



POLICY TITLE: Use of Campus Grounds and Facilities

POLICY PURPOSE: To provide guidelines for the use of University facilities and grounds by faculty, staff and students of Fort Hays State University as well as by members of the public.

BACKGROUND: University facilities and grounds are maintained and operated primarily for the use of the students and the faculty of FHSU, in furtherance of FHSU's educational mission. To that end, buildings containing classrooms, lecture halls, and other areas primarily designed for instruction, are reserved principally for the University and its students to conduct classes and other educationally related events. The use of these and other types of University facilities and grounds are subject to guidelines set forth herein, and other University and Kansas Board of Regents (KBOR) policies.

APPLIES TO: Faculty, Staff, Students, and Visitors

DEFINITIONS: For purposes of this policy, the terms 'candidate,' 'party committee,' and 'political committee' shall have the meanings specified in K.S.A. 25-4143, as amended. 'Campus community' means students, administrators, faculty and staff at FHSU, and guests invited to the University by the University's students, administrators, faculty, or staff. 'Outdoor areas of campus' means the generally accessible outside areas of campus where a majority of students, administrators, faculty, and staff at the University are commonly allowed without ticketed entrance.

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POLICY STATEMENT: **Use of Campus for Political Office Holders, Candidates and Events**

State university facilities and grounds shall not be made available for fund raising events for any candidate, party committee or political committee, or for filming or otherwise producing partisan political advertisements.

Except as prohibited above, state university facilities may be made available for the purpose of holding political meetings, or public forums, provided there is no interference with regularly scheduled functions, the person requesting the space can clearly demonstrate that there is not otherwise available a reasonably suitable facility in the community, students are permitted to hear the speakers without charge, and sponsors pay in advance the regular fees for use of the facilities.

Other than the Governor, elected officials and candidates for elected office shall not be introduced or recognized on campus unless they are in

attendance at a campus event in an official capacity and at the request of the University. The distribution of handbills shall be prohibited in those areas devoted primarily to instruction or study or at the immediate sites and times of enclosed public events.

Buildings and Facilities

University facilities are maintained and operated primarily for the use of the students and the faculty of FHSU. To that end, buildings containing classrooms, lecture halls, and other areas primarily designed for instruction, are reserved principally for the University and its students to conduct classes and other educationally related events. Therefore, such buildings are not designated for use by the public in general, or for any general purpose, and any requested use by any off campus groups of such facilities, or any requested use by any on-campus group for purposes beyond which the buildings are designated will be denied unless the requested use is consistent with the educational mission of Fort Hays State University. Requests for use of academic or instructional rooms and other areas on campus should be directed through the Scheduling Officer within the Registrar's Office. The Scheduling Officer will investigate the desired use and either approve or reject it based upon availability of space and, in Consultation with the Provost or his designee, whether the proposed use is consistent with the educational purpose of the building. If the request is denied, the reasons for the denial will be given to the requesting party. The requesting party may then appeal in writing to the Vice President of Student Affairs and ultimately the President. The President will have the final decision as to whether the requested use is permissible pursuant to this policy. With regard to all buildings and facilities on campus, other than the Memorial Union and labs and instructional rooms for which scheduling is designated to the Director of the Memorial Union or the academic department as the case may be, when the requisite approval has been granted by the appropriate representative of the University as indicated herein, the approval will be submitted to the Scheduling Officer within the Registrar's Office who will reserve the room or other area and otherwise make arrangements for the requested use.

The Memorial Union and adjacent Fischli-Wills Center for Student Success are principally designed to serve the University's students, faculty, staff and guests and to function as a meeting place for activities related to student services or the overall educational mission of the University. Any requested use of the Memorial Union or Center for Student Success by off campus groups must be scheduled through the Director of the Union, who will approve or deny the request based upon availability of space and whether the requested use is consistent with the purpose of the Union. In the event that a requested use is denied, the Director shall state the reasons for denial in writing and provide such to the requesting party. In the event the requesting party disagrees with the denial of the requested use, such party may appeal in writing to the Vice President for Student Affairs and in the event such appeal is unsuccessful, ultimately to the President of the University who will be the final decision maker on the appeal. Charges for

use by off-campus groups will be made according to the schedule of charges established by the Memorial Union Policy Board. All conferences, meetings, etc., that are held on campus, must be held in the Memorial Union if space is available according to the bond resolutions as established by the Board of Regents.

