

FACILITIES USE POLICY

I. PURPOSE OF UNIVERSITY CAMPUS AND FACILITIES

- A. This policy states the purpose of the university's physical campus, sets priorities for facilities usage, defines scheduling procedures, and defines responsibilities for charges associated with event management and facility usage.
- B. Events and activities conducted on the campus of Henderson State University shall in no way violate the purposes, property, policies, procedures, or regulations of the university; federal and state laws; or local ordinances. All facility users are expected to follow the university's policies and procedures, including rules governing the particular facilities or grounds being used.
- C. The campus of Henderson State University (HSU) is dedicated to the university's mission of education. The university's campus and facilities exist for the primary purposes of serving a planned and scheduled program of educational activity. At times when not required for the regularly planned educational program, the university may make specific facilities available for extracurricular use by colleges, departments or other organizational units of the university (i.e. a "University Group"); for events organized and hosted by a university department or unit that is related to university activities (e.g. an annual meeting of state registrars) that was organized by faculty or staff acting within the scope of their employment (i.e. a "University-sponsored Group"); and to recognized student organizations in good standing with the university with the written approval of an authorized university employee (i.e. a "Student Group"). Not all facilities may be available for use by a University Group, University-sponsored Groups or a Student Group.
- D. It is part of the university's stated mission to provide a learning environment that prepares students for a lifetime of intellectual and personal growth in a global society.
- E. All criteria for assessing requests for use of university facilities and the evaluation of events must be applied in a viewpoint-neutral manner.
- F. This policy applies to all university groups, non-university groups, or individuals who request use of or are using university facilities or grounds.
- G. If the proposed use by an External User constitutes a "Major Event" as defined herein, the request for use of the facility must be reviewed by the President or Vice President of Finance and Administration who shall determine whether the use serves the educational objectives of the university and either approve or deny the request for facility use.
- H. In the event that a university facility is not in use for either a regularly scheduled educational activity or an extracurricular use by a University Group, University-Sponsored Group, or a Student Group, other individuals or groups (i.e. "External Users") may request permission to use a university facility or other university property. In the event of such a request, the President or Vice President of Finance and Administration is authorized to review the proposed use to determine whether the use serves the educational objectives of the university and either approve the request for facility use and issue a Facility Use Permit, or deny the request. Not all facilities may be available for use by External Groups.
- I. Use of university facilities and grounds not authorized herein or authorized by other university policies is prohibited.

General Regulations for All Facilities Use

The university prohibits the use or possession of alcoholic beverages and unlawful drugs, and the misuse of lawful drugs on any property owned or maintained by the university. This prohibition applies to any events held on the university's campus, including events organized by External Groups. The maximum room capacity for all university indoor facilities has been established by the State Fire Marshall. The university may reduce room capacity further in accordance with staff availability, outside security/law enforcement officer availability, and other considerations.

Outdoor events with or without amplification must comply with the local sound ordinances and university policy. Acoustic or ambient sound, such as that generated through musical instruments, may be limited when

such use interferes with the orderly conduct of university business or authorized events.

Events must end no later than 2:00 AM or the time determined by the university based up the HSU Police Department's security assessment, or as prescribed by specific facility policies, campus policies, and City of Arkadelphia ordinances. Additional charges may be applicable if the university grants requests to extend events beyond specific building hours.

HSU prohibits the possession, carrying, storage or use of any handgun, firearm, or weapon of any type on the university campus, in any building owned or controlled by the university, unless by a certified law enforcement officer employed by the university police department, any other certified law enforcement officer, or any other possession authorized by law.

HSU is a smoke-free campus. The use of any tobacco products, electronic cigarettes, or other instruments that emit vapor or smoke is prohibited everywhere on campus.

All event attendees may be subject to search for contraband, weapons, drugs, alcohol, and other illegal or prohibited materials. Participants will be notified through clearly posted signs at the event entrance if they will be subject to a search.

Food Service: Sodexo, the university-contracted food service provider, has exclusive first-refusal catering rights on campus. No catering by external providers is allowed on campus unless Sodexo has been offered, and has refused, the catering opportunity. While no External Group or University-Sponsored Group using campus facilities may bring any food to campus for an event, Student and University Groups may bring to campus either donated food or food prepared or purchased by their group's own members, if no university funds are used to purchase the food. (Such groups are responsible for complete clean up and waste disposal related to their food items, or they will be charged relevant cleaning fees.)

Groups or individuals who request use of facilities to conduct surveys, polls, or similar types of research activities must have their projects approved by either the Office of Institutional Research or the Institutional Review Board.

Individual facilities may have additional policies specific to those sites. Please contact the manager of the specific facility for details and requirements.

