

**Review of the University of Maryland, College Park Procedures for the Use of Physical Facilities (Senate Document #18-19-10)****TO Wallace D. Loh | President****FROM Pamela Lanford | Chair, University Senate**

I am pleased to forward the accompanying legislation for your consideration and approval. Jo Zimmerman, Chair of the Campus Affairs Committee, presented the committee's proposal on Review of the University of Maryland, College Park Procedures for the Use of Physical Facilities (Senate Document #18-19-10), which the University Senate approved at its meeting on September 12, 2019. Please inform the Senate of your decision and any administrative action related to your conclusion.

Approved:**Date:****09-24-2019**

**Wallace D. Loh
President**

Copies of this approval and the accompanying legislation will be forwarded to:

Mary Ann Rankin, Senior Vice President and Provost
Reka Montfort, Executive Secretary and Director, University Senate
Michael Poterala, Vice President and General Counsel
Cynthia Hale, Associate Vice President for Finance and Personnel
John Bertot, Associate Provost for Faculty Affairs
Elizabeth Beise, Associate Provost for Academic Planning & Programs
Sylvia B. Andrews, Academic Affairs
John Zacker, Interim Vice President for Student Affairs
Carlo Colella, Vice President for Administration & Finance
David Mitchell, Chief of Police, University of Maryland Police Department
Gene Ferrick, Past Chair, Campus Affairs Committee
Jo Zimmerman, Chair, Campus Affairs Committee



Review of the University of Maryland, College Park Procedures for the Use of Physical Facilities

PRESENTED BY Gene Ferrick, Chair

REVIEW DATES SEC – August 28, 2019 | SENATE – September 12, 2019

VOTING METHOD In a single vote

RELEVANT POLICY/DOCUMENT [University of Maryland, College Park Procedures for the Use of Physical Facilities](#)

NECESSARY APPROVALS Senate, President

ISSUE

In 2018, the Joint President/Senate Inclusion & Respect Task Force released a report on [Inclusion and Respect at the University of Maryland](#). The task force recommended that the Senate's Campus Affairs Committee be charged with a review of the University's Procedures for the Use of Physical Facilities (VI-4.10[A]). In September 2018, the Senate Executive Committee charged the Campus Affairs Committee with reviewing existing University policies, guidelines, and practices concerning the use of its physical facilities by campus and external users; reviewing similar policies and practices at Big 10 and peer institutions; consulting with a range of stakeholders and affected units on campus; and recommending changes to University policy and guidelines as appropriate.

RECOMMENDATIONS

The Campus Affairs Committee recommends that the University of Maryland, College Park Procedures for the Use of University Facilities (VI-4.10[A]) be revised as indicated in the policy document immediately following this report.

The Campus Affairs Committee recommends that the following administrative recommendations be approved:

- The University should update informational resources, guidelines, and University web pages that reference the use of University facilities and outdoor spaces to reflect both the name and provisions in the Policy and Procedures for the Use of University Facilities and Outdoor Spaces.
- The Event Coordination Team should re-evaluate its current composition and consider expanding its membership to include additional relevant representatives of University facilities/spaces.
- The Event Coordination Team should develop guidelines and procedures for its operations and guidance for academic and administrative unit heads to use when fulfilling their responsibilities under the Policy and Procedures for the Use of University Facilities and Outdoor Spaces. The

Event Coordination Team should consult with the Office of General Counsel and other relevant offices in developing these resources.

- The University should ensure that any relevant resources developed by the Event Coordination Team are made available to the campus community and distributed to those who host or review programs covered by the Policy and Procedures for the Use of University Facilities and Outdoor Spaces.
- The University Senate should charge the Campus Affairs Committee with reviewing the Guidelines on Demonstrations and Leafletting and Chalking Guidelines to ensure that they align with the Policy and Procedures for the Use of University Facilities and Outdoor Spaces.

COMMITTEE WORK

In fall 2018, the Campus Affairs Committee reviewed recommendations from the Joint President/Senate Inclusion & Respect Task Force, as well as the procedures and related guidelines covering demonstrations, leafletting, and chalking. A subcommittee formed to assess current practices met with a range of individuals to learn how University facilities and spaces are used by members of the campus community and by the public. The subcommittee shared its findings at the Campus Affairs Committee's first meeting in spring 2019. The committee consulted with representatives from the Office of General Counsel, the UMD Police Department, and Conferences & Visitor Services.

After reviewing practices at Big 10 and peer institutions, the committee spent the remainder of the semester considering revisions to the existing procedures that would reflect current practice, align with standard policy language and conventions, and address concerns identified in the course of the committee's work. The committee shared its draft Policy and Procedures for the Use of Facilities and Outdoor Spaces with various stakeholders, including the units consulted by the subcommittee, the Office of Faculty Affairs, the Division of Student Affairs, the Division of Academic Affairs, and the Office of General Counsel. After revising the draft in light of the feedback it received, the committee developed several administrative recommendations intended to improve event coordination, increase awareness of important activities taking place on campus, and ensure individuals are aware of their responsibilities under the policy. Given the extensive nature of the proposed revisions to the existing procedures, the committee felt it would be best to consider the Guidelines on Demonstrations and Leafletting and the Chalking Guidelines, as requested by the committee's charge, after the policy is approved; therefore, it made a recommendation that it be charged with further review of the guidelines in the future. After due consideration, the Campus Affairs Committee voted to approve the proposed Policy and Procedures for the Use of Facilities and Outdoor Spaces, as well as several administrative recommendations, at its meeting on May 9, 2019.

