

## **FSU-2.007 Use of University Lands and Facilities.**

(1) Introduction. The Florida State University is a public institution. This regulation sets forth the guidelines for use of University facilities for events other than the normal University functions of teaching, research, service and administration. Use of campus facilities is administered by various University units; however, final authority for use of all campus facilities lies with the President or designee.

(2) Scope. University space, including University lands and facilities, will be used first for the official and regular purposes and functions of the University. The University may extend the use of specified space to members of the University community or to the general public subject to the provisions outlined within this regulation. This regulation shall be interpreted and implemented in a manner consistent with the First Amendment to the United States Constitution, Art. I of the State Constitution, and the Campus Free Expression Act, section 1004.097, F.S. Nothing in this regulation is intended to or shall be used to prohibit free expression based on viewpoint, or to prohibit spontaneous expressive activity in outdoor areas of campus subject to this regulation and other reasonable time, place, and manner restrictions.

(3) Definitions.

(a) "University Persons, Groups and Organizations." University persons, groups and organizations are defined as one of the following: individual members of the University community (students, faculty, and employees acting in an official University capacity); all Student Government Association (SGA) entities; student organizations officially recognized by the University; officially constituted colleges, schools, divisions, departments, agencies; the University Board of Trustees or other corporate organizational units which are a part of, or operate on behalf of, the University, such as Direct Support Organizations, (DSO's).

(b) "University Related Groups and Organizations." Groups and organizations not officially recognized by or affiliated with the University, or otherwise failing to meet the definition in paragraph (a) above, but which are related to the University because of the promotion of interests of the University community, the academic professions, and other related interests of the faculty, staff, or students, or which perform other service to the University and its

community, such as credit unions, academic professional associations and fraternities, employee organizations, charitable community organizations, other public educational institutions, and the like.

(c) "Non-University Persons, Groups and Organizations." Persons, groups or organizations which do not meet the definitions of persons, groups, or organizations as defined in paragraph (a) or (b) above, including those groups and organizations which exist primarily for the purpose of carrying on commercial activity for profit, or which otherwise exist primarily for private individual gain or benefit.

(d) "Private Events." A private event held on the University campus that is open to attendance only by members and invited guests of the host organization or person.

(e) "Public Events." A public event held on the University campus that is open to attendance by all members of the University community and/or to the general public in accordance with the provisions of this regulation.

(f) "Continuing Education Programs." Continuing Education programs are those conferences, meetings, and other events registered with the Center for Professional Development & Public Services that have as their purpose the providing of instructional, training and other educational programs to persons outside the University community. For regulation(s) pertaining to continuing education programs and events registered with the Center for Academic and Professional Development, refer to Regulation FSU-5.090, Center for Professional Development and Public Service.

(g) "Outdoor Areas of Campus." Outdoor areas of the campus are classified as follows and are subject to use in accordance with this regulation: -

1. Academic areas. Outdoor areas immediately adjacent to classrooms, libraries, laboratories, auditoria, and research facilities. -
2. Oglesby Union, Student Services Building, Askew Student Life Center, and Health and Wellness Center areas. Outdoor areas immediately adjacent to these facilities, as well as Woodward Street Plaza and Landis Green. -
3. Residential areas. Outdoor areas immediately adjacent to residence halls on the University campus. -