Scheduling Process: As a general rule, once space has been reserved and confirmed, groups will not be rescheduled or moved. However, the university reserves the right, at its discretion, either to move any group to another facility or to reschedule an event either to accommodate the needs of groups assigned a higher use priority by this policy or to maintain venue-specific needs, or due to safety and/or security reasons.

University-sponsored Groups and External Groups' users, including individuals who sign the university's space reservation forms, are liable for all costs related to any event. This includes, but is not limited to, facility fees, security costs, fees for extraordinary cleaning, and any damages that may occur as a result of the event.

I. GROUPS OF USERS AND FACILITY USE FEES

A. Applicable Groups

1. Internal Groups

- a. University Group: a college, department, or other organizational unit of the university; an organization composed exclusively of faculty and staff acting within the scope of their employment; an administrative or academic unit within the university, staffed by State employees acting within the scope of their employment. Also included in this group are the intercollegiate athletic department and teams, university committees, task forces, governance bodies, and councils.
- b. Student Group: a group that has been recognized as a Registered Student Organization by the Student Leadership Office under the rules of that office. Student groups must submit the written approval of their on-campus advisor or other designated authority to request the use of campus facilities and must be in good standing with the university in order to use campus facilities.

c. University-sponsored Group: faculty or staff acting within the scope of their employment to organize an event that is related to university activities (e.g. an annual meeting of state registrars, college media association meeting, events for K-12 students that support student recruitment efforts). The organization or group hosting such an event assumes the financial responsibility for event-related costs including damage assessments.

2. External Groups: all other categories of prospective users, including individuals, even though the individual or some of the members or participants of a group may be university personnel, alumni, or students.

B. Facility Use Fees and Charges. Facility use fees will be charged in accordance with the established Camps and Conferences Fee Schedule. Facility use fees will not apply to events scheduled by University Groups or Student Groups. "HSU Sponsored" rates will apply to University-sponsored Groups. "External Group" rates will apply to External Groups.

C. Prohibition on "Fronting" Events. "Fronting" occurs when an External Group or a University-sponsored group (or one of its members) reserves or uses university facilities, grounds, or services under the guise that the event is for a University Group or Student Group, in order to avoid payment or secure scheduling priority. Any university employee or student who attempts to reserve space for an External Group, University-sponsored group, or other individual under the pretext that the space is for the use of a University Group or a Student Group, in order to secure priority scheduling or a reduction in fees for the External Group, University-sponsored group, or individual, may be sanctioned.

II. CAMPUS CLOSURES FOR HOLIDAYS AND SIGNIFICANT UNIVERSITY EVENTS

The university will specify dates on which significant university events are scheduled as unavailable for scheduling of events by External Groups. Examples of such dates are residence hall move-in days, first day of classes, homecoming, final examinations, and commencement. The university's calendar is available on the university's website.

The university's campus closes each year on certain holidays and for a winter break, usually between Christmas Eve and New Year's Day. As a general rule, the university's facilities are not available for events when the university is closed. Groups may request that facilities be opened. The university may offer to accommodate those requests during campus closures if appropriate staff is available, for an additional "holiday" fee as determined appropriate by the Vice President for Finance and Administration.

SCHEDULING PRIORITIES

Where requests are received at the same time from different groups, Internal Groups shall have priority over External Groups.

Academic Space Scheduling

1. The scheduling of academic classes has the *highest* priority in university-owned and university-leased space. Other use of university facilities must not interfere with these activities. The Division of Academic Affairs is responsible for scheduling academic spaces.
2. Priority Categories *Other* than Classes for Academic Space:
 - a. First Priority – Events organized by academic departments related to the planned and scheduled program of educational activity (e.g. academic review sessions, departmental meetings, academically-related committee meetings)

- b. Second Priority - Other University Group Events and Student Group Events
 - c. Third Priority – University-sponsored Events
 - d. Fourth Priority – External Group Events
3. Weekend events may be scheduled in academic space if it can be verified that the requested space will not be needed for weekend classes, exams, or graduation exercises. If there is a possibility that the space will be needed for weekend classes or other academic programs, the request will not be confirmed until class schedules are established for the semester in question.
 4. Facility fees, as approved and published by the university, may apply according to the group's classification and type of event.

Student Affairs Space Scheduling

The Division of Student Affairs is responsible for scheduling the following facilities: Dunn Recreation Center and Residence Life associated spaces.

Priority Categories for Student Affairs Space:

1. First Priority - Student Groups and university-organized events for students
2. Second Priority - University Group Events
3. Academic classes
4. Third Priority – University-sponsored Events
5. Fourth Priority - External Group Events

Facility fees, as approved and published by the university, may apply according to the group's classification and type of event.

Garrison Activities and Conference Center