ALTERNATIVES

The Senate could reject the proposed revised policy and the University would retain the current procedures. However, the University would lose the opportunity to improve coordination between different users of University facilities and outdoor spaces.

RISKS

There are no associated risks to the University in adopting these recommendations.

FINANCIAL IMPLICATIONS

There are no known financial implications.



Review of the University of Maryland, College Park Procedures for the Use of Physical Facilities

2018-2019 Committee Members

Gene Ferrick (Chair)
Jonathan Allen (Ex-Officio SGA Rep)
Amin Aria (Ex-Officio GSG Rep)
David Cronrath (Ex-Officio Provost’s Rep)
Charvi Jain (Graduate Student)
Luke Jensen (Ex-Officio Chief Diversity Officer Rep)
Jing Lin (Faculty)
Anne Martens (Ex-Officio VP Administration and Finance Rep)
Pamela McNally (Staff)
Gerald Miller (Faculty)
HuyenTran Nguyen (Staff)
Nadia Owusu (Undergraduate Student)
Yuhan Rao (Graduate Student)

Joel Seligman (Ex-Officio VP University Relations Rep)
Sue Sherburne (Ex-Officio Chair of Coaches Council Rep)
Elizabeth Wasden (Faculty)
Joshua Westgard (Faculty)
William Wong (Undergraduate Student)
Carly Woods (Faculty)
Lance Yonkos (Faculty)
John Zacker (Ex-Officio VP Student Affairs Rep)

Date of Submission

August 2019

BACKGROUND

In 2018, the Joint President/Senate Inclusion & Respect Task Force released a report on [Inclusion and Respect at the University of Maryland](#). The task force recommended that the Senate’s Campus Affairs Committee be charged with a review of the University’s Procedures for the Use of Physical Facilities (VI-4.10[A]). In September 2018, the Senate Executive Committee (SEC) charged the Campus Affairs Committee with reviewing existing University policies, guidelines, and practices concerning the use of its physical facilities by campus and external users; reviewing similar policies and practices at Big 10 and peer institutions; consulting with a range of stakeholders and affected units on campus; and recommending changes to University policy and guidelines as appropriate (Appendix 2).

CURRENT PRACTICE

The current Procedures for the Use of Physical Facilities (VI-4.10[A]) indicate that the institution’s facilities are primarily intended to support activities “offered by and intended for the campus community.” They define two categories of users of University facilities and spaces. These include *campus users* (departments, student organizations, faculty, staff, and students) and all *others* (the general public and non-University groups). The procedures establish different types of indoor and outdoor spaces and indicate how each category of user can reserve them. Campus users may reserve classrooms, non-classroom indoor spaces, and outdoor spaces. Facilities and spaces designated for use by others include specific “public use facilities” that may be reserved directly, additional facilities and spaces reserved through Conferences & Visitor Services, and a “public speaking space”—the Nyumburu Amphitheater Stage—where members of the public may exercise their First Amendment rights.

Most activities occurring in University facilities must be sponsored by a University department or registered student organization, with the exception of events organized by others discussed above. The procedures do not define sponsorship or whether it includes financial liability, though users “assume complete responsibility for all activities associated with the event.” Many facilities—including the Clarice Smith Performing Arts Center, the Samuel Riggs IV Alumni Center, and the Stamp Student Union—provide tiered rate structures that charge students and student organizations lower rates than faculty/staff or departments, who are in turn charged lower rates than outside groups.

Responsibility for scheduling University facilities and outdoor spaces is decentralized, and there is no single office that is aware of or coordinates the many activities that occur across campus on a daily basis. The scheduling of general purpose classrooms in a given building, for example, is overseen by the Office of the Registrar, while other spaces in that same building may be under the control of individual departments or Colleges/Schools. The process for reserving spaces also differs depending on the type of user. The list of facilities and spaces in the procedures, which were last substantively amended in 2001, is out of date, as are the names of various offices and the processes by which certain reservations are made.

While the management of activities occurring across campus is decentralized, current practice does include some efforts to coordinate specific events. An “event management team” convened by the University of Maryland Police Department (UMPD) identifies and considers significant events meriting more extensive coordination and logistical planning involving parking, security, and crowd control, among other issues. This group meets regularly, and includes representatives of units and offices that accept reservations from external users, including the Clarice Smith Performing Arts Center, Conferences & Visitor Services, the Samuel Riggs IV Alumni Center, and the Stamp Student Union. The event management team also includes representatives from offices who can help coordinate events, including the Department of Transportation Services and the Department of Environmental Safety, Sustainability, & Risk Assessment. The group primarily focuses on events that are planned by non-campus users or that are open to the public.

COMMITTEE WORK

In fall 2018, the Campus Affairs Committee began its work on the charge by reviewing recommendations from the Joint President/Senate Inclusion & Respect Task Force. The committee also reviewed related guidelines covering demonstrations, leafletting, and chalking. To better understand the University’s obligations with regard to the First Amendment, the committee consulted with a representative from the Office of General Counsel. The committee also met with representatives from the UMPD and Conferences & Visitor Services. Given the significant number of facilities and spaces on campus, the committee decided to appoint a subcommittee to conduct research regarding current practices. The subcommittee convened several times and met with or consulted a range of units, including:

- Adele H. Stamp Student Union
- Clarice Smith Performing Arts Center
- Intercollegiate Athletics
- Office of the Registrar
- Robert H. Smith School of Business
- Samuel Riggs IV Alumni Center
- School of Music
- School of Theatre, Dance, & Performance Studies

The subcommittee also developed possible revisions to the Procedures for the Use of Physical Facilities, which were shared with the full committee early in spring 2019. After reviewing information on approaches taken by Big 10 and peer institutions, the committee worked to develop a policy and procedures that reflected current practice, aligned with standard policy language and conventions, and addressed concerns identified in the course of the committee's work.

