

THE UNIVERSITY OF ALABAMA IN HUNTSVILLE

USE OF FACILITIES

Interim

JUNE 30, 2020

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Division Student Affairs

Date June 30, 2020

Purpose The primary purpose of the use of all buildings owned, leased, or operated by The Board of Trustees of The University of Alabama (the “Board”), for and behalf of The University of Alabama in Huntsville (“UAH” or “University”), is to support the University’s educational and research mission. The Board, as an independent, constitutional instrumentality of the state, will, through UAH, regulate access to the facilities on UAH’s campus in a manner that is consistent with applicable laws. This policy is intended to preserve the order necessary to conduct customary University operations and activities, facilitate responsible stewardship of institutional resources, protect the safety of persons and the security of property, and maintain the aesthetic appearance of its facilities.

Use of UAH’s facilities by persons, groups, or organizations affiliated or unaffiliated with UAH will be primarily handled in accordance with this policy.

A. Policy

The facilities of UAH (referred to as “campus space,” “facilities,” and/or “buildings”) are reserved for faculty, staff, and students for their intended academic, administrative, and research purposes. Second priority is given to activities that support the teaching, research, and service components of UAH’s mission. Third priority is given to programs sponsored and conducted by UAH’s academic and administrative departments or organizations affiliated with such departments. Beyond these priorities, use of campus space is primarily permitted for activities that are intended to serve or benefit the UAH community and must not interfere with the academic and/or research mission or operation of UAH.

The available campus space identified in Paragraph C of this policy shall be reserved pursuant to the provisions contained herein. To the extent any other campus space not listed in Paragraph C is made available for use, it must be reserved through the

designated person and mechanism applicable to the particular campus space at issue. For example, space in all academic buildings is under the direction and control of the dean responsible for the respective academic building and, to the extent any space is available to be reserved therein as determined by the dean, such reservation shall be requested through the appropriate reservation mechanism identified thereby. To the extent any research space is made available, such space shall be assigned by the colleges/departments and/or the Vice President for Research and Economic Development through the appropriate reservation mechanism identified thereby. The use of any campus space, whether reserved pursuant to this policy or otherwise, is subject to Paragraph F of this policy as well as all other applicable UAH policies, procedures, and guidelines, along with local, state, and federal laws.

B. Who May Use Available Campus Space

Subject to the terms of this policy, the available campus space identified in Paragraph C generally may only be reserved or used by the following:

1. members of the campus community (*i.e.*, UAH faculty, staff, and students);
2. a University academic or administrative unit;
3. a registered student organization;¹ or
4. an individual or organization that is sponsored by (a) the University, (b) a University registered student organization, (c) administrator, or (d) a member of the faculty or staff.

The aforementioned categories of eligible users are collectively referred to in this policy as “University affiliate(s).” Any University affiliate that reserves available campus space must participate in any activity associated with that reservation.

C. Available Campus Space

1. Room 100 of Wilson Hall/Wilson Theater
2. Lobby, Room 109, and Room 107 of the Shelby Center for Science and Technology (“SST”)
3. Conference Training Center (“CTC”)
4. Charger Union Theater
5. Chan Auditorium

¹ A “registered student organization” is one that is properly registered with UAH’s Division of Student Affairs that has not had its available privileges, such as the use of campus space, withdrawn, suspended and/or restricted.

6. Morton Hall Auditorium and black box theatre
7. Materials Science Building Chemistry Auditorium
8. Bevill Conference Center Lobby

D. Reservation Process for Use of Available Campus Space and Approval of Campus Use Reservation (“CUR”) Applications

In addition to the requirements and limitations of this policy, use of available campus space is further governed by any policy and procedure relevant to specific campus space, the Alcoholic Beverage Usage at University Events Policy, Child Protection Policy, Smoke- and Tobacco-Free Policy, the General Terms and Conditions for Use of Facilities incorporated herein by reference, and all other applicable policies and procedures.

