

## **1:01:03 Use of Campus Property and Facilities**

### **I. Purpose**

The purpose of this policy is to provide a uniform basis upon which the College can regulate the use of campus property and facilities while complying with the College's mission of supporting an educational atmosphere. The policy incorporates the guidelines established in the Tennessee Board of Regents "Access to and Use of Campus Property and Facilities." This policy shall be implemented and construed so as to ensure no undue disruption of the mission, promote an educational atmosphere on campus, prevent commercial exploitation of students, and prevent use of campus property and facilities contrary to federal, state or local law, regulation, or the rules and policies of the TBR, and its institutions.

In establishing this policy, the College recognizes the importance to the educational process and environment for persons affiliated with Volunteer State Community College (VSCC) including officially recognized student organizations and other groups to have reasonable access to, and use of, the educational facilities at VSCC, to hear various views. Simultaneously, the College also makes clear that its facilities are not open public forums, but are instead intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and affiliated entities. As such, the College does not ordinarily make its buildings or other facilities available to outside individuals or outside groups. Exceptions may be made only if the proposed use is consistent with this policy and College policy and mission.

### **II. Definitions**

For the purposes of these regulations, the following definitions shall apply:

- A. *Affiliated Entities - an officially registered student, student group or student organization funded by and/or sponsored by Volunteer State Community College.*
- B. *Affiliated Individuals - persons officially connected with the College including students, faculty, and staff.*
- C. *Applicant –group, organization, or individual requesting use of campus facilities.*
- D. *Campus – any land, building, or other property owned, leased, or controlled by Volunteer State Community College or the TBR for specific use by the College.*
- E. *College – Within this policy, college refers to Volunteer State Community College or VSCC. Land leased to another organization is exempt.*
- F. *Guest - a person invited by a student or employee of the College to visit the campus at a specific time and place.*
- G. *Non-affiliated Entities - any person, group, or organization which is not an affiliated entity or individual.*
- H. *Normal Educational Activities- Activities that occur outside of the classroom to enhance and continue student learning and project completion. They include, but are not limited to: small group study sessions (whether organized by students, tutors, Supplemental Instructors or teachers), review sessions, open labs, student-teacher conferences and students working together on class projects.*
- I. *Student - a person who is registered for a credit course(s) or non-credit course(s) or program at the College, including the period between the end of an academic period the student has completed and the last day for registration for the next academic period.*

### **III. Access to Campuses and Use of Property/Facilities**

#### *A. Geographic Locations & Buildings Available for Use*

*Affiliated Entities and Individuals can identify spaces available on specific dates and times through the Virtual EMS Online Scheduling system. Non-affiliated Entities may apply to access spaces designated free of charge as outlined in this policy or rent campus facilities as specified in VSCC Rental of Campus Property and Facilities Policy.*

#### *B. Access to Facilities and Prioritized Users*

1. Access to and use of campuses, facilities, and property of the College are restricted to the administration for official functions and normal educational activities, affiliated individuals/entities, invited or sponsored guests of the College, or when part or all of a campus, its buildings or facilities are open to the general public for a designated time and purpose. Individuals or groups not

affiliated with the College may apply for use of designated spaces as outlined within the policy.

2. Use of facilities is limited to one time events or short term or intermittent programs where access is permitted without an associated rental/lease or fee.

3. Priority for the use of College facilities is in the following order: 1) credit and non-credit classes and programs, 2) college-sponsored activities, 3) all other requests for usage.

C. *Use of Facilities by Affiliated Individuals and Affiliated Entities*

1. College employees may apply to use space through the Virtual EMS Online Scheduling system. The Scheduling Office will reserve the room and send the applicant an e-mail confirmation. Requests for specific rooms will be honored when possible; however, in order to optimize the use of space, groups may be assigned to the most appropriate space available.

2. Students must complete an Event Proposal with the Office of Student Life and Diversity Initiatives to use campus property or facilities. The Office of Student Life and Diversity Initiatives will submit necessary Virtual EMS reservations and work orders. Student organizations utilizing campus property or facilities for activities or events are encouraged to review, and are subject to, the Student Disciplinary Policy (VSCC Policy III:00:05).