The committee shared its draft Policy and Procedures for the Use of Facilities and Outdoor Spaces with various stakeholders, including the units consulted by the subcommittee, the Office of Faculty Affairs, the Division of Student Affairs, the Division of Academic Affairs, and the Office of General Counsel. After considering the feedback it received and revising the draft, the committee also developed several administrative recommendations intended to improve event coordination, increase awareness of important activities taking place on campus, and ensure individuals are aware of their responsibilities under the policy. Given the extensive nature of the proposed revisions to the existing procedures, the committee felt it would be best to consider the Guidelines on Demonstrations and Leafletting and the Chalking Guidelines, as requested by the committee's charge, after the policy is approved; therefore, it made a recommendation that it be charged with further review of the guidelines in the future.

After due consideration, the Campus Affairs Committee voted to approve the proposed Policy and Procedures for the Use of Facilities and Outdoor Spaces, as well as several administrative recommendations, at its meeting on May 9, 2019. A subsequent review of the proposed policy identified ambiguous language that could prevent students from reserving academic spaces for activities not directly related to their studies. Given the committee did not intend to end this aspect of current practice, the Senate Office and committee chair made minor revisions to the proposed policy's definition of "internal user," which were reviewed by the Office of General Counsel.

Legal Framework

As a public institution, the University is committed to facilitating open and free speech, and the exchange of ideas is central to its mission. In addition to encouraging discussion and debate, however, the University has a responsibility to ensure the safety of faculty, staff, students, and visitors. Balancing these two priorities can be difficult.

First Amendment case law generally recognizes three relevant categories of government property associated with speech. A traditional public forum includes public property with the characteristics of a public thoroughfare and a tradition or history of being used for expressive conduct; these areas are dedicated for expressive activity and only narrowly tailored time, place, and manner (TPM) restrictions on speech are allowed. A limited or designated public forum includes property that is not open to the public but that has been purposely opened for expressive activity; limited, viewpoint-neutral TPM restrictions are permissible. A non-public forum is government property that is not open to the public or to expressive conduct.

The University of Maryland is a limited public forum, as it is on state property devoted to a specific purpose associated with its higher education mission. The University is permitted to prioritize students over members of the public in reserving space as long as any rules or restrictions are reasonable and viewpoint neutral. Examples of reasonable restrictions would include: requiring a registration or permitting process, prohibiting events on certain days/times (e.g. exam days or when there is a competing campus event), and limits on particular areas or hours. Any restrictions must be applied consistently.

Peer Institutions

Approximately two-thirds of the institutions reviewed have a policy or policies similar in purpose to UMD's, though they vary significantly in scope and level of detail (Appendix 1). These policies establish different categories of user that vary by policy, but all generally distinguish between members of the campus community and external users. Nearly all have language establishing the primary uses of the institution's facilities, and most give campus users priority over others. Approximately half reference the role that institutional facilities play in supporting expressive activities.

None of the institutions the committee reviewed has a single office that processes or oversees space reservations for the entire campus. Some handle internal and external reservations in different offices, while some parse reservations by type of use (course scheduling, extracurricular activities, athletic events, or other uses). In the course of its review, the committee did not identify a peer approach that could serve as a model for UMD, nor has UMPD identified another approach in its conversations with Big 10 partners that could accommodate the range of current practices used on our campus.

Users of University Facilities and Spaces

In response to concerns identified in its review, the committee worked to clarify the obligations and responsibilities of those who organize programs. This led to more precise definitions that distinguish between "internal users" and "external users." The committee expanded the former to include administrative units, and clarified that individual faculty or staff members are only considered internal users when their programming involves their job duties. The committee also decided to replace the concept of "sponsoring" with "hosting," in part because the former can imply support for the content of an event or program. Hosts—which include both internal and external users—are legally and financially responsible for their programming, and the policy indicates that they may be required to obtain insurance or pay fees in order to use University facilities and spaces, as often happens in current practice. The committee also added language prohibiting internal users, who are typically charged lower rates or allowed to use certain facilities for free, from making reservations on behalf of external groups, a process commonly referred to as "fronting."

Spaces Available for Reservation

The committee revised the scope and title of the policy to include "outdoor spaces," given that internal and external users may reserve more than just facilities. Several of the stakeholders consulted by the committee expressed a desire to have a comprehensive list of all outdoor spaces that can be reserved and the unit responsible for managing each. The committee determined that the number of locations, as well as reservation procedures that are often ad hoc and not associated with a formal delegation of authority, would make such a task unrealistic. Nevertheless, members agreed that there may be value in such an undertaking in the future.

The existing procedures list specific facilities available to each category of user, but the lists are incomplete and out of date. The committee decided to eliminate the list of facilities that internal users can reserve, given it potentially includes every academic building on campus. The proposed policy retains a list of those facilities that can be directly reserved by external users. This list was moved to an attachment, which will allow it to be updated as needed without review and approval by the Senate and President. The committee also considered the space designated for members of the public to exercise their First Amendment rights, the Nyumburu Amphitheater Stage. In consulting with Stamp Event & Guest Services, which manages reservations for the space, the committee found that the Nyumburu Amphitheater Stage is able to meet current demand. It also has particular

advantages, given its location: activities held there are near high-traffic areas and unlikely to disrupt academic activities. As such, the committee decided against making any changes.