4. Campus Recreation areas. Outdoor areas of campus under the purview of Campus Recreation including the Seminole Reservation, Intramural Fields, Sportsplex, and Westside Courts.
5. University Relations areas. Outdoor areas of campus under the purview of University Relations including Langford Green, areas immediately adjacent to the Westcott Building including Westcott Plaza, and Mina Jo Powell Green.
6. Athletics areas. Outdoor areas of campus under the purview of Athletics including Doak S. Campbell Stadium, Dick Howser Baseball Stadium, the Seminole Soccer Complex, the JoAnne Graf Softball Stadium, Speicher Tennis Complex, Mike Long Track, Basketball Facility, Morcom Aquatic Center, Sand Volleyball Courts, Sportsmanship Plaza (Gate G), University Center Gates Plaza (Gate K) and sports practice areas established for special uses. The Seminole Golf Course is under the purview of the Business Services Office.
7. College of Music. Outdoor areas of campus under the purview of the College of Music including the Owen Sellars Amphitheatre and the Marching Chiefs Practice Field.
8. Donald L. Tucker Center. Outdoor areas of campus immediately surrounding and under the purview of the Tucker Center.
9. Panama City Campus. Outdoor areas of campus under the purview of the Office of Finance and Administration in Panama City.
10. Other areas of the campus established for special uses or purposes not otherwise designated in this section. The scheduling or use of these areas for meetings or events contemplated by this regulation shall be through the President's office, depending on entity assigned responsibility and control.

(h). "Camping". Camping is defined as use of a vehicle, tent, or other shelter, and/or bedding with the intent to stay overnight.

#### (4) Scheduling of Facilities and Outdoor Areas of Campus

(a) The following facilities and outdoor areas of campus are subject to this regulation. Scheduling of facilities and outdoor areas of campus is subject to oversight and policies determined by the following University units:

1. Academic areas. Non-academic use of these facilities and outdoor areas are requested through the Guest Services and Public Functions Office in the Oglesby Union subject to approval by the University Registrar or designee.
2. Oglesby Union, Student Services Building and the Askew Student Life Center areas. The scheduling of events or meetings in these facilities and outdoor areas is through the Guest Services and Public Functions Office in the Oglesby Union.
3. Residential areas. The scheduling of meetings or events in these facilities and outdoor areas is scheduled through the Director of University Housing Office or designee.
4. Campus Recreation areas. Facilities and outdoor areas are scheduled through the Director of Campus Recreation or designee.
5. University Relations areas. Facilities, including Miller Hall, Board Room UCC 5301, Beth Moor Lounge, and outdoor areas are scheduled through the Vice President of University Relations or designee.
6. Athletics areas. Facilities and outdoor areas are scheduled through the Director of Athletics or designee.
7. College of Music. Facilities and outdoor areas are scheduled through the Dean of the College of Music or designee.
8. Center for Global Engagement. Facilities are scheduled through the Director of Center for Global Engagement or designee.
9. Dunlap Student Success Center. Facilities are scheduled through the Director of Dunlap Student Success Center (Center for Civic Education and Service and Career Center) or designee.
10. Center for Professional Development. Facilities are scheduled through the Director of the Center for Professional Development or designee.
11. Donald L. Tucker Center. Facilities and outdoor areas are scheduled through the Director of the Center or designee.
12. Campus Dining and Business Services facilities are scheduled through the Director of Business Services or designee.

13. Panama City Campus facilities and outdoor spaces are scheduled through the Director of Finance and Administration for the Panama City campus, or his or her designee, in consultation with the Dean.

14. Other areas of the campus established for special uses or purposes. The scheduling or use of these facilities for meetings or events contemplated by this regulation shall be through the President's Office, depending on entity assigned responsibility and control.

(b) Outdoor areas of campus may be used on an unscheduled basis for spontaneous expressive activities, provided that:

1. The University has not reserved or restricted the use of an outdoor area for individuals or groups pursuant to this regulation or for other official University purposes;

2. The unscheduled use of the outdoor area does not materially and substantially disrupt the functioning of the University or the expressive rights of other individuals or groups; and

3. The use of the outdoor area is otherwise in compliance with applicable laws, University regulations, and other reasonable time, place, and manner restrictions.

(c) Requests for space by University and University Related Persons, Groups, and Organizations must be made per any policies set by the respective University units which oversee scheduling as outlined in this regulation. Said University unit policies must be consistent with this regulation.

