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# Business Policy and Procedure Online Manual



## Use of Facilities

Chapter 6	Section: 6:050
PROPERTY, EQUIPMENT & FACILITIES	Use of Facilities

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Responsible Office

Office of Reservations & Events

## Use of Facilities

This policy is established in accordance with the following Collected Rules and Regulations (CRR):

### **CRR §110.010.F Noncommercial Expressive Activity**

1. The Chancellor (or designee) may maintain and enforce reasonable time, place, and manner restrictions for noncommercial expressive activities on outdoor areas of any campus of the University, provided that such restrictions shall:
  1. Be in service of significant institutional interests;

2. Employ clear, published, content- and viewpoint-neutral criteria; and
  3. Provide for alternative means of expression.
2. Subject to such reasonable time, place, and manner restrictions, noncommercial expressive activity shall be permitted on outdoor areas of any campus of the University as long as such activity is not unlawful and does not materially and substantially disrupt the functioning of the institution.

**CRR §110.010.B.4.e:**

The use of University facilities should not imply an endorsement of any individual, group or organization and the name of the University shall not be identified in any way with the aims, policies, programs, products, or opinions of any individual, groups or organizations which may meet in University buildings or on University grounds in accordance with these regulations.

**CRR §110.020. Service and Use Fees.**

In accordance with the provisions of the Board of Curators Regulations, Section 110.010.J, the following Fees and Rules for applications thereof are hereby authorized.

A. **Service Fee** — A service fee may be established by any Chancellor or designee for all facilities, including both buildings and grounds, used or owned by the University for short courses, non-credit courses, conferences, seminars, symposia, colloquia, meetings, institutes, and activities similar in nature to these specified activities.

**B. Use Fee**

1. A use fee may be established by any Chancellor or designee for all facilities used or owned by the University, including both buildings and grounds, for those functions or activities for which such use fee is to be charged under this order.
2. Such use fee, when otherwise applicable under University regulations, may be waived or modified only by the Chancellor or designee.
3. Such use fee shall be collected by the Vice Chancellor for Finance and Administration or his or her representative.

4. A written contract approved by the General Counsel shall be required for any facility requiring a use fee.
5. Schedules of use fees shall be maintained and published by the Vice Chancellor for Finance and Administration or his or her representative.

### **C. Application of Fees — Who Shall Pay**

#### **1. No Fee Shall be Charged**

- a. For use of regularly assigned facilities for the use by students, faculty and staff for which the assignment is made under Section 110.010 B.1, B.2, B.3, or C.
- b. For duly recognized student organizations for normal activities. However, if the activity involves the charging of admission, the sale of anything, the solicitation of subscriptions or the collection of dues, or donations, or if the organization is engaged in any for-profit purpose or may declare a dividend; such activity requires the prior authorization of the Chancellor or designee.
- c. Ad hoc groups of students with written prior approval of the Chancellor or designee.
- d. Any advisory committee or board of the University.
- e. For outdoor space used for noncommercial expressive activity under Section 110.010.F.

#### **2. A Service Fee Shall Be Charged**

- a. For a non-student group sponsored by or invited by an instructional or administrative division or department as a part of its educational program with approval of the dean or appropriate administrative officer.
- b. For nonstudent groups sponsored by a learned, educational, professional or scientific society for organizational or educational purposes when recommended by a dean or other appropriate administrative officer.
- c. All off campus University affiliated, sponsored or invited activities, if such fee would apply were such activity held on campus.

#### **3. A Use Fee Shall be Charged for Facilities**

- a. For nonaffiliated, nonsponsored groups approved in accordance with Section 110.010 E.4.c.

b. For any group or organization, including student, faculty or non-academic employees of the University:

- (1) Which is not specifically exempted under Section 110.020 C.1 hereof, or
- (2) Which charges admission to the function involved, or
- (3) If the activity involves sale of anything, the solicitation of subscriptions or the collection of dues, or donations, or
- (4) Which derives a financial profit, or
- (5) Which declares a dividend among its members.

**D. Scheduling of Facilities** — Facilities shall be scheduled in accordance with regulations established under Section 110.010.

**E. Student** — For the purpose of this rule, the definition of a student as defined by the Board of Curators shall be restricted to one who has paid the incidental fee established by the Board of Curators either on a full-time or part-time basis. Where an incidental fee has been established for a specific educational activity or program of study, persons enrolled shall be considered a student only for that activity or program.

**F. Special Services, Equipment, Labor or Materials** — Any request or requirement for special services, equipment, labor or materials, or for extraordinary cleaning or to repair any damage shall be furnished on a cost reimbursable basis in addition to any use fee or service fee.