Event Coordination Team

In consulting with stakeholders, the committee identified a need to ensure that significant events and programs that may require more extensive coordination and logistical planning are brought to the attention of the appropriate offices and individuals. UMPD’s “event management team” currently fulfills this function for some activities, but the group lacks awareness of many activities taking place in academic buildings across campus. The committee decided to formalize and codify the “event management team” as the Event Coordination Team (ECT). The ECT’s purpose will be to identify and review reservations for events and programs that utilize University facilities or outdoor spaces and require coordination or more extensive support. It will work to resolve scheduling conflicts, assess parking needs, conduct risk assessment, and evaluate security requirements in order to make recommendations to event planners. It will be an advisory rather than a decision-making body, and will be responsible for notifying the relevant vice president or senior administrator of events or programs that require significant security measures or extensive logistical support. The committee determined that details about the ECT’s membership, operating procedures, and the criteria it uses in its reviews should be codified in guidelines that are developed and maintained by the group itself. The ECT guidelines will be made available to the campus community.

To ensure that the ECT can coordinate significant programs occurring in academic buildings, the policy requires that internal users hosting programs that involve external guests/speakers and are open to the public report such programs to their administrative unit heads. Unit heads will then decide whether or not such programs should be brought to the attention of the ECT. The committee recommends that the ECT develop guidance to help administrators with these assessments.

Balancing Speech and Safety

The committee discussed at length how best to respect the principles of freedom of expression while establishing processes designed to ensure the safety of both internal and external users of facilities and outdoor spaces. One virtue of the existing procedures is that their restrictions are not based on the content of an event or program. The committee retained this approach in the proposed policy, which ensures that limitations are related to the time, place, and manner of activities rather than their content. Similarly, the committee recommends that development of the ECT’s guidelines involve the Office of General Counsel to ensure that any criteria used by the ECT when evaluating and coordinating events and programs are content neutral and respect rights established by the First Amendment. However, the committee determined that if the ECT’s assessment identifies safety and security concerns that hosts cannot or will not mitigate, the University should have the right to relocate or cancel an event or program in order to ensure the safety of the University community.

RECOMMENDATIONS

The Campus Affairs Committee recommends that the University of Maryland Procedures for the Use of University Facilities (VI-4.10[A]) be revised as indicated in the policy document immediately following this report.

The Campus Affairs Committee recommends that the following administrative recommendations be approved:

- The University should update informational resources, guidelines, and University web pages that reference the use of University facilities and outdoor spaces to reflect both the name and

provisions in the Policy and Procedures for the Use of University Facilities and Outdoor Spaces.

- The Event Coordination Team should re-evaluate its current composition and consider expanding its membership to include additional relevant representatives of University facilities/spaces.
- The Event Coordination Team should develop guidelines and procedures for its operations and guidance for academic and administrative unit heads to use when fulfilling their responsibilities under the Policy and Procedures for the Use of University Facilities and Outdoor Spaces. The Event Coordination Team should consult with the Office of General Counsel and other relevant offices in developing these resources.
- The University should ensure that any relevant resources developed by the Event Coordination Team are made available to the campus community and distributed to those who host or review programs covered by the Policy and Procedures for the Use of University Facilities and Outdoor Spaces.
- The University Senate should charge the Campus Affairs Committee with reviewing the Guidelines on Demonstrations and Leafletting and the Chalking Guidelines to ensure that they align with the Policy and Procedures for the Use of University Facilities and Outdoor Spaces.

APPENDICES

Appendix 1—Research on Policies at Big 10 and Peer Institutions

Appendix 2—Charge from the Senate Executive Committee

VI-4.10(A) UNIVERSITY OF MARYLAND **POLICY AND PROCEDURES FOR THE USE OF ~~PHYSICAL~~ FACILITIES AND OUTDOOR SPACES**

Approved by the President August 1, 1991; Amended January 18, 2001;
Amended April 24, 2003 (technical clarification)

I. Policy

It is the policy of the University of Maryland that its physical facilities and outdoor spaces be used to support the University's central mission as a land grant institution and its goals of achieving excellence in teaching, research, and public service within a supportive, respectful, and inclusive environment that honors freedom of expression and complies with the First Amendment.

II. Applicability

This policy applies to members of the University of Maryland (University) community (students, faculty, and staff) and other individuals or parties who utilize University facilities and outdoor spaces. The licensed use of University facilities for research-related activities by non-University users is addressed in VIII-14.00 (A) University of Maryland Policy on the Use of University of Maryland Facilities by Non-University Users for Research-Related Activities.

III. Definitions

- A. "Host" means the planning and/or delivery by an Internal User of a Program to which others are invited. Those who Host Programs are responsible for all financial and legal liabilities associated with the Program.**
- B. "External User" means a group or individual that is not a University of Maryland academic or administrative unit, a Registered Student Organization, an employee acting within the scope of their employment, or a registered student.**
- C. "Internal User" means a University of Maryland academic or administrative unit, a Registered Student Organization, employees acting within the scope of their employment, or registered students.**
- D. "Program" is an activity or event that is intended to take place in a University facility or outdoor space.**
- E. "Public speech" means verbal or non-verbal expression by an External User directed to a general audience.**
- F. "Registered Student Organization" is a student group that is registered with the Student Organization Resource Center within the Division of Student Affairs as defined by V-1.00(F) University of Maryland, College Park**

Procedures for Student Organizations.

IV. General Guidelines for the Use of University Facilities and Outdoor Spaces

University facilities are available primarily for ~~p~~**P**rograms offered by and intended for **members of the campus-University** community.