(d) Non-university requests for use of facilities or outdoor areas must be made per the policies set by the respective University unit which oversees scheduling as outlined in this regulation at least fourteen days in advance of the event. Requests for any continuing or permanent use of University facilities by a non-university user, for a certain time each week for a number of weeks, shall not be permitted under this regulation.

(e) Meetings or activities scheduled in accordance with this regulation that contemplate the charging of admission or other fees shall be subject to policies as approved by the University President or designee.

(f) All instructional space of the University, including seminar rooms, classrooms, laboratories, other research facilities, teaching auditoria, and libraries, is considered academic space and is under the assignment and control of the University Registrar. Any use of such facilities under this

regulation shall be on a space-available basis. Requests for said space shall be made through the Oglesby Union Guest Services Office.

(5) Facilities and Space Use other than for Official University Purposes by Category of User.

(a) Priority for Use of University Facilities.

1. Priority for the use of University facilities shall be awarded in the following order:

a. University persons, groups, and organizations.

b. University Related persons, groups, and organizations.

c. Non-University persons, groups, and organizations.

2. When in the best interest of the University, such as the unforeseen need of facilities for major athletic events, priority of use may be reassigned with the approval of the President or designee.

(b) Use of University Facilities by University Persons, Groups, and Organizations.

1. University persons, groups, and organizations may use University facilities for the purpose of hosting events. A license agreement to secure use of facilities for private events may be issued by the Public Functions Office in Oglesby Union Guest Services. Events may be subject to the registration requirements of the respective University units outlined in (4), which include rental payment, certificate of insurance and other registration requirements when deemed necessary by the University for the protection of the facility and the group participants and in the best legal and financial interest of the University-

2. Within the provisions of this section, private events shall not be accorded priority over public events. Any priority will be determined at the time of the scheduling of the event.

3. No University person, organization, or group shall sponsor an event, for any Non-University person, group, or organization for the commercial or private benefit of said non-University person, group or organization that has not sought and received permission on its own to use University facilities.

(c) Use of University Facilities by University Related Persons, Groups, or Organizations.

1. University Related persons, groups or organizations may use University facilities subject to the following conditions

a. All use of University facilities by University related persons, groups, or organizations shall be conditional upon the execution of a written agreement between the University and the

individual, group, or organization desiring to use the facilities. Said agreement shall provide for, but is not limited to the following, that such individual, group, or organization:

- i. Shall pay to the University the established rental fee as provided in (4)(d) plus any additional out-of-pocket costs incurred by the University in the scheduling and holding of the activity, including but not limited to security, parking, and physical services.
- ii. Shall supervise the event and accept full responsibility for any loss and/or damage to University facilities and/or equipment and shall hold the University harmless from any claims arising from any personal injuries in the use of the premises.
- iii. Shall be responsible for reporting and paying all applicable Federal and State taxes.
- iv. Shall assume all responsibility for the promotion and advertising of the meeting or event utilizing the University's Policy for Posting, Promotions, Advertising, Chalking, and the Distribution of Materials on FSU Campuses as adopted in Regulation FSU-2.0131, F.A.C. The University's name and/or symbols shall not be used in connection with the promotion or holding of any event without the express, written permission of the University.
- v. Shall provide the equipment of any type required for the event unless otherwise agreed to between the University and the individual, group, or organization. The University's name and/or symbols shall not be used in connection with the promotion or holding of any event without the express, written permission of the University.
- vi. Shall provide evidence of insurance required for the event as determined by the University Environmental Health and Safety department.

(d) Use of University facilities by Non-University Persons, Groups, and Organizations.

1. Use of University Facilities by Non-University Persons, Groups, and Organizations. Generally, groups in this category will not enjoy the use of campus facilities. However, it is possible that special conditions might permit the use of University facilities by some organizations in this group, such as educational programs that may be attended by members of corporate organizations.

2. Non-University persons, groups or organizations who are permitted use of University facilities shall use University facilities subject to the conditions outlined in (5) (c.):

(6) General Conditions Applicable to All Uses of University Areas and Campus Facilities.