Any requests for tours, meetings, dinners, programs or other activities at FHSU facilities located off the FHSU main campus (e.g., Sternberg Museum, Kansas Wetlands Education Center) should be directed to the reservations manager for that facility, who will grant or deny such requests in accordance with facility requirements and this policy.

Access to Buildings during Evenings and Weekends by Faculty, Staff, and Students

Faculty and staff desiring to work in their offices in the evening or weekends do not need to submit a request for use of university facilities form. If a faculty member or staff finds the door locked when they come into a building, they are responsible for seeing that it is locked while they are in the building and when they leave.

Students who desire to work in a University building after the normal closing hours for that building must possess a written statement of permission or must be accompanied by a faculty or staff member. Written permission may be obtained from a student's supervisor, if the student is employed by the University, or otherwise from the appropriate department chair or a designated faculty or staff representative of the chair.

Standard Night and Weekend Pass forms are to be printed for permission to use buildings and facilities. The permitted work areas and time of expiration of permission is to be specified on each pass.

Use of Educational Buildings for FHSU Classes

Requests for room assignments for regularly scheduled classes for the fall semester, spring semester, summer term, and intersession are to be approved by the appropriate dean of each of the five colleges and then submitted to the Office of the Registrar on or before the date established on the administrative calendar for classroom charting.

The scheduling of Malloy Hall 115, and Malloy Hall 126 for regularly scheduled classroom use should be determined cooperatively by the chair of the department of music, and the Scheduling Officer within the Registrar's Office. Scheduling of Malloy Hall 100 for classroom use should be determined by the chair of the department of communication studies in conjunction with the scheduling officer within the Office of the Registrar.

Non-classroom activities conducted in Felten Start Theatre should be determined cooperatively by the chair of the department of music and the chair of the department of communication studies with any disputes decided by the Dean of the College of Arts and Sciences. In the event that the requested use of Felten Start Theatre for a non-classroom activity or by an off-campus group or individual is denied, the denial shall be communicated

to the requesting party who may appeal the denial in writing to the Vice President for Student Affairs. In the event that the appeal is unsuccessful, the requesting party may appeal to the President of the University who will make the final decision on the requested use.

All other requests for the use of classrooms should be made through the Scheduling Officer.

Changes in the function of rooms on campus should be directed through the particular dean of the area affected. The dean will investigate the desired change and either approve or reject it. The approval will be sent to his vice president who will submit the proposal to the long range Facilities Planning Committee for final adoption

General use of Buildings not Principally Designed for Educational Use

Buildings on campus not principally designed for educational purposes but that are not otherwise designated for use by the general public (except for events held in such facilities that the public is invited to attend) are Cunningham Hall, Gross Memorial Coliseum, Beach/Schmidt Performing Arts Center, and the residence halls and on-campus apartments. Any requested use of such facility by on or off campus groups or individuals outside of normal classes and performances incidental to FHSU courses are governed by the following guidelines:

1. Requests for the use of Cunningham Hall outside the regularly scheduled classes should be made through the Department of Health and Human Performance. Cunningham Hall is designed principally for classroom use, for use by students, faculty, and staff for health improvement and fitness, and for University athletics and intramural competition. Any requested use of Cunningham Hall must be scheduled through the Chair of HHP who will approve or deny the request based upon availability of space and whether the requested use is consistent with the purpose of Cunningham Hall. In the event that a requested use is denied, the Director shall state the reasons for denial in writing and provide such to the requesting party. In the event the requesting party disagrees with the denial of the requested use, such party may appeal in writing to the Vice President of Student Affairs and in the event such appeal is unsuccessful, ultimately to the President of the University who will be the final decision maker on the appeal. The ropes course near Cunningham Hall is likewise not available for public use and any request for use must be submitted to the Department of HHP. Any persons seeking to use the course must have the required certification.