- A. Except as ~~otherwise provided herein~~ **noted in Section VI**, all ~~p~~**P**rograms must be ~~sponsored by either a University department or currently registered student organization hosted by an Internal User~~. **A request for a reservation must be made by an authorized representative of the group planning to use the reserved space.**
- B. Users of University facilities assume complete responsibility for all activities associated with the ~~Program-event; however~~.
- C. ~~u~~Use of ~~the space~~ **University facilities and outdoor spaces** is limited to the declared purpose of the reservation and must ~~be in compliance~~ **comply** with all ~~pertinent~~ **relevant** University policies and procedures and local, state, and federal laws and regulations ~~including those regarding the maintenance of the facilities and related public safety and security concerns~~.
- D. **Fees may be charged for the use of facilities and outdoor spaces to cover the cost of reservations, personnel, technology, and security. These costs are the responsibility of the Host or External User reserving the facility or space.**
- E. **Insurance may be required, when appropriate.**
- F. **A Host may not front or act as an agent for External Users to receive discounted rates for the use of University facilities or outdoor spaces.**
- G. ~~Specific procedures pertaining to~~ Demonstrations, ~~and~~ leafletting, **parades, and chalking** ~~are set forth in~~ **must comply with** the University's **Chalking Guidelines and** Guidelines on Demonstrations and Leafletting.
- H. **The following activities are prohibited unless specifically authorized:**
 - 1. **The sale or promotion of commercial goods or services;**
 - 2. **The use of amplified sound;**
 - 3. **The blocking of pedestrian or vehicular traffic; and**
 - 4. **Conduct which the University reasonably deems to cause disruption to campus activities.**

IV. Use of ~~Campus~~ **University** Facilities **and Outdoor Spaces** by ~~University Departments, Registered Student Organizations, Students, Faculty and Staff~~ **Internal Users**:

A. **Programs hosted by Internal Users that involve external guests/speakers and are open to the public must be reported to the Host's administrative unit head.**

AB. General Purpose Classroom Space-

1. ~~In support of the academic programs of the University, the~~ **Course and Classroom Scheduling Services Office** in the Office of the Registrar ~~schedules regularly offered classes in the classrooms on campus as a~~ **has** first priority ~~for the use of these facilities to~~ **schedule general purpose classrooms for classes.**

2. **Subject to paragraph V.B.1, A University department an Internal User** may reserve ~~additional available~~ **general purpose** classroom space ~~on a space available basis~~ for use in support of ~~its hosted~~ **pPrograms other than regularly scheduled classes.**

a. ~~Arrangements for use of classrooms for these purposes are made~~ **Academic or administrative units, faculty, and staff may reserve general purpose classroom space** through ~~the Course and Classroom Scheduling Office~~ **Services** in accordance with internal ~~Scheduling Office~~ procedures.

b. ~~A registered student organization may reserve classroom space not booked for classes for use in support of its programs. Arrangements for use of classrooms by rRegistered sStudent eOrganizations are made and students may reserve~~ **general purpose classroom space** through ~~the Office of Campus Reservations~~ **Stamp Event & Guest Services** in accordance with internal ~~Campus Reservations~~ procedures.

BC. Outdoor Space-

1. ~~University departments, registered student organizations, students, faculty and staff may reserve designated outdoor space for use in support of their programs. Arrangements~~ **Reservations** for the use of **designated** outdoor space are made through ~~the Office of Campus Reservations~~ **Stamp Event & Guest Services** in accordance with internal ~~Campus Reservations~~ procedures ~~and University protocols.~~

CD. Other Reservable Space-

1. ~~Designated space other than classroom space or outdoor space, including~~

~~departmental space, such as deans' conference rooms, departmental conference rooms, and libraries, is~~ **Facilities and outdoor spaces controlled by academic or administrative units other than those included in Sections V.B and V.C** are managed by the ~~departments-~~ **units** to which the space is allocated ~~according to and may be reserved in accordance with~~ internal ~~departmental~~ procedures **or through Conferences & Visitor Services.**

~~Designated space within the following facilities may be reserved through the respective reservations officer in accordance with the facility's internal procedures.~~

Campus Recreation Services facilities	Clarice Smith Performing Arts Center
Dining Halls	Golf Course Clubhouse
Intercollegiate Athletics facilities	Memorial Chapel
Nyumburu Cultural Center	Rosborough Inn
Stamp Student Union	Van Munching Hall
Computer Science Instructional Center	

~~Residence halls and on-campus Greek residences are considered private spaces for the express use of students residing therein. Except for during the summer when these facilities may be reserved through Conference and Visitor Services or the individual house corporation for each Greek facility, the common use space in these facilities is reservable only by residents.~~

HVI. Use of ~~Campus-University~~ **Facilities and Outdoor Spaces** by ~~Others (not covered in Section I)-~~ **External Users:**

A. Public Use **of University** Facilities:

1. ~~Designated space within the following~~ **University** facilities may be reserved for use **by External Users.**
 - a. **University facilities that may be directly reserved for public use are designated in Attachment A.**
 - b. Each **reservable** facility ~~has~~ **will have** an approved pricing structure and internal procedures for serving the general public.
 - c. Reservations **for any University facilities not listed in Attachment A** ~~are~~ **should be** made ~~with the respective reservations officer through~~ **Conferences & Visitor Services.**

Campus Recreation Services facilities	Clarice Smith Performing Arts Center
Dining Halls	Golf Course Clubhouse
Intercollegiate Athletics facilities	Memorial Chapel
Nyumburu Cultural Center	Rosborough Inn

~~B. Other Facilities.~~

~~Persons or groups not sponsored by University departments or registered student organizations wishing to use University facilities other than those listed in Section II.A. may reserve designated space in those facilities through Conference and Visitor Services in accordance with internal Conference and Visitor Services guidelines.~~