3. Virtual EMS will generate an email confirmation of your request. Approval or disapproval will be issued by the Scheduler's office; ordinarily requests will be reviewed within one to five business days of application (auditorium requests typically take longer), as circumstances permit. Disapproval of a space request will include a statement regarding the basis for the denial; Section III. E. outlines some of the reasons for denial. The applicant may appeal to the President or his/her designee in writing. The President will issue a determination on the appeal prior to the proposed event date.

4. Faculty may invite uncompensated, unaffiliated guest speakers for regular class sessions and/or meetings without prior application or approval where attendance at the class session or meeting will be limited to members of the class and where no fee or compensation from state funds will be paid to the speaker.

5. Affiliated individuals and entities who wish to invite a guest speaker or reserve space for an event other than a regular class session, normal educational activity, or college-sponsored meeting must apply through the Virtual EMS process.

6. Affiliates sponsoring a guest speaker or event will be responsible for the conduct of both the speaker and the non-affiliated guests at the event as well as compliance with all laws, TBR and College rules and/or policies while present on campus or using campus facilities or property.

7. Affiliates are responsible for submitting a work order to Maintenance a minimum of three days (72 hours) before the event for rooms that require a change in set up. Selecting a set up online is not a substitute for sending a work order.
8. If media/telecommunications support for a conference call is requested online, the affiliate should enter an IT Direct Request work order.
9. Parking permits for special events must be obtained from the Campus Police Office (230-3595). Parking permits are available at:  
<http://www.volstate.edu/CampusPolice/Forms.php>
10. If there are needs for services provided by technical staff, additional custodial set-up/take-down time, or security, refer to the Rental of Campus Property and Facilities as fees may be required.

*D. Use of Free Facilities by Non-Affiliated Individuals and Non-Affiliated Entities*

1. Non-affiliated entities or individuals may apply to utilize one of the designated spaces of Volunteer State Community College without associated fees.
2. The activity must be held in the following areas:
  - a) Volunteer State Community College Main Campus – a designated area on of the southwest corner of the Library Lawn.
  - b) Highland Crest Campus – a designated area of the parking lot on the east side of the building.
  - c) Livingston Campus – a designated area on the east side of the parking lot.
3. Application Process
  - a) Any non-affiliated entity or individual wishing to use campus property or facilities must complete a “Request for Use of Space” form with the Plant Operations Scheduler at least five (5) business days in advance of the desired date of the activity. The request may be submitted obtained from the Scheduler by phone (615-230-3616) or email ([scheduler@volstate.edu](mailto:scheduler@volstate.edu)).
  - b) Approval or disapproval will be issued by the Scheduler’s office; ordinarily requests will be reviewed within one to five business days of application, as circumstances permit. Disapproval of a space request will include a statement regarding the basis for the denial; Section III. E. outlines some of the reasons for denial. The applicant may appeal to the President or his/her designee in writing. The President will issue a determination on the appeal prior to the proposed event date.

#### 4. Availability

The designated space will be available Monday through Friday from 9:00 a.m. to 6:00 p.m. Requests will not be granted for Saturdays, Sundays, when the College is closed, or during the last two weeks of any semester (finals week and the week prior).

#### 5. Campus Notification Process

- a) The Scheduler will notify the President's Cabinet of Non-Affiliated Space Usage
- b) Faculty and Staff may view the Non-Affiliated Space schedule through Virtual EMS at <http://schedule.volstate.edu/VirtualEMS/Default.aspx>.

#### *E. Denial of Request for Use of Space*

Denial of a request to access/use campus facilities and/or property shall be based solely on factors related to reasonable regulations in light of the College's mission and the nature of the facility or property requested and rendered in a content/viewpoint neutral manner.

Any affiliate whose application for use of property or facilities is denied shall have the right to appeal to the President or a designee. Notice of appeal shall be made in writing during normal business hours of the College no later than five (5) working days prior to the time of the proposed event and the decision of the President or a designee shall be made at least four (4) days before the time of the event.