2. Gross Memorial Coliseum is principally designed as the venue for FHSU athletic events, practices, and designated intramural competition. Any requested use of Gross Memorial Coliseum must be scheduled through the Director of Athletics who will approve or deny the request based upon availability of space and whether the requested use is consistent with the purpose of the coliseum. In the event that a requested use is denied, the Director shall state the reasons for denial in writing and provide such to the requesting party. In the event the requesting party disagrees with the denial

of the requested use, such party may appeal in writing to the Vice President of Student Affairs and in the event such appeal is unsuccessful, ultimately to the President of the University who will be the final decision maker on the appeal.

3. Requests for the use of Beach/Schmidt Performing Arts Center must be scheduled through the Director of the Memorial Union. Beach/Schmidt Performing Arts Center is principally designed as a venue for University related lectures, presentations, and performances. Any outside individual, group, or organization who wishes to use Beach/Schmidt Performing Arts Center must comply with the application process set forth herein. The University reserves the right to deny an otherwise proper application if the requested use of the Center would be harmful to the safety of FHSU faculty, staff, or students or if the proposed use is likely to unreasonably interfere with the educational mission or operations of FHSU and such denial is consistent with this policy.

4. Residence Halls and Apartments on campus are principally designed as living areas for students and in some cases faculty and staff and families of students, faculty and staff. Therefore, none of the residence halls or on campus apartments are available for use by the public. Classrooms and common areas within residence halls and on campus apartments may be used for limited purposes relating to the educational mission of the University or its students. However, any request must be submitted to the appropriate community council and/or the Director of Residential Life who will approve or deny the requested use in accordance with this policy. In the event that a requested use is denied, the reasons for the denial will be set out in writing to the requesting party. In the event the requesting party disagrees with the denial of the requested use, such party may appeal in writing to the Vice President of Student Affairs and in the event such appeal is unsuccessful ultimately to the President of the University. Use of residence halls and on campus apartments will only be granted if the purpose satisfies the criteria set forth above and if it does not otherwise conflict with residence hall meetings, residential life activities, or other events occurring within that time at the residence halls or on campus apartments. For the purposes of this section, "residence halls and on campus apartments" includes all grass areas and parking lots immediately adjacent to such buildings and the use of such outdoor grass areas and parking lots are governed by the same terms contained herein.

Use of other University Property

With regard to any outdoor common area, the following standards and guidelines apply:

1. The outdoor areas of FHSU are public forums, open on the same terms to any member of the campus community subject to reasonable time, place, and manner restrictions that are consistent with established principles of the First Amendment to the U.S. Constitution. Members of the campus community may engage in non-commercial expressive activity in any outdoor area of campus in accordance with published and content-neutral University policies establishing time, place and manner restrictions, including

those set forth herein.

2. No meetings, events, demonstrations, or other gatherings are to be held in the roadways, in parking lots, or within 25 feet of the entrance or exit to any of the buildings on campus. No such gatherings may otherwise be held in any location which will impede pedestrian or automobile traffic. However, the plaza area on the east entrance to the Memorial Union has historically been designated as a gathering place, and all such events will normally be held in this area.

3. Within these restrictions, any requested use of University property not otherwise addressed in this policy for any on campus or off campus individual group or organization to conduct a public assembly, picnic, or other event involving the gathering of more than 25 individuals or for the purpose of holding or engaging in any other activity which will create or omit any amplified sound, requirements set forth in the procedures attached to this policy as Appendix A must be met.

4. With regard to pedestrian traffic on grass areas on campus, the following apply: Grass on the quadrangle at the University is maintained primarily for visual effect. The climate of western Kansas and the soil conditions of the campus cause the lawn areas to be stressed much of the time; therefore, they cannot survive constant foot traffic. Therefore, members of the campus community and University visitors are requested to use the sidewalks.

5. With regard to University technology and equipment, including but not limited to computers and associated software, telephones, and networks, this technology and equipment is not generally available for public use, with the exception of wireless networks which are or may be established in various areas on campus. Any use of any FHSU technology, equipment or networks by any user thereof is governed by the University's policy concerning the Acceptable Use of Computing Resources.

