

## Use of University Facilities

**Original Implementation:** April 11, 1980

**Last Revision:** January 26, 2016

All Stephen F. Austin State University buildings, facilities, equipment, and grounds will be used only in the pursuit of the stated objectives of the university -- academic, cultural, and public service. Groups not affiliated with the university may be granted use of university facilities according to the general policies provided herein and an agreement to adhere to the specific rules and procedures governing the use of the individual facilities.

It is the responsibility of the user to become acquainted with and abide by these specific rules.

### Definitions:

1. "Student" means a person who is currently enrolled for academic instruction or research at the university.
2. "Campus" will mean all real property over which the university has possession and control by law.
3. "University group" will mean a registered student organization, other student group, or faculty and staff group. No group shall be considered a university group if it includes a person who is not a student, faculty member, or employee of the university unless that person is a member of the immediate family of a student, faculty member, or employee of the university.
4. "Outside group" will mean any organization or group that is not included within the term "university group."
5. "Sponsoring organization" will mean a university group that vouches for an outside group's use of university facility.
6. "University official" means a person charged with the responsibility for supervising the use of a university facility.
7. "University agency" will mean an academic school, department, or program, or a university council, committee or auxiliary enterprise.

### Priorities and Limitations for Use of University Facilities

1. Mission of the University

Nothing contained in this policy will be construed to prohibit or hinder operation of the university in fulfilling its mission as a public institution of higher education. All activities associated with that mission will have priority in the use of the university's facilities.

## 2. Individuals

Individuals engaged in the educational mission of the university will have the right to use the university's facilities in accordance with federal, state, and local laws, as well as the rules and regulations of the university.

As a general rule, priority for the use of the university's facilities will go first to the students and second to the faculty and staff. Exceptions to this rule may be made in certain instances by the university administration.

Immediate family members of students, faculty, and staff may be granted limited use of university facilities through established programs designed to promote the enrichment of campus life and to enhance the living-learning environment of the university.

## 3. Groups

- a. Only organized groups (no individuals) sponsored by a university agency conducting an activity that is within its established role and scope may be allowed the use of university facilities.
- b. Outside groups without a sponsor may be permitted to use the facilities of the student center, subject to all other appropriate guidelines contained in this policy.

## Reservations and Use

### 1. Application

- a. Application for use of university facilities by university agencies will be made to the appropriate university official as follows:

Facility	Appropriate University Official
Academic classroom, auditorium, office space and off-campus	Dean of school having jurisdiction over that space
Student Center	Director, Student Center
Residence Halls	Director, Residence Life
Library Carrels and Seminar Rooms	Director, University Libraries
Johnson Coliseum and Homer Bryce Stadium	Coordinator of Athletic Operations
Health and Physical Education Complex	Chair, Department of Kinesiology, or Director, Campus Recreation; as outlined in Policy 16.18, Norton HPE Complex

Student Recreation Center, Intramural Fields and Other Outside Recreational	Director, Campus Recreation
Other Outside Areas of the Campus	Dean, Student Affairs

- b. Application for use of university facilities by outside groups will be made to the vice president for finance and administration, except for the coliseum, stadium, student recreation center, and student center, which will be made to the individual indicated above.

2. Usage

- a. The university may establish additional procedures and/or policy for the reservation and use of each university facility.
- b. Consumption of food or beverages in SFA academic buildings is permitted subject to the approval of the appropriate dean or designee, provided such permission does not conflict with other policies or laws.

3. Identification of Sponsor

The user may not assign or delegate any control or responsibility to any other user or co-sponsor, agent, or third party without prior written approval of the appropriate university official. All users or co-sponsors of an event must be clearly identified prior to confirmation of a reservation. Reservations for presenting one event may not be used for presenting a different event without written approval by the appropriate university official.

4. Fees for Use

Fees for outside groups are established at rates which will, at a minimum, ensure recovery of that part of the operating cost of the facility that is attributable directly or indirectly to such use by an outside group. The current fee schedule will be available from the appropriate university official. An advance deposit (specified in the fee schedule) may be required for reservations for an event conducted by an outside group.