(a) All uses of the University areas and facilities in accordance with this regulation are subject to the laws of the State of Florida and the rules, regulations, and policies of the Board of Trustees and the Florida State University and other applicable laws and rules.

(b) The University reserves the right to reasonably determine the time, place, and manner of all events held in University areas and facilities subject to this regulation.

(c) The use of public address systems or other electrical amplification equipment in outdoor areas of campus is subject to approval by the Director of the Oglesby Union or designee, or the Chief of Police or designee. Approval will be granted when it is necessary that such equipment be utilized in the meeting or event and when the use of such equipment does not interfere with the academic processes or activities of the University or with other previously scheduled events or campus activities. All such use of public address systems or other amplification equipment is subject to the other provisions of this regulation and shall maintain a reasonable sound level which meets the communication needs of the event without excessive noise penetration to adjacent areas.

(d) All users of University areas and facilities shall take adequate precautions to avoid endangering the safety of persons in the area of the facilities used.

(e) The Florida State University does not allow the use of its facilities by groups or organizations whose practices are in conflict with the University's Non- Discrimination Policy.

(f) Cooperative arrangements with State Agencies for the use of University Facilities shall be permitted under this regulation. -

(g) All persons, groups, and organizations must adhere to the University's policy on the use of alcoholic beverages at events, Regulation FSU-6.012, F.A.C., and the Posting Regulation FSU-2.0131, F.A.C.

(h) Persons, groups, and organizations using a University facility or outdoor area shall clearly state the identity of the sponsoring group in its request, signage at the event, and in news releases, placards, tickets, etc.

(i) Use of University Facilities by Private Individuals and Commercial Organizations. University space shall not be provided for private individuals or commercial organizations except when



specifically determined by the University that such use is in the best interest of the University and not in conflict with other University uses.

(j) Use of University Facilities for Political Campaign Events. It is recognized that the University, as a state educational institution, has an obligation to assist political organizations to inform the faculty and student body of the issues in primary and general elections. Therefore, all political campaign events shall be limited to meetings or events sponsored by recognized organizations of the University and consistent with applicable laws, regulations and rules. Costs associated with the use of university facilities for campaign events shall be the responsibility of the sponsoring organization or political campaign.

(k) Individuals or groups who occupy university facilities or outdoor areas of campus are responsible for removing all equipment and debris following use of the space. Individuals or groups may be held financially responsible for the university's cost for removal of any debris or equipment or any other damage to university property.

(7). Use of Campus Lands; Camping.

(a) Tents or other temporary structures are prohibited on lands of the Florida State University campus except when used in connection with activities of academic or administrative units of the University, or as otherwise approved pursuant to this subsection.

(b) Tents or other temporary structures may be erected on University property by academic or administrative units only for activities directly related to the mission of the unit and only after first obtaining written approval of the Vice President for Finance and Administration or designee, who shall consider time period, space, traffic, and other safety and aesthetic factors.

(c) Student Government and recognized student organizations may secure approval for use of tents or temporary structures for activities described above by request to the Vice President for Finance and Administration or designee, who shall consider time period, space, traffic, and other safety and aesthetic factors.

(d) Camping is prohibited on lands of the Florida State University campus except when such camping is in connection with an official activity of the University, such as an activity of an academic or administrative unit. Prior written approval for such camping must be granted by the Vice President for Finance and Administration or designee taking into consideration time period,

space, traffic, and other safety and aesthetic factors, along with the health, safety and welfare of the participants, the University community, and guests of the University. However, the Florida State University Chief of Police may authorize the use of vehicles, mobile homes, camping trailers, gazebos, tarps and similar structures in pre-designated areas in conjunction with or furtherance of an official one- day university event.

Specific Authority Board of Governors Regulations 1.001 (3) (j) and (7) (g). History—New 9-30-75, Formerly 6C2-2.07, Amended 5-11-04, 9-24-10, 1-13-2012, 3-8-2013, 9-4-2018