Solicitation on Campus

It is against University policy for anyone to solicit, peddle, canvass, or engage in similar conduct directed at faculty, staff, or students absent prior approval by University authorities. Campaigners, salespeople, and others desirous of solicitation activities should be reported immediately to the Office of Student Affairs. The sales or free give-a-ways of products and services by individuals, partnerships, corporations, or such other entities not associated with or related to the University is prohibited. In addition, sponsorship of sales of products and services by individuals, partnerships, corporations, or other such entities not associated with or related to the University is also prohibited. Requests for exceptions to this policy may be made in writing to the Vice President for Student Affairs. The Vice President for Student Affairs will determine the requested exception based on the following guidelines:

1. Whether the product or service at issue is related or beneficial to the mission of the University or its students.

2. Whether the requesting party currently has or has had a contractual

relationship with the University.

3. Whether the proposed solicitation would be detrimental to the University's or detract from its educational mission.

In the event the Vice President for Student Affairs denies any requested exceptions, the denial will be in writing and state the reasons therefore. The requesting party may then appeal to the President of the University who will issue the final decision on whether the requested exception should be allowed.

The FHSU Facilities Manual is the standard guide for the use of facilities on campus. However, in the event that the guide is inconsistent with this policy in any material respect the instant policy will prevail. The official record keeper of the manual is the director of facilities planning.

Campus Bans and Trespassing

The Vice President for Student Affairs or their designee has the authority to ban a person from any or all areas of campus under certain circumstances, so long as the decision is made jointly with the Chief of the University Police Department and upon consultation with the University General Counsel. If the ban applies to University faculty or staff, the direct supervisor and/or appropriate administrative personnel may be consulted. The ban may or may not be issued upon the request of the Behavioral Intervention Team (BIT). The ban notice must identify the conduct or circumstances giving rise to the ban, it must state whether the ban is perpetual or for a limited period of time, and it must identify the precise campus locations that the ban applies to.

The person to be banned shall be issued notification in writing, with such notification attempted to be delivered personally by the University Police Department. If for whatever reason the person cannot be notified in person, then the notice may be sent to the person's last known address but in such circumstance at least two separate efforts must be made to personally contact the person to verify receipt of the notice.

A campus ban may only be issued for one of the following reasons:

- Harassment, violence or threats of violence to University community members or harassment, violence or threats thereof that involve the University community.
- Damage to University property.
- Commission of a crime which indicates there is a risk to the health or safety of the campus community.
- Conduct which constitutes an interference with peaceful and orderly University operations, in accordance with KBOR policy on Interference with Conduct of Institution.

If the ban is based upon the last circumstance identified above, it must only be for the location or facility in which the conduct giving rise to the ban

occurred, and must only be for repeat violations for the same or similar conduct, unless the conduct was so outrageous and extreme as to require an immediate and/or total ban from campus.

The person to be banned may appeal in writing or in person to the President or the President's designee within five business days of receipt of the ban notice. The President or President's designee shall then issue a decision in writing within three business days from the hearing or from receipt of the written appeal in the event that there is not in in-person hearing. The ban may be completely overturned or modified as to scope and duration. If the reviewing officer determines that the ban was issued in violation of this policy or otherwise arbitrarily and capriciously, it must be overturned.

In the event a person violates a campus ban issued in accordance with this policy, a complaint of trespassing will be made to the appropriate authorities. Subsequent violations may also give rise to an amended ban notice which extends the duration or enlarges the scope of the ban. Such amended ban notice will be subject to the provisions of this policy, including those allowing for an appeal.

Freedom of Expression Acknowledgment

Nothing herein shall be construed in a manner that would result in a conflict with the First Amendment to the U.S. Constitution or any other relevant federal or state laws or regulations concerning freedom of speech or expression. This policy incorporates by reference the principles set forth in the KBOR Statement on Free Expression, and shall be construed in a manner consistent therewith, along with KBOR's policy on the Use of Campus Grounds and Facilities. Nothing herein, or in any other University policy or rule, shall be deemed to discourage students, faculty, or staff from hearing diverse points of view from speakers and programs sponsored by the University or recognized student, faculty, or employee organizations. Further, all University policies or rules on the advance reservation of rooms, the posting of notices, the payment of rental charges when applicable, or such other policies or rules as the University may prescribe for the use of its facilities or grounds to avoid interference with the regular program of the institution are intended to be content-neutral and limited to narrowly drawn time, place and manner restrictions that are consistent with established principles of the First Amendment to the U.S. Constitution, and shall be construed accordingly.