Reasons for request denial may include, but are not limited to, the following:

1. The property or facilities have been previously reserved by another group, organization or individual with equal or higher priority,
2. Frequency of previous use during an academic semester in comparison to that of a contemporaneous applicant,
3. Use of the property or facilities requested would be impractical due to scheduled usage prior to or following the requested use, or due to other extenuating circumstances,
4. The applicant or sponsor of the activity has not provided accurate or complete information required on the application for registration,
5. The applicant or sponsor of the activity has been responsible for violation of College or TBR policy during a previously registered use of campus property or facilities,

6. The applicant has previously violated any conditions or assurances specified in a previous registration application,
7. The anticipated size or attendance for the event will exceed building/fire codes, established safety standards, and/or the physical or other limitations for the facility or property requested,
8. The activity is of such nature or duration that it cannot reasonably be accommodated in the particular facility or area for which application is made,
9. A determination that the size and/or location of the requested use would cause substantial disruption or interference with the normal activities of the College, the educational use of other facilities or services on campus or the flow of vehicular or pedestrian traffic,
10. The activity conflicts with existing contractual obligations of the College,
11. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of the College's officials, faculty members, or students, the damage or destruction, or seizure and subversion, of the College's or school's buildings, other property, or for other campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the responsible official may consider all relevant factors,
12. A determination that the requested use would be contrary to local, state, or federal law, regulation, or the policies or regulations of the TBR, or the College.

*F. General Conditions for Use of Property or Facilities*

Once permission to use College property or facilities has been granted, the requirements put forth in this policy must be met. Violation of, or failure to comply with, the requirements set forth in this policy, other College policies, state or federal law/regulation may result in the immediate revocation of previously granted approval for access/use of campus facilities or property. Employees and/or students may be subject to disciplinary sanctions.

1. Building fire codes and safety standards applicable to particular facilities and/or property must be met.
2. All College and TBR rules and/or policies must be followed.
3. Buildings, facilities, and/or property, not specifically identified as available for use are specifically unavailable for use other than for normal administrative or educational purposes.

4. Sound amplification equipment may be used only when prior approval has been requested. The College official will take into account the college mission and the nature of the facility or property requested, location, and time of day.
5. College equipment may not be utilized or moved from its original location without prior approval from College officials.
6. All persons operating motor vehicles in conjunction with an approved use/access of campus facilities and/or property shall be subject to College and TBR rules, regulations, policies and procedures regarding traffic and parking.
7. Users of facilities or property and/or their sponsor(s) are responsible for all activities associated with the event.
8. Use of the requested facility and/or property shall be limited to the declared purpose in the application for use/access to campus facilities and/or property.
9. Access to, or use of, campus facilities shall not be permitted overnight unless specifically requested and approved pursuant to the requirements of this policy and/or other applicable College policies. Such use shall be limited to the specific time and location set forth in the notice of approval/registration document.
10. All persons on campus in conjunction with an approved Use of Campus Property application shall provide adequate identification upon request to appropriate officials and Campus Police. Persons or groups who refuse to provide such identification may be subject to immediate removal from campus and/or disciplinary action. In appropriate circumstances, such persons may become subject to arrest and/or prosecution, and students will be subject to disciplinary sanctions.
11. College property and facilities may not be used by any non-affiliated entity/individual for the conduct of profit-making activities except when engaged in a business relationship, pursuant to a contract, with the College and/or when a rental or lease agreement is in place specifically for such temporary purpose.
12. Participants in the activity must remain in the assigned area.
13. The activity may not block the flow of pedestrian or vehicular traffic.
14. Participants may not make physical contact with others.
15. Participants must leave the area free of debris and litter.
16. The activity must not interfere with scheduled College-sponsored activities.

17. Children under the age of 18, who are not students of Volunteer State Community College, are not permitted to participate in the activity without being accompanied by an adult.

18. The College is not responsible for equipment used by the participants in the activity.

*G. Insurance/Indemnity*

1. All non-affiliated individuals/entities agree, by making application for registration of an activity and by subsequent use after approval by the College, to indemnify the College and hold it harmless from any and all liabilities arising out of use of the property and/or facilities, including, but not limited to, personal injury, property damage, court costs and attorneys' fees.

2. In utilizing campus property or facilities, non-affiliated individuals/entities shall provide where appropriate: 1) adequate bond or other security for damage to the property or facilities during the period of the use; 2) personal injury and property damage insurance coverage; 3) a performance bond or insurance guaranteeing or insuring performance of its obligations under the contract; and, 4) other types of insurance in such amounts as are designated by the College; provided, that the College may waive the requirements of security, performance bond or insurance coverage.