# POLICY STATEMENT

University buildings and grounds are intended for use by students, faculty and staff in support of the University's mission of teaching, research, and engagement . Individuals, groups or organizations may use University buildings and grounds in accordance with

University rules and regulations. This policy applies to all University of Missouri employees, students, University affiliates, contractors and visitors.

This policy shall be construed and applied in a manner consistent with applicable law and with the University's Collected Rules and Regulations, including but not limited to those identified above.

The following procedures apply to the scheduling and use of facilities, the conduct of events/activities, and unscheduled expressive events and activities. This applies to all buildings, facilities, grounds and other indoor/outdoor spaces owned or controlled by the University of Missouri (collectively referred to as "facilities and grounds"). Examples of events and activities that may be covered by this policy include the following when held on University facilities and grounds:

- Meetings and other group activities of student organizations;
- Speeches, performances, and other events by outside individuals or groups invited by recognized student organizations; and
- Demonstrations, protests, displays, rallies, vigils, assemblies, and other free speech activities.

## **PROCEDURES**

The following information and procedures assist with ensuring compliance with the above policy, and seek to ensure that individual and group rights of expression, assembly, dissent and protest are not infringed or abridged. At the same time, they seek to support and preserve the means to maintain the safety of all members of the University community and visitors to the campus; to enable the University to fulfill its mission of teaching, research and engagement ; and to provide all members and visitors to the University community with the broadest possible latitude to speak, write, listen, challenge, and learn.

The following procedures are intended and shall be administered to provide content-neutral, minimally necessary standards and procedures to achieve these goals.

- Unscheduled expressive events and activities
- Scheduling and using facilities and grounds
  - Reserving facilities
  - Use of grounds / outdoor areas
  - Costs incurred
- Administration and policy application
  - Reviewing and prioritizing requests
  - Reasons for denying requests
  - Documentation and records retention
- Prohibited behaviors
- Outside speakers and groups
- Violations or non-compliance behaviors

# Unscheduled expressive events and activities

University employees, students, and student organizations may engage in unscheduled expressive events and activities in outdoor areas of the campus with the exceptions noted below.

The University is committed to protecting the rights of expression, assembly, protest, and dissent and to making its facilities and grounds available for these activities. Protecting impromptu and spontaneous assembly for the purpose of expression, protest, and dissent is essential to fulfilling this commitment. Thus, the lack of a reservation to use space is not a basis for terminating any expressive activity, including impromptu activities, unless the protest or assembly conflicts with a previously scheduled event in the same location, is being held in any of the restricted locations noted below, or is identified as engaging in one or more of the prohibited behaviors described below.

When an unscheduled activity conflicts with an event which was previously scheduled for the same time and space, the unscheduled activity shall be allowed to continue in its existing location until it needs to be relocated to allow for the prior scheduled activity or

preparations for it. When relocation is necessary or desired by those engaging in the unscheduled activity, upon request, the appropriate University official will assist in relocating it to a space where the activity can continue or in scheduling it for a different time.

See “Scheduling and using facilities and grounds” for additional information on areas not available for unscheduled expressive events and activities, and possible costs incurred.

To ensure space is available for an activity, individuals and organizations are encouraged to schedule space in non-restricted areas as indicated below.

# **Scheduling and using facilities and grounds**

## **Reserving facilities and grounds**

To schedule or reserve space for facilities and grounds, contact the MU Office of Reservations & Events (573-884-8793). Some spaces are reserved by other university departments or reservation coordinators. Commonly used spaces are listed below:

<b>SPACE</b>	<b>WHO TO CONTACT TO RESERVE SPACE</b>
Centrally Scheduled Classrooms	Office of the Registrar, 125 Jesse Hall, <a href="tel:573-882-6794">573-882-6794</a> , <a href="#">or click here</a>
MU Student Center and Memorial Union	<a href="#">Office of Reservations &amp; Events</a> (573-884-8793)
Mizzou Sports Park	MU Athletics Facilities Operations & Events Management, <a href="tel:573-882-6501">573-882-6501</a> , <a href="#">or click here</a>

Reynolds Alumni Center	<u><a href="#">Office of Reservations &amp; Events</a></u> (573-884-8793) <u><a href="#">MizzouRec Event Management</a></u> , <u><a href="#">573-884-0764</a></u> , or <u><a href="#">click here</a></u>
Mizzou Recreational Spaces	(i.e. Student Recreational Complex, Stankowski Field, Hinkson Outdoor Complex, Eppler Playfields)
Campus Dining Services private dining rooms	Campus Dining Services Conference Coordinator, 900 Virginia Avenue, <u><a href="#">573-882-4644</a></u> (i.e. The MARK on 5 <sup>th</sup> street, Plaza 900, Rollins, Sabai)
Residence halls and outdoor space adjacent to res halls	Residential Academic Programs (RAP) Office C122 Pershing Hall, <u><a href="#">573-882-4815</a></u> , or <u><a href="#">click here</a></u>
Outdoor Plazas & Green Spaces	<u><a href="#">Office of Reservations &amp; Events</a></u> (573-884-8793)