KBOR Policy Review

Regents institutions shall have the authority to develop additional policies and guidelines that are not in conflict with KBOR policy concerning the Use of Campus Grounds and Facilities. Such policies and guidelines shall be reviewed by the Governance Committee and filed with the President and Chief Executive Officer of the Board.

Appendix A

Procedures for Obtaining Permission to Use Certain Campus Facilities

These procedures govern the requested use of outdoor common areas on campus and Beach/Schmidt Performing Arts Center. The use of outdoor grass areas immediately adjacent to residential halls and on campus apartments is not governed by these procedures, but instead is governed by provisions contained within the use of campus facility policy. These procedures must be followed when an individual, group or organization seeks to use the FHSU campus for a public assembly, picnic or other event involving the gathering of more than 25 individuals or any activity creating or omitting any amplified sound. These procedures do not apply to official University events such as the University Back to School Picnic, University dedication ceremonies or outdoor activities specifically related to an FHSU course under the direction and supervision of the course instructor. These uses are allowed without the need for compliance with these procedures so long as requests are made in writing to the Director of the Memorial Union which will allow or deny the use based on availability.

All other requests require the completion of an application form which may be obtained from the office of Student Affairs and compliance with and full completion of such form, and all of the other procedures referenced herein. The Vice President for Student Affairs will initially review the application and determine whether permission for such requested use will be granted based upon the specified criteria set forth below. The Vice President for Student Affairs will issue a written decision within 14 days after the application is submitted. The application must be submitted 30 days prior to the anticipated event. In the event that the Vice President for Student Affairs denies the requested use, an appeal may be taken to the President of the University who will make the final decision as to whether the original decision to deny the requested use is in accordance with the procedure set forth herein.

To the extent permitted by law, and so long as consistent with KBOR and University policies, the Vice President for Student Affairs may deny an application for requested use if the applicant has on prior occasions made material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated University policies in the past regarding use of campus facilities. The Vice President for Student Affairs may also deny an application on any of the following grounds:

1. The application was not submitted within 30 days prior to the event.
2. The application was not fully completed and executed including the required release, waiver, insurance and indemnification provisions.
3. The application contains a material falsehood or misrepresentation.
4. The applicant is legally incompetent to enter into a contract or to sue and be sued.
5. A fully executed prior application for use of campus areas for the

same time and place has been received and permission has been or will be granted to the prior applicant.

6. The use or activity intended by the applicant would conflict with previously planned programs organized or conducted by the University and previously scheduled for the same time and place.

7. The proposed use or activity is prohibited by or inconsistent with Kansas law, any policy of the Kansas Board of Regents, or any policy of the University

8. The use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant or students, faculty, or staff of the University.

In the event that the application for requested use is granted, the Vice President for Student Affairs will designate a specific location on campus for the event, and will inform the Scheduling Officer of the date and location of the event. No event during normal class hours using megaphones, bullhorns, or other device for the amplification for voice or sound may be held. No event may be held during normal class hours where the event may have a tendency to disrupt student learning. If the requested use involves a musical concert or amplification of sound, the requesting party is expected to comply with any and all local ordinances and restrictions and when necessary, to obtain the applicable permits.

**EXCLUSIONS OR
SPECIAL
CIRCUMSTANCES:**

**RELATED
DOCUMENTS:**

Policies:

Forms:

Other:

KEYWORDS:

Building, facilities, scheduling officer, candidates, campus bans, and office holders

**RESPONSIBLE
OFFICE:**

Student Affairs

**RESPONSIBLE
UNIVERSITY
OFFICIAL:**

Vice President for Student Affairs

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