5. Bond and insurance

Outside groups using a university facility may be required to provide a contract performance bond as well as evidence of appropriate levels of liability insurance in amounts and under policies satisfactory to the vice president for Finance and Administration. Copies of such policies will be furnished to the vice president for Finance and Administration no later than thirty (30) days prior to the event and in all cases prior to announcement of the event.

## **Financial Policies**

### **1. University agency/groups**

Excess income over expenses, including the fee for use of the facility derived from an event sponsored by a university agency/group, may be retained by the university agency/group to further its activities and programs. Excess expenses over income of an event will be absorbed by the sponsoring university agency/group. Additional cost of maintenance, including standbys, custodial and utilities will be considered an expense of the event.

### **2. Outside group**

If an outside group (other than a public entity or summer camp) using a university facility charges those attending an event any admission or registration fee, or accepts donations from those in attendance, a complete accounting of all funds collected and of the actual cost of the event must be submitted upon request to the vice president for Finance and Administration within (30) days after the event. If the funds collected exceed the actual cost of the event, the user is required to remit such excess funds to Stephen F. Austin State University as an additional charge for use of the facility. The university reserves the right to audit all records pertaining to income and expenses, to prescribe methods of collection, and to participate in audits of funds at the point of receipt. Additional cost of maintenance, including standbys, custodial and utilities will be considered an expense of the event.

### **3. Payment for damages**

All users and sponsors will be responsible for payment for damages to the university facility, its fixtures, and equipment, whether caused by the user or its patrons, ordinary wear and tear excepted.

### **4. Broadcast and recording rights**

The university reserves all rights and privileges for radio and television broadcasts, whether live or transcribed for delayed transmission, and all visual or audio recordings originating from the university facility. Should the university grant to the user such privilege, the university has the right to require advance payment of any estimated related costs to the university, such as installation of equipment. Such permission must be granted in writing by the university president in advance of broadcast or recording.

## **Policies for Outside Users**

Any proposed use of the university facility must be appropriate and suited to the size, structure, purpose and operating costs of the facility. For outside groups, there must be good reason to expect

that a proposed event will require features unique to the facility or which are otherwise unavailable in the community. All proposed events must be conducted in accord with applicable state and federal laws and regulations, as well as the rules, regulations and policies of the university Board of Regents. Users must demonstrate to the satisfaction of the appropriate university official that they have the staff, experience, contracting authority, financial status and other qualifications necessary for carrying out the proposed events in a satisfactory manner.

1. Review of contracts

All contracts related to the presentation of an event, including contracts between user and performers, speakers, sub-contractors, managers, and others, are subject to review and approval by the general counsel and the appropriate vice president.

2. Hazards

If the university, in its sole discretion, determines that a proposed event poses a potential hazard to public safety, the event may be canceled or denied. No user may install or operate any equipment, fixture or device, nor operate or permit to be operated any engine, motor or other machinery, or use gas, electricity or flammable substances in the facility except with prior written approval of the appropriate university official, and then under such conditions and restrictions as the university official may specify. All electrical connections must be made by university personnel under direction of the staff of the appropriate university official and all house equipment must be operated by university personnel. No equipment, device or fixture may be used which, in the opinion of the university official, endangers the structural integrity of the facility.

3. Conflict with university activities

An event will not be permitted for any purpose which, although in accord with the general purposes of the university, is of such character or occurs at such circumstances that they are likely to interfere or cause major conflict with any university activity, program or event, or are inimical to the interests of the university.

4. Management functions

Management functions are retained by the university and may be delegated to users or others only with the written permission of the appropriate vice president. The functions include, but are not limited to, all facets of ticketing and ticket policies, including scaling, acquisition, distribution, and sale; and all matters of staffing, crowd control, technical arrangements, promotions, and advertising.

## 5. Concessions and catering

Use of the university facility does not carry the right for the user to control concessions. Sale and distribution of food, beverages, souvenirs, or other concession items are reserved to the university or its concessionaires.