## Use of facilities and grounds

1. The end of each semester involves especially significant official use of facilities and grounds and especially significant interest in maintaining an environment free of disruption. Accordingly, special restrictions apply to use of facilities and grounds near the end of each semester :

- a. Only official academic and administrative units of the University, University-related foundations and the University alumni association, and registered student organizations with approval of their faculty advisor and campus leadership, are allowed to reserve spaces on campus during "Reading Days" or



"Stop Days," any final examination periods, and dates of any University Commencement activities.

- b. Scheduled or unscheduled activities or expression that could create noise disruption on campus will not be allowed after the last day of classes through the end of any University Commencement activities.
- c. The restrictions above shall apply to all dates of "Reading Days" or "Stop Days," final examination periods, and University commencement activities as indicated on the University's published Academic Calendar available from the University Registrar. For any academic unit that has unit-specific "Reading Days" or "Stop Days," final examination periods, or University commencement activities that fall outside those on the published Academic Calendar available from the University Registrar, the restrictions above shall apply to facilities housing that unit and adjacent grounds on all dates designated as "Reading Days" or "Stop Days," final examination periods, or University commencement activities on the academic unit's published academic calendar.

2. Spaces listed below may be reserved in advance, upon the approval of the appropriate coordinator but are not available for unscheduled expressive events and activities:

- Stankowski Field;
- The green space surrounding the Residence on the Quad;
- Areas managed by the University of Missouri Athletic Department;
- Hinkson Recreational Playing Fields;
- Epple Field (fields south of Green Tennis Center);
- Parking lots during time periods when parking permits (including temporary permits such as hourly parking passes and coin-op meters) are not required;
- The green spaces adjacent to residence halls (these areas are dedicated for the sole use of Residential Life); and
- Centrally scheduled classroom space.

3. Spaces listed below are available for reservation by University or non-University organizations or departments. If these spaces are unreserved, they are available for unscheduled expressive events and activities:

- Francis Quadrangle;
- Carnahan Quadrangle;
- Traditions Plaza;
- McAlester Park (also known as Peace Park);
- Lowry Mall;
- Kulhman Court;
- Dairy Lawn;
- Plaza south of Jesse Hall; and
- Walsworth Plaza.

4. Spaces not available for reservation or unscheduled expressive events and activities by University or non-University organizations or departments at any time include:

- The areas containing and surrounding the MU Research Reactor (MURR), the University Power Plant, and the Laboratory for Infectious Disease Research;
- Areas within 20 feet of the entrance or exit to any building;
- Parking garages including the top level;
- Parking lots during time periods when permits (including temporary permits such as hourly parking passes and coin-op meters) are required;
- Planted gardens;
- Green spaces, including lawns, adjacent to health care facilities, but not including sidewalks that traverse through these spaces;
- The courtyard between Stanley Hall and Sears Lotti Greenhouses (near the children's daycare facility located in that area);
- Sanborn Field;
- Areas surrounding utilities, including electrical substations and drinking water wells; and
- Areas that are fenced and locked, including construction sites.

Nothing in this Section should be interpreted or understood as limiting expressive speech and activities, whether planned or impromptu, at public University functions, activities, and events or in outdoor recreational areas in circumstances where the speech or activity (1) does not interfere with the event's occurrence or prevent audience members from hearing or observing the event, or (2) does

not interfere with the outdoor recreational area's use for its intended purpose.

## **Cost incurred**

The sponsoring organization may be responsible for any cost incurred on the part of the University, including clean-up, special construction, set-up costs, and extra security as deemed necessary and to the extent allowed by law.

Users of facilities and grounds must restore them to their original condition or may be held responsible for and liable to the University for payment of any and all costs incurred by the University to restore the facilities and grounds to their original condition.

Unscheduled events and activities will not be assessed fees or charges unless damage is intentionally or recklessly inflicted upon University property. In the event the unscheduled event or activity is causing damage or destruction of property, or imminently threatening to cause such damage or destruction, a University official or a member of the University of Missouri Police Department ("MUPD") may ask that the event or activity be relocated to an alternative space at the University, or if this is not possible be rescheduled, or if this is not possible cease and desist.