~~€B. Outdoor Public **Speaking Use** Space.~~

~~1. Persons or groups other than students, faculty, and staff, and not otherwise sponsored by a department or registered student organization, may do so in accordance with the following procedures:~~
Specific outdoor spaces are available to External Users who wish to engage in **Public speaking Speech** outdoors on campus or to distribute literature. **External Users are required to reserve space in advance by requesting a reservation with Stamp Event & Guest Services.**

~~1. Public speaking means speech directed to a general audience or non-specific persons. Public speaking does not include speech directly or indirectly connected with official University activities or which occurs as part of the routine interchange between students, faculty and staff.~~

~~2. Persons wishing to engage in public speaking or to distribute literature are required to reserve space by registering in advance with the Campus Reservations Office (1136 Stamp Student Union).~~

a. Procedures for Reserving Space

- ~~i. Reservations are approved on a space-available basis.~~
- ~~ii. Priority will be given to University departments, registered student organizations, students, faculty and staff~~ **Internal Users.**
- ~~iii. Reservations may be made up to five (5) working business days or less in advance of the date of anticipated use.~~
- ~~iv. Reservations are valid only for the date authorized by the Campus Reservations Office on the Speaker Registration Form~~ **Stamp Event & Guest Services.**
- v. A copy of the Speaker Registration Form must be available for inspection upon request by University**

officials.

b. Limitations on Public Speech

- ~~3.~~
 - i. Public ~~speaking~~-Speech is limited to the Nyumburu Amphitheater stage.
 - ii. Public ~~speaking~~-Speech elsewhere on campus is prohibited.

c. Limitations on Distribution of Literature

- ~~4.~~
 - i. Distribution of literature is limited to designated sidewalk space outside the Stamp Student Union building.
 - ii. Persons may set up their own tables for this limited purpose within this designated area and are responsible for disassembly of the tables and general clean-up.
 - iii. Distribution of literature elsewhere on campus is prohibited.
- ~~5.~~ ~~A copy of the Speaker Registration Form must be available for inspection upon request by University officials.~~
- ~~6.~~ ~~Persons wishing to speak publicly or to distribute literature are prohibited from engaging in the following activities:~~
 - ~~- the sale or promotion of commercial goods or services;~~
 - ~~- the use of amplified sound;~~
 - ~~- the blocking of pedestrian or vehicular traffic;~~
 - ~~- conduct which the University reasonably deems to cause disruption to campus activities.~~
- ~~7.~~
 - d. Failure to adhere to the above ~~described University procedures~~ **limitations** will result in revocation of an approved reservation and/or other appropriate administrative action.

2. **Reservations for the use of designated outdoor space for other purposes are made through Conferences & Visitor Services or one of the reservations officers for the spaces listed in Attachment A and in accordance with internal procedures.**

VII. Facility/Space Use Review

The University reserves the right to review any request for the use of its facilities or outdoor spaces. Based on that review, the University may relocate a Program to a more suitable location or cancel a Program to protect the health and safety of

the University community and the public. Reviews will be conducted by an Event Coordination Team (ECT) subject to criteria set forth in ECT guidelines.

Attachment A—List of facilities and outdoor spaces that may be directly reserved by External Users

Adele H. Stamp Student Union

Clarice Smith Performing Arts Center facilities

Intercollegiate Athletics facilities and spaces (e.g., Xfinity, Maryland Stadium)

Memorial Chapel

Samuel Riggs IV Alumni Center facilities

School of Music facilities

School of Theatre, Dance, & Performance Studies facilities

University Recreation and Wellness facilities (Eppley Recreation Center, Ritchie Coliseum, Armory, **Golf Course Clubhouse)**