## 6. Signs and displays

No signs, messages or other materials may be posted, displayed, distributed or announced in, on or adjacent to, the university facility by user or sponsor without prior written approval of the university official. Such materials may not be fastened to any part of the facility except in spaces provided for this purpose and may not be permitted to interfere with crowd movement and safety.

## 7. Religious organizations

A religious organization applying for use of a facility must submit written evidence to the appropriate university official from the Internal Revenue Service that organization has been granted an exemption from taxation under Section 501(c)(3) of Title 26 of the United States code (Internal Revenue Code), and will be permitted to use the facility no more than one (1) time during a calendar year.

## 8. Political organizations

A political organization applying for use of the facility must present written evidence to the appropriate university official that the organization had candidates for either national, state, district or local offices listed on the ballot at the last general election, and will be permitted to use the facility no more than one (1) time during a calendar year.

## 9. Individual candidates for political office

Individual political candidates and their election organizations are not permitted to reserve a university facility. However, if a candidate is invited by a university group, then he or she may appear in the facility, provided that the group extending the invitation is responsible for reserving the facility and meeting all costs related to the event.

## 10. Advertising

All news releases, handbills, advertisements, television and radio announcements or other media utilized to inform the public of a non-university event to be held in a university facility must carry a disclaimer, approved by the general counsel, to the effect that use of Stephen F. Austin State University facilities does not imply endorsement of the event or

the sponsoring organization by the university.

## 11. Amplified Sound

Amplified sound may only be used at indoor campus facilities with prior authorization of the university. Use of these devices is restricted to specific areas. Decibel limits may be imposed on the use of amplified sound at any event. Any event exceeding these sound limits will be first asked to turn the volume down; if the problem persists, the university reserves the right to immediately terminate the event. Use of amplified sound on campus grounds is governed by policy 16.31, Use of Amplified Sound on Campus Grounds.

## Penalty and Hearing

### 1. Suspension

If a user or sponsor violates the provisions of this policy, or the laws regulating the use of state property, the appropriate university official with the approval of the vice president to whom he/she reports may suspend the use of university facilities, or certain university facilities, by the user or sponsor for a specified period of time not to exceed one (1) year. Suspension will mean that reservation requests by the user or sponsor will be denied by the university during the specified period of time.

### 2. Notice of Suspension

When a university official suspends a user or sponsor from the use of university facilities, the official will notify in writing, the user or sponsor, and the vice president who has responsibility for space assignment, of the suspension. The written notice will contain all the following:

- a. that the user or sponsor may not use university facilities, or certain designated university facilities, for a specified period of time, not to exceed one (1) year from receipt of the notice;
- b. the name and title of the university official imposing the suspension, along with an address where the university official may be contacted during regular working hours;
- c. a brief statement of the acts or omissions resulting in the suspension; and
- d. notification that the suspended user or sponsor is entitled to a hearing on the suspension.

### 3. Request for Hearing

- a. A suspended user or sponsor may submit a written request for a hearing on the suspension to the appropriate university official within fourteen (14) days from the

date of receipt by the user or sponsor of the notice of suspension. The university official will grant a hearing not later than seven (7) days from the date of the request and will immediately mail written notice of the time, place, and date of the hearing to the person.

- b. The hearing will be held before a discipline committee reviewing the suspension in question.

**Cross Reference:** Turner Auditorium (16.30); Norton HPE Complex (16.18); Kennedy Auditorium Reservation and Use (16.14); Homer Bryce Stadium and William R. Johnson Coliseum (16.13); Piney Woods Conservation Center (16.21); The Ed and Gwen Cole Art Center and the Griffith Gallery (16.27); Austin Building Conference Rooms (16.5); Academic Facilities for Non-Academic Activities (16.1); Use of Amplified Sound on Campus Grounds (16.31)

**Responsible for Implementation:** President, Vice President for Finance and Administration, Vice President for University Affairs, Provost and Vice President for Academic Affairs

**Contact for Revision:** President

**Forms:** None

**Board Committee Assignment:** Building and Grounds