1. Subject to the limited exceptions noted in Paragraph D.5 below, each applicant for an event using available campus space (“Event”) must register their Event by completing a CUR application. The CUR application and General Terms and Conditions for Use of Facilities is available online at <https://sites.google.com/a/uah.edu/conferences-and-events/home/forms>.
2. To facilitate the review by various UAH departments that have responsibility for different aspects of an Event that utilizes available campus space (e.g., food service, security, electrical service, etc.), applicants for use of available campus space are strongly encouraged to submit a CUR application at least thirty (30) days prior to the Event. At a minimum, a CUR application must be submitted at least fourteen (14) days prior to the planned Event. The CUR application will be approved or denied within seven (7) days of receipt.
3. Upon receipt of the CUR application, the UAH Associate Director of Conference and Events will forward same via e-mail to the Chief of Police for the University of Alabama in Huntsville Police Department (“UAHPD”), the Office of Risk Management, Facilities and Operations, and Environmental Health and Safety.
4. The UAH Associate Director of Conferences and Events will approve a CUR application properly made by an appropriate University affiliate unless there are reasonable grounds to believe that one or more of the following conditions are present:
 - a. The applicant has had its/their available privileges, such as the use of certain campus space, withdrawn, suspended, and/or restricted.

- b. The proposed available campus space is unavailable at the time requested because of conflicting events previously planned in or around that location.
 - c. The proposed date, time, or requested available campus space is unreasonable given the nature of the Event and/or the impact it would have on UAH's resources and teaching and research mission.
 - d. The Event would present logistical complexities that cannot be accommodated based on when the CUR application was submitted, the size of the Event, and when the Event is to occur.
 - e. The Event would unreasonably prevent, disturb, or interfere with the academic, administrative, research, service, or outreach activities of UAH.
 - f. The Event would not comply with the provisions of Paragraph F (General Provisions Applying to All Use of Campus Space).
 - g. The Event would reasonably constitute an immediate and actual danger to UAH faculty, staff, or students or to the peace or security of UAH, and, in the case of an invited speaker, that available law enforcement officials could not control with reasonable effort.
 - h. The University affiliate who submits the CUR application has on prior occasions damaged UAH property and has not paid in full for such damage.
 - i. The requested use of available campus space is inconsistent with the terms of this policy.
5. If issued, a permit granting use of available campus space shall (a) specify the area to be used; (b) the date for which the use is approved; (c) the time at which the reservation for the use begins and expires, and (d) any special provision(s) concerning the use of the campus space. If denied, the Associate Director of Conference and Events will set forth in writing the grounds for denial, including, if applicable, any measures that would cure any defects in the application.

E. Appeal of Denial of CUR Application

- 1. A University affiliate whose request for use of available campus space is denied may appeal to the Vice President for Student Affairs.

- a. Appeals should be filed in writing with the Office of the Vice President for Student Affairs within five (5) business days² of the denial of the CUR application.
 - b. The Vice President for Student Affairs (or designee), shall convey the appeal decision in writing to the applicant and the Associate Director of Conference and Events within fourteen (14) days after receiving the appeal.
2. The decision of the Vice President for Student Affairs on any appeal shall be final.

F. General Provisions Applying to All Use of Campus Space

The following requirements/limitations apply to **ALL** campus space:

1. Persons may not block or otherwise interfere with the free flow of vehicular, bicycle, or pedestrian traffic to attend an Event or other activity in campus space. The right of way on streets and sidewalks must be maintained.
2. Persons may not block or otherwise interfere with ingress and egress into and out of campus space.
3. Persons shall not obstruct, disrupt, interrupt, or attempt to force the cancellation of any Event or other activity in campus space sponsored by UAH or by any individual/group authorized to use campus space.
4. Persons shall not engage in physically abusive or threatening conduct toward any person or group.
5. Persons shall always comply with the directions of UAH public safety personnel, including the UAH Police Department (“UAHPD”).
6. Persons shall not prevent, obstruct, or interfere with regular academic, administrative, student activities, or other approved activities at UAH.
7. The safety and well-being of members of the campus community collectively and individually, as well as the educational experience and other significant interests of UAH as outlined herein, must be protected at all times. UAH maintains the right to impose reasonable time, place, and manner restrictions

² A University business day means any day when UAH is in operation. It does not include Saturdays, Sundays, University holidays, or other days when normal business operations are suspended.

for Events and activities occurring in campus space in a viewpoint-neutral manner to ensure that expressive activity is protected and that expression does not disrupt the ordinary activities of the institution. This includes, but is not limited to, modifying, disbanding or relocating an Event or activity that conflicts with previously scheduled events in or around that space or that reasonably creates a health or safety risk to persons or risk to property on campus.