3. Affiliated individuals/entities may be assessed the cost of providing maintenance and/or security required as a result of their use of campus property or facilities.

*H. Distribution of Leaflets, Literature, Pamphlets, Etc. - Commercial Use/Solicitation Prohibited*

1. Literature and/or advertisements may only be sold or distributed in conjunction with an approved application for use of campus facilities. Requests to distribute or sell literature must be included on the application to use campus facilities and/or property.

2. Commercial solicitation and/or the distribution or sale of literature associated with commercial solicitations or advertising is specifically prohibited except when the entity is engaged in a contractual business relationship with the College and/or when a rental or lease agreement is in place specifically for such temporary purpose.

3. Campus property and facilities may not be used by any non-affiliated entity/individual for the conduct of profit-making activities except when the entity is engaged in a contractual business relationship with the College and/or when a rental or lease agreement is in place specifically for such temporary purpose.

4. Literature and/or advertisements may not be distributed within:



- a) Classroom, library or other academic buildings; or,
- b) Administrative and employee offices and work areas.

5. Any literature which is distributed or sold or any advertisement shall comply with all applicable local, state, and, federal laws and regulations, as well as the rules and policies of the College and TBR.

6. Distribution of obscene literature or material, as defined by law, shall not be distributed on any property owned or used by the College.

7. No person shall cause any litter to occur on the campus; materials shall only be discarded in trash receptacles on campus.

#### *I. Bulletin Boards/Posting*

1. The Vice President for Student Services shall designate the locations on campus which are available for use and placement of decorations, posters, or signs.

2. All posted materials must be approved through the Office of Student Life & Diversity Initiatives. If materials are denied posting by the Office of Student Life & Diversity Initiatives, the individual seeking permission may appeal to the Vice President for Student Services.

3. Decisions by the Vice President for Student Services regarding literature distribution may be appealed to the President.

#### *J. General Restrictions*

1. College equipment and supplies shall not be taken off the campus except as required to support classes and official programs conducted by College budgeted departments. College facilities, equipment and supplies shall not be used in support of an off-campus non-College budgeted event. However, with the permission of the President, the College may loan equipment, such as tables and chairs, to government and charitable organizations that serve the local community. In those instances, the organization must sign a written agreement in advance that if the property is lost, stolen or damaged in any manner, the organization will make full and immediate restitution to the College.

2. No gambling is permitted on the College campus, except if permits are obtained from the State of Tennessee and proof is provided to College officials.

3. Wearing of cleats will not be permitted inside College buildings.

4. Gasoline engine vehicles will not be used or stored in College buildings without the specific permission of the College's Vice President for Business and Finance.

*K. Food/Catering Policies*

The contracted College food services provider is available for events requiring food and/or drinks (615-230-3640); however, use of other catering services is permitted.

TBR Source: 3:02:02:00: TBR Meetings, December 8, 1978; March 10, 1979; March 18, 1983; September 30, 1983; September 18, 1987; March 16, 1990; September 21, 1990. G-030: November 12, 1985, Presidents' Meeting; August 15, 1989, Presidents' Meeting; November 8, 1995, Presidents' Meeting; May 14, 1996 Presidents' Meeting; November 12, 1996, Presidents' Meeting; August 5, 1997 Presidents' Meeting, November 5, 1997 Presidents' Meeting; February 17, 1998 Presidents' Meeting & March 27, 1998 Board Meeting; November 4, 1998 Presidents' Meeting, November 7, 2001 Presidents Meeting. August 16, 2005 Presidents' Meeting, August 16, 2006 Presidents' Meeting; May 15, 2007 Presidents' Meeting, February 12, 2008 Presidents' Meeting; Presidents Meeting, November 5, 2008; Presidents Meeting, February 17, 2009; Presidents' Meeting, August 11, 2009; Presidents' Meeting, August 17, 2010.

VSCC Source: March 9, 1989, President; March 26, 1999, President; January 28, 2009, President's Cabinet; April 4, 2011, President's Cabinet; August 26, 2015, President's Cabinet