Appendix 1: Research on Policies at Big 10 and Peer Institutions

School, policy date	Specific buildings/spaces listed?	Are there restrictions on the types of events that are allowed? How/when might a request be denied or an event cancelled?	Who is responsible for security costs?	What principles does the policy establish for the use of facilities?	What categories of users are defined (e.g. employees, student groups, alumni groups, etc.)?	Is there a single entity responsible for coordinating/overseeing the use of campus facilities?	Policy, Other URLs
Iowa (8/24/15)	Yes	Must be sponsored, must be non-profit/not involve efforts at selling commercial products, must not present a physical danger to persons or the possibility of damage to the University facilities or to equipment. Evidence must be presented by the user of ability to pay the rates and charges for use of University facilities.	The user: Assurance must be given in writing that required support services (such as overnight accommodations, day care, and the like) which the University deems necessary but is not providing, will be provided by the user.	University facilities are dedicated to primary uses within the institution. Such primary uses, however, do not require that University facilities be exclusively reserved for those uses, and it is therefore University policy to make University facilities available for other uses which are consistent with the University's mission as a public institution of higher education.	Groups within or outside the University for purposes which are consistent with the academic mission of The University of Iowa.	No	https://opsmanual.uiowa.edu/administrative-financial-and-facilities-policies/conditions-use-university-facilities
Indiana (4/30/18)	No	Indiana University does not limit speakers or visitors to the university on the basis of their points of view or beliefs, nor will IU prohibit the expression of objections to speakers or their points of view. An invitation by an internal sponsor or a reservation of space by an external sponsor does not constitute the university's or the internal sponsor's endorsement of any or all the speaker's views or opinions... Failure to comply with this policy and its procedures may result in denial of approval or cancellation of a proposed event or of an event already underway.	The event sponsor is responsible for the cost of safety and security measures within the venue and for the minimum safety and security measures outside of the venue. The university is responsible for the cost of safety and security measures and traffic management associated with observers, or protesters.	Indiana University affords and is committed to protecting the rights of students, faculty, staff, and invited guests and visitors to free speech and expressive activity, such as assembling and speaking in public areas of campus, as well as writing, publishing, and inviting speakers on any subject.	Students, faculty, staff, and invited guests and visitors	UEM/campus student affairs, however the event sponsor must obtain all relevant approvals notification and approval requirements as established in other policies administered by UEM, IUPD, the venue scheduler/facility manager, or the campus at which the event is to be held before UEM may move forward.	https://policies.iu.edu/policies/ua-14-event-management/index.html
Illinois (9/1/1988)	No	No events for private purposes/private gain or for fundraising purposes.	The organization and/or individual pays any applicable rental fee, service charge or other fee...except for rental fees, services charges, usage fees, or other admission fees imposed by the campus, no admission fee or contribution shall be charged to attend an event on university premises and facilities.	To establish the conditions under which the campus permits individuals and organizations to use university premises and facilities....The grant of permission to an organization and/or individual to use of university premises and facilities in no way implies approval or disapproval of the individual or organization or the events it sponsors.	University Organizations, Campus Boards, Registered Organizations and Registered Student Organizations, Related Organizations, Allied Organizations, Campus-Community Organizations, and Outside Organizations as defined in the Student Code	Office of the Registrar, Facility Management and Scheduling	https://cam.illinois.edu/policies/fo-69/ http://studentcode.illinois.edu/article2/part3/2-301/
Michigan				No analogous policy.			
Michigan State				No analogous policy.			
Minnesota	Yes	None identified.	General language about groups bearing responsibility for all direct costs.	The University intends its property to be used in the pursuit of its mission and for the benefit of the University community. The University also recognizes the importance of fostering diversity, serving the greater community, and acting as a marketplace for ideas. This policy serves those goals while promoting the safety of all persons on campus and preserving the physical integrity of University property. The University welcomes the use of its outdoor space consistent with this policy. Uses of University real estate by non-University entities which complement or further the University's mission-related activities and/or provide services to the University community desired by the University are given preference.	U departments and registered student groups, outside organizations	No	https://policy.umn.edu/operations/outdoor-appa https://policy.umn.edu/operations/outdoor-space-priority https://policy.umn.edu/operations/realestate-appb Protocols for Large Scale Events: https://www.uservices.umn.edu/node/306/attachment

School, policy date	Specific buildings/spaces listed?	Are there restrictions on the types of events that are allowed? How/when might a request be denied or an event cancelled?	Who is responsible for security costs?	What principles does the policy establish for the use of facilities?	What categories of users are defined (e.g. employees, student groups, alumni groups, etc.)?	Is there a single entity responsible for coordinating/overseeing the use of campus facilities?	Policy, Other URLs
Nebraska (8/16/2018)	Yes	<p>The University may reasonably regulate the time, place, and manner of expression, in accordance with the law, in order to ensure that the ordinary activities of the University are not disrupted. Such regulations must be narrowly tailored to serve significant, viewpoint-neutral interests, and cannot substantially burden more speech than necessary to protect the University's interest.</p> <p>The University may deny a request to reserve space for an event or activity if:</p> <p>The applicant has not completed a reservation request and all necessary paperwork.</p> <p>The request to reserve space contains a material misrepresentation or materially false statement.</p> <p>The request is not received sufficiently in advance of the proposed event or activity to permit necessary evaluation and to determine the appropriate location.</p> <p>The use or activity intended by the request is prohibited by law or proposes behaviors or conduct proscribed in the first section of this Policy or present an unreasonable health or safety danger.</p> <p>The applicant has damaged University property in the past, and/or has not paid for repairs, or has otherwise been in violation of this Policy and its procedures.</p>	Not addressed.	University resources and its land and buildings are to be applied first and foremost to its mission of teaching, research and public service, and therefore, such University properties are primarily dedicated to this mission, which encompasses all academic activities, student life, intercollegiate athletics, and the administrative functions that support this mission. These properties are not generally open and available to the public—they are provided to and by the University, in order that it might carry out its educational charge.	Faculty, staff, students, student groups, members of the public	No	https://bf.unl.edu/policy-use-university-facilities-and-grounds https://bf.unl.edu/rp-6410-commitment-free-expression-guide-facilities-use-and-education
Northwestern Ohio State				No analogous policy.			
Penn State (10/17/1994)	Yes	The use of the facility must be for noncommercial purposes.	The group using the facilities must agree to take precautions to assure the physical safety of participants and University property, and to release the University from any liability in conjunction with the use of the facility. A University Release and Indemnification Agreement must be used for this purpose.	To ensure optimum use of resources and develop and maintain good public relations with organized groups wishing to use these resources.	Non-University groups such as organized civic, cultural, service, religious, and industrial organizations, public school groups, and college and university groups with memberships not restricted to Penn State students, faculty, and staff	No	https://policy.psu.edu/policies/ad02
Purdue				No analogous policy.			
Wisconsin (6/1995)	No	No	The organizations using university facilities under this section may be required to reimburse the institution for the costs, if any, incident to the use of the facilities. (4) Organizations using university facilities under this section may be required to pay rental charges for use of the facilities if the use is revenue producing.	University facilities are not available for unrestricted use for other purposes. In order to preserve and enhance the primary functions of university facilities, the board of regents adopts this chapter to govern the use of university facilities.	organizations associated with an institution, persons or organizations not associated with an institution	No	https://www.vc.wisc.edu/vcfa-administered-policies/facilities-use/