8. UAH property must be protected at all times.
9. Persons on UAH's property may be required to provide identification and evidence of qualification to a UAH official upon request. Evidence of qualification means evidence that the person is a currently registered student, staff or faculty member at the institution, is a University affiliate, or has lawful activity to pursue at UAH.
10. Persons engaging in activities on UAH property are subject to and must comply with all applicable UAH policies and procedures.
11. Any person or group holding an Event or other activity in campus space must remove all trash and other items associated with same and return the campus space to its pre-existing condition as soon as the Event or activity is concluded. UAH will assess the reasonable costs of returning the campus space to its pre-existing condition (including damages, labor, repairs, replacement, etc.) and/or cleanup to those persons or group failing to comply with this requirement.
12. Because campus space may be used by one or more groups at any given time, noise levels must be kept to a minimum and children should always be supervised by an adult.
13. Campus space is governed by the Smoke-and Tobacco-Free Policy.
14. Fireworks, luminaries, candles, and other open flames are not permitted in any campus space.
15. With the exception of service animals that are trained to do work or perform tasks for a person with a disability, the use of animals in conjunction with an Event or other activity in campus space is prohibited without prior written approval from the Division of Student Affairs. The Division of Student Affairs shall consult with the Office of Risk Management prior to granting permission.

16. No Event may last longer than eight (8) hours during a 24-hour period or more than two (2) days in a row without prior written approval from the Division of Student Affairs.

G. Activities of Expression

The primary function of a university is to discover and disseminate knowledge by means of research, teaching, discussion, and debate. To fulfill this function, free and open inquiry and expression of ideas is necessary within UAH by its University affiliates. At UAH, freedom of expression and assembly is vital to the pursuit of knowledge. Such freedom comes with a responsibility to welcome and promote this freedom for all, even in disagreement, opposition, or even offense.

The ideas of different members of a campus community will often and quite naturally conflict, but it is not the proper role of UAH to shield or attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although great value is placed on civility, and while all members of the campus community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used to justify closing off the otherwise lawful discussion of ideas among members of the campus community, however offensive or disagreeable those ideas may be to some.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. UAH may restrict expression or assembly that violates the law, falsely defames a specific individual, constitutes a genuine threat or harassment, unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise incompatible with the functioning of the institution. Likewise, UAH has a significant interest in protecting the educational experience of its students, in ensuring health, safety, and order on its campus, in regulating competing uses of its facilities and grounds, and in protecting the safety and wellbeing of those with the right to use its facilities and grounds to engage in protected speech, among other significant interests. As a result, UAH may reasonably regulate the time, place, and manner of expression in a viewpoint-neutral manner to ensure that these interests are protected and that expression does not disrupt the ordinary activities of the institution. These are exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with an institution's commitment to a free and open discussion of ideas among its campus community.

Except as provided herein, persons who are not members of the UAH student body, faculty, or staff may only participate in these types of Events upon the invitation of a University affiliate who is actively participating in same.

1. Special Guidelines for Invited Speakers

Where an invited speaker is the object of protest, persons may demonstrate and/or distribute materials outside the campus space in accordance with the Policy for Use of Outdoor Areas. Persons who wish to attend an Event or other activity in campus space involving an invited speaker must do so as members of the audience and must give the speaker a respectful hearing (e.g., do not interrupt, etc.). Failure to grant the speaker a respectful hearing may result in the offending person(s) being asked to leave or being removed. Signs, placards, or similar paraphernalia associated with a demonstration shall not be carried into any campus space. This provision is focused on preventing material and substantial interferences. It does not prevent attendees from engaging in silent, nonobstructive protests (e.g., turning their backs on a speaker, etc.) or respectfully engaging a speaker in discussion or debate when the speaker provides that opportunity to the audience.

