in buildings.** Bulletin boards in academic and other buildings not specified in subsections (j), (k) or (l) below are nonpublic posting spaces curated by the Student Activities and Leadership Programs (SALP) Office. To post flyers or posters on approved bulletin boards in the academic buildings and other buildings, flyers must be approved by SALP, pursuant to the following guidelines:
- (i) **Identification of posting entity.** The flyer or poster must contain the full name of the sponsoring organization, date, time, and anticipated location.
 - (ii) **Time for approval.** All literature must be received by the SALP office five (5) business days prior to the event/program taking place. Please allow two (2) business days for the approval process to take place.
 - (iii) **“SAF Funded” notice.** Programs or projects sponsored in whole or part by the Student Assessment Fee must include the statement “SAF Funded” on all publicity documents. Failure to do this may result in subsequent loss of funding.
 - (iv) **Placement.** It is prohibited to post literature over other validly placed flyers or posters.
 - (v) **Method of posting.** Postings may be tacked or stapled on bulletin boards. Other methods of affixing postings or types of adhesives are not permitted.
- (g) **No posting areas.** Postings are not permitted on any trees, buildings, walls, doors, windows, telephone poles, wires, fire hydrants, parking meters, light poles, vehicles, trashcans, public signs, or any other structure or natural feature not specifically identified for posting purposes on campus. All violators will be charged full restitution for the cost to remove such literature from the unwarranted areas.
- (h) **Removal.** All flyers or posters placed in accordance with this policy must be removed no later than seven (7) days after the related event has ended. If there is no related event, all flyers and posters placed in accordance with this policy must be removed within fourteen (14) days of posting.
- (i) **Penalty for violation.** If any material is posted in violation of this policy, the material will be removed and restitution for the cost of labor will be charged to the organization. Repeated violations of this policy may result in loss of posting privileges or loss of student group status.

- (j) **Bernhard Center.** Flyers or posters to be posted in the Bernhard Center must first be approved by SALP. Copies of the posting should be delivered to the SALP Office, as described in paragraph (d) and its subparts. SALP will date stamp the flyer or poster. Programs or projects sponsored in whole or part by the Student Assessment Fee must include the statement “SAF Funded” on all publicity documents. Failure to do this may result in subsequent loss of funding.
- (k) **Student Recreation Center.** Flyers or posters to be posted in the Student Recreation Center (“SRC”) must be approved by SALP prior to being submitted to University Recreation. A maximum of 12 copies of promotional materials may be submitted for posting. The SRC also has a display case available for a weekly fee of \$5. For more information, please contact Cindy VanderWoude at (269) 387-3115. SALP will date stamp the flyer or poster. Programs or projects sponsored in whole or part by the Student Assessment Fee must include the statement “SAF Funded” on all publicity documents. Failure to do this may result in subsequent loss of funding.
- (l) **Residence Hall Posting Guidelines.** Organizations wishing to advertise in the residence halls must have all flyers stamped “Approved” by the Office of Residence Life. An original flyer should be brought to the Residence Life office, located in the Faunce Student Services Building, to be approved for distribution. Copies of approved flyers are to be returned to the Office of Residence Life, and Residence Life staff will post them in the halls. Programs or projects sponsored in whole or part by the Student Assessment Fee must include the statement “SAF Funded” on all publicity documents. Failure to do this may result in subsequent loss of funding.
- (m) **Chalking.** Chalking on WMU property is permitted only as follows:
- (i) Chalking is permitted only on sidewalks of WMU grounds that are exposed to weather and not covered by a roof or overhang.
 - (ii) Materials used to mark sidewalks must be water soluble, environmentally friendly, non-toxic stick chalk. The use of markers, paints, oil-based products, spray chalk, or other types of markers or liquids, is prohibited.
 - (iii) Sponsoring organization’s name must appear within each chalk message.
 - (iv) Chalking must be at least 20 feet from entrances and exits of all buildings to protect interior carpet.
 - (v) Chalking is prohibited on other surfaces, including roadways, buildings, steps, seating walls, benches, planters, tables, signs, poles, columns, trash and recycling receptacles, trees, tunneled areas, under tents, and other surfaces and structures and fixtures.
- (n) **Prohibited claims.** Individuals and organizations may not in any way represent that their activities, including flyers and posters, are endorsed, sponsored or sanctioned by

WMU without the express written consent of the Vice President for Business and Finance or Vice President for Student Affairs.

- (o) **No indemnification or redress.** Individuals, groups and organizations are solely responsible for their expressive and other activities on or off campus. Any individual, group or organization participating in or conducting activities not under the written auspices of WMU does so voluntarily and at its own risk, with no right to seek indemnification or other redress from WMU for the consequences of its actions.

- (p) **Appeal.** A person or RSO that disagrees with a flyer/poster decision may appeal the decision to the Vice President for Business and Finance and Vice President for Student Affairs by providing written notice to the Vice President for Business and finance or the Vice President for Student Affairs on or before the third (3rd) business day when WMU is in session after the date the person or RSO is notified of the decision being appealed. The notice of appeal must contain the person or RSO's name and address, a brief description of the decision being appealed, the person or RSO's reason for appealing, and the date the person or RSO received notification of the decision being appealed. When timely notice of appeal is received, the appealing party shall have an opportunity to meet with the Vice President for Business and Finance and Vice President for Student Affairs, or their representatives, prior to receiving a decision on the appeal. The appealing party shall be notified of the date and time of the meeting at least one (1) business day in advance. The University will consider appeals promptly and issue a decision within two (2) business days from the meeting with the appealing party.