## **Administration and policy application**

### **Reviewing and prioritizing requests**

When reserving facilities and grounds for events or activities, the employee charged with responding to the request, in consultation with their supervisor, as appropriate, will review the requested reservation and determine based on applicable provisions of this policy, University rules and applicable law whether to approve, deny, or approve on partial, modified, or alternative conditions. The

determination will consider (a) whether the requested location is suitable for the event or activity, and (b) whether health and safety concerns require special precautions or arrangements. Several factors will be considered for the proposed event or activity such as:

- anticipated size;
- noise likely to be generated and impact, if any, on academic activities or other University activities in the vicinity;
- impact on traffic;
- adequacy and suitability of accommodations provided in the requested location;
- compliance with applicable laws, rules, regulations, and policies;
- potential risk to the health or safety of participants, observers, or others, or risks of destruction or damage to property; and
- any other similar, content-neutral factors that are related to any standard in this section.

Subject to the priorities described in this paragraph, reservations for facilities and grounds are generally decided on a first-come, first-served basis. Activities of the University itself have precedence over all extracurricular events and all activities of all other users.

Activities of recognized student organizations and groups have priority over those of all other users except the University.

Occasions may arise when an official University activity takes precedence for use of an already scheduled space. In the event rescheduling is necessary, the scheduling coordinator will work with the sponsors or organizers of the displaced activity to find suitable alternative locations and times that are reasonable under the circumstances.

## **Reasons for denying requests**

The reasons for denying a reservation request or approving on partial, modified, or alternative conditions may include, but are not limited to, the following:

- the applicant has not completed the appropriate reservation process for the desired location;

- the request to reserve space contains a material misrepresentation or materially false statement;
- the request is not received sufficiently in advance of the proposed event or activity to permit necessary evaluation and to determine the appropriate location. In general, the request must be received at least ten business days prior to the proposed event. This allows requestor enough time to obtain necessary permits, if applicable, and identify necessary staffing to support and/or execute the event.
- the use or activity intended by the request is prohibited by law or proposes behaviors or conduct proscribed as prohibited in this policy;
- the applicant has damaged University facilities or grounds and has not paid for repairs;
- the applicant has a previously committed significant or repeated violation of this policy;
- the use or activity would present an unreasonable health or safety danger or unreasonable risk of property destruction or damage; or
- the request to use University facilities or grounds conflicts with a preexisting reservation and no reasonable alternative time or place is available.

A person whose request is denied may appeal the denial to the Office of the Vice Chancellor for Business Operations and Strategic Initiatives. Appeals concerning the use of General Classroom Space (Centrally Scheduled) should be submitted in writing to the Assistant Vice Provost and University Registrar.

## **Documentation and records retention**

Any office responsible for processing requests is required to keep records of requests and actions taken, including reasons for denial, for five (5) years.

# Prohibited behaviors

The University will not interfere with events, meetings, rallies, demonstrations, vigils, protests, displays or assemblies in public areas of grounds and buildings unless participants engage in one or more of the following behaviors:

1. Disrupt, interfere with, or prevent (a) the orderly conduct of a University function or activity, including, but not limited to, classes, research, study, lectures, performances, meetings, interviews, administrative business, or ceremonies or other public events, or (b) access to any room or space in which such functions or activities are being held.

For purposes of this policy, “disrupt,” “interfere with,” or “prevent” describe circumstances in which behaviors occur that actually or imminently will substantially disrupt or materially interfere with the ordinary and normal operations of the University.

2. Disrupt, interfere with, or prevent access to locations where educational, health, or financial records are stored or located. For purposes of this paragraph, “location” refers only to the particular space in which an educational, health, or financial record is stored or located.

3. Hold demonstrations, protests, rallies, vigils, or assemblies in:

- a. Any room or other space in circumstances where a private meeting is being held, or has been scheduled to be held, in such space;
- b. Private offices;
- c. Laboratories and associated facilities;
- d. Computer centers;
- e. Museums, libraries, indoor areas designed for study and designated as quiet spaces, or facilities that normally contain valuable or sensitive materials, collections, or records protected by law or by an existing University policy (such as educational records, personnel records, or health records)
- f. Hospitals, health care clinics, and other health care facilities;