2. Special Guidelines for Material Distribution (e.g., distribution of leaflets, pamphlets, written materials, etc.)
 - a. "Distribution" is defined as and limited to individuals handing materials to other individuals who may accept them or refrain from receiving them.
 - b. University affiliates may distribute leaflets, pamphlets, written materials in conjunction with an Event.
 - c. Persons distributing such materials are expected to refrain from littering and to encourage the same from others. An individual's right to privacy must be respected. Thus, no person may attempt to threaten, intimidate, or badger another individual into viewing or accepting a copy of any material. Further, no person may persist in requesting or demanding the attention of another individual who has attempted to walk away or has clearly expressed no interest in the material. For purposes of this paragraph, leaving materials unattended on a surface to be picked up before the date of an Event or after an event has concluded is considered littering, not distribution.
 - d. Materials may not be distributed door to door in residence halls or academic buildings.

H. Posting Printed Materials, Solicitation, and Commercial Activities

The posting of printed materials in campus space by a University affiliate is permissible as provided herein. The posting of printed materials may also be subject to any additional restrictions contained in policies concerning a specific campus space, such as Charger Union, the CTC, or Student Services Building.

1. Posting Printed Materials (*e.g.*, advertisements, promotions, information, etc.)
 - a. Printed materials, including commercial advertisements and promotions, may be reasonably posted on designated, general use bulletin boards in accordance with these guidelines.
 - b. Other than general use bulletin boards, permission for display of printed materials in or around campus space (including locked bulletin boards or those associated with a particular office) must be approved by the appropriate building director, department, or dean of the college or school responsible for the building.
 - c. Printed materials should be 11" x 17" or smaller, placed in a plastic jacket, and neatly displayed
 - d. Advertisers are responsible for the removal and proper disposal of all advertising materials within twenty-four (24) hours after the publicized event has occurred or the time limits or conditions of the advertisement have expired.
 - e. Posted materials must not be false, misleading, deceptive, obscene, illegal, or libelous, and must not be directed to and likely to have the effect of inciting or producing imminent lawless action.
 - f. Posted materials must not be attached to or placed on any building or facility, including any interior or exterior walls, doors, windows, etc., unless related to an official UAH matter.
 - g. Posted materials that do not comply with this policy will be removed.

2. Solicitation and Commercial Activities, etc.
 - a. Solicitation of contributions or fundraising by or for a public official, candidate for public office, or a representative of an official or candidate is not permitted in campus space.
 - b. UAH reserves the right to disallow any political activity that may reasonably imply its endorsement of a political party or candidate, including the use of UAH symbols and landmarks.

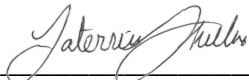
- c. Vendors at an Event (and not under an express UAH contract) may set up a table or booth for product displays or information, distribution of product literature only if the person or organization applies for and receives written permission along with their approved CUR application. Permission will be granted provided (i) the person or organization is sponsored by a UAH organization; (ii) the proposed solicitation activity and product is compatible with the educational mission of UAH and is not prohibited by law or other contractual limitation; and (iii) the person or organization agrees to comply with the time, place, and manner regulations set out in this policy.
- d. University affiliates must receive permission in writing from the Division of Student Affairs before conducting commercial activities at an Event.

I. Violations of these Policy Guidelines

UAH reserves the right to enforce these guidelines by all reasonably necessary means to ensure compliance. Events or other activity in campus space that are or become non-compliant with these guidelines may be cancelled and/or dispersed. Persons who violate these guidelines may be subject to disciplinary action according to the Code of Conduct, Student Handbook, and/or Faculty Handbook as well as potential law enforcement action. Further, costs to clean up or repair damage associated with an Event or other activity in campus space may be assessed, as applicable, by charging the costs to a student account, a University account, payroll deduction, and/or any and all other methods allowed by law. Persons or groups that repeatedly violate these guidelines may be prohibited from further use of campus space. A University affiliate who invites a non-University individual or group onto campus or into campus space may be held responsible for that individual or group's compliance with this and other UAH policies. A non-University participant's failure to comply with this policy may result in appropriate action under state or federal law.

Review Student Affairs will review this policy every five (5) years or sooner as needed.

Approval


 _____ 06/30/2020
 Campus Designee Date


 _____ 7/1/20
 University Counsel Date

Krist Potter

Vice President for Student Affairs

07/01/2020

Date

APPROVED:

Lauren Larson

President

07/01/2020

Date