School, policy date	Specific buildings/spaces listed?	Are there restrictions on the types of events that are allowed? How/when might a request be denied or an event cancelled?	Who is responsible for security costs?	What principles does the policy establish for the use of facilities?	What categories of users are defined (e.g. employees, student groups, alumni groups, etc.)?	Is there a single entity responsible for coordinating/overseeing the use of campus facilities?	Policy, Other URLs
Rutgers (7/31/2003)	Yes	No: All facilities and services shall be made available on a uniform, non-discriminatory basis. Events of a commercial, private, profit-making or fundraising nature are prohibited at all university facilities.	"Non-university groups will be required to meet insurance requirements (e.g., certification of insurance coverage) and will normally pay charges in advance. In addition, representatives of the organization must contact the Division of Administration and Public Safety's Emergency Services and Police Department to develop plans for public safety requirements associated with the event and to confirm funding sources."	To encourage the free exchange of ideas, the policy of Rutgers, The State University of New Jersey, is to make maximum use of its facilities and services for the citizens of the State of New Jersey.	A division or department of the university, Recognized student groups, Academic or professional associations, Alumni, parent or booster groups, Agencies of government, Groups other than the above	No	https://policies.rutgers.edu/2019-currentpdf
Berkeley (10/30/2018)	Yes	Must be non-commercial in nature, and the use of campus facilities by such organizations may not result in personal financial benefit to any individual or private enterprise.	All officers or authorized representatives of a campus organization are individually and jointly responsible for the financial obligations of the organization, including payment in full of debts to the University incurred by the campus organization during the tenure of the officer or authorized representative.	The purpose of these regulations is to promote opportunities and advantages of association among students, faculty, staff and guests/non-affiliates within the intellectual community of the Berkeley campus, and to assure that these activities will not interfere with the educational responsibilities of the University.	Campus Activities, Organizations, Guests/Non-Affiliates and Students	No	https://sa.berkeley.edu/uga/reqs
UNC (4/17/2014)	Yes	No	The appropriate scheduling office will maintain for inspection a current list of user charges approved by the Chancellor or delegate for use of indoor and outdoor space by affiliated and nonaffiliated groups. The rates shall be designed to cover the entire costs of providing the facility (for example, materials, labor, utilities, and any added security charges incurred). Particular uses may require the assessment of additional charges, depending on special needs associated with the use.	The accomplishment of the educational mission of the University shall be considered to have first priority in all decisions concerning any use of any facility under this policy. Use of any facility shall not be authorized where such use may disturb the conduct of University activities.	University-affiliated group, university-sponsored group	No	https://web.archive.org/web/20180202051246if/http://policies.unc.edu/files/2014/06/FacilitiesUse.pdf
UCLA (9/23/2008)	No	Any use of University facilities must be in accordance with the provisions of the "UCLA Regulations on Activities, Registered Campus Organizations and Use of Properties" and other applicable University policies and facility regulations.	A facility rental fee, determined by the facility manager, will be assessed for Extracurricular Use. All costs for services, goods and/or equipment, including, but not limited to: custodial services, utilities, event management and supervision, insurance, equipment rentals, lighting systems and sound systems, associated with the extracurricular activity will be assessed to the activity, and be the responsibility of the University Guarantor of the event or activity.	University facilities may be made available for extracurricular purposes when such use is consistent with the mission of the University and when all of the prescribed conditions for such use are met.	faculty staff students and outsiders	No	http://www.adminpolicies.ucla.edu/pdf/860.pdf



**Review of the University of Maryland, College Park Procedures for the Use of Physical Facilities
(Senate Document #18-19-10)
Campus Affairs Committee | Chair: Gene Ferrick**

The Senate Executive Committee (SEC) and Senate Chair Walsh request that the Campus Affairs Committee review the University of Maryland, College Park Procedures for the Use of Physical Facilities [\[VI-4.10\(A\)\]](#) and associated guidelines, given the principles established by the Joint President/Senate Inclusion & Respect Task Force, and make recommendations, as necessary.

Specifically, the committee is asked to:

1. Review the task force's recommendations in [Inclusion and Respect at the University of Maryland \(Senate Document #17-18-03\)](#).
2. [Review the University's Guidelines on Demonstrations and Leafletting.](#)
3. [Review the University's Chalking Guidelines.](#)
4. Review information on facilities designated for public use at the University and data on the types of events hosted in these facilities.
5. Review any existing internal policies and procedures on how to manage facilities and outdoor spaces for public use.
6. Review the University outdoor spaces designated for public speaking as well as facilities available for reservation by the public and consider whether the designated spaces are appropriate.
7. Consult with representatives of units affected by this policy and associated guidelines.
8. Consult with a representative of the Office of General Counsel to understand the legal framework.
9. Consult with a representative of the Department of Public Safety to better understand security implications and financial implications for events or activities under this policy.
10. Consider how external requests for use of space should be reviewed in order to ensure administrative coordination and awareness.
11. Consider how the University should assess the needs associated with public events that might raise safety and security concerns.
12. Consult with a representative of the Office of the Provost.
13. Consult with a representative of the Division of Administration & Finance.
14. Consult with a representative of the Division of Student Affairs.
15. Consult with a representative of the Student Government Association (SGA).

16. Consult with a representative of the Graduate Student Government (GSG).
17. Review similar policies and procedures on the use of university facilities by external entities at Big 10 and other peer institutions.
18. Consult with a representative of the Office of General Counsel on any proposed changes to the University's policy or associated guidelines.
19. If appropriate, recommend whether the policy and/or associated guidelines should be revised and submit recommended revisions for Senate consideration.

We ask that you submit a report to the Senate Office no later than **March 29, 2019**. If you have questions or need assistance, please contact Reka Montfort in the Senate Office, extension 5-5804.