- g. Communication systems facilities, utility facilities, or other facilities conducting services vital to the continued functioning of the University; or
  - h. Residence halls and residential living spaces, except that this paragraph does not apply to residents engaging in such activities in the halls and spaces in which they live.
- 4. Hold demonstrations, protests, rallies, vigils, or assemblies or maintain displays for more than 8 hours during a 24-hour period without an approved reservation.
- 5. Set up or maintain any display that fails to conform to the following requirements. For purposes of this policy, a “display” means an item that is designed to or does stand on its own without being held or supported by a person. Items that are carried or held by people are not considered displays, including but not limited to, hand-held or hand-carried signs, flags, or banners. Individuals and organizations assume risk of damage to displays set up or maintained on University property and the University shall not be liable for damage to displays.
  - a. Displays must be staffed at all times by a person designated by the individual or organization that set up the display.
  - b. Each display must include or be accompanied by signage identifying the individual or organization that has set up or maintained the display.
  - c. Displays and signage must be placed to minimize interference with University maintenance activities or other operations.
- 6. Injure persons, damage or destroy property, or threaten to cause such injury or damage.
- 7. Create safety hazards or jeopardize the safety and security of participants or others.
- 8. Occupy without authorization a building when it is normally closed. A building is “normally closed” when it is inaccessible to the general public pursuant to its usual schedule.
- 9. Camping on campus as defined in BPPM 6:095 Camping on Campus.

10. Construct structures or set up items requiring penetration in earth, concrete, brick or similar surfaces on University grounds without prior written authorization from the Associate Vice Chancellor for Campus Facilities For purposes of this paragraph, "structure" means the framework of and the space enclosed by any building, booth, tent, canopy, vehicle, trailer, fence, wall, or similar object or enclosure.

11. Violate any applicable federal or state law, local government ordinance, or University policy or rule. Each individual or sponsoring organization that uses University facilities or grounds assumes a responsibility to comply with all applicable laws, regulations, and policies. All events and activities must comply with all applicable University policies and rules, including those relating to alcohol, tents, filming and photography, smoking, weapons, and parking. Failure to adhere to these requirements is a basis for revoking permission to use facilities and space and may result in disciplinary action. Examples of applicable University rules include, but are not limited to, the following:

- a. CRR §110.010.B.4.a: "The open possession of and discharge of firearms, weapons and explosives on University property including University farms is prohibited except in regularly approved programs or by University agents or employees in the line of duty. This rule shall not be construed as consent to the possession of concealed firearms, weapons, or explosives on University property."
- b. CRR §110.010.B.4.b: "The possession, use, or distribution of controlled substances under state or federal law is prohibited on University property and at University-sponsored or University-supervised activities. The possession, use, or distribution of alcoholic beverages is prohibited on University property and at University-sponsored or University-supervised activities except as approved in accordance with Section 110.050 of these Collected Rules and Regulations."



12. Continue to engage in behaviors prohibited in this Section after a University official or a member of MUPD has declared that the conduct violates this policy or other University regulations or policies or applicable law or ordinance (“violations”) and has instructed the participants to modify or terminate their behavior.

For purposes of this policy, the term “University official” means an employee of the University performing administrative or professional responsibilities under the delegated authority of the University. In carrying out their duties and responsibilities under this policy, University officials shall take appropriate steps to identify themselves and the capacity in which they are acting before giving directions or instructions to others.

## **Outside speakers and groups**

Recognized student organizations may invite or sponsor non-University speakers, performers, or groups to conduct activities or events on campus. The outside speaker, performer, or group may be given permission to use specific facilities through a written contract under terms and conditions that protect the University’s institutional interests. Such groups may not state or imply University sponsorship of the organization or its program without written authorization.

The University reserves the right to deny the use of its facilities to any non-University organization or individual seeking to rent or use University facilities and grounds.

## **Violations or non-compliant behaviors**

Violations by students will be handled through the University's disciplinary system administered by the Office of Student Accountability and Support. Violations by staff will be handled in accordance with applicable University rules and Human Resources Policy. Violations by faculty will be handled through rules and policies applicable to faculty conduct. Violations by individuals who are not affiliated with the University may result in removal from campus, issuance of trespass warnings, and other action allowable by law.

In the event of non-compliance with an instruction to modify or terminate behavior that violates this policy or that may violate state or federal law, a University official may enlist the assistance of MUPD. When the assistance of MUPD is obtained, MUPD has a responsibility (a) to declare unlawful behavior to be in violation of law, (b) to request all persons engaging in the behavior to cease and desist or be subject to arrest and/or University disciplinary action, (c) to arrest any persons observed to be in violation of law who do not cease and desist, and (d) to enlist the assistance of outside law enforcement agencies, if necessary.

Prompt compliance with instructions of a University official or of MUPD shall be a mitigating factor in any disciplinary proceedings based upon the immediate conduct to which the instructions refer, unless the violators are found to have caused or intended to cause injury to person or property or to have demonstrated willfully in an impermissible location.

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## **Contact us**

**Phone:** 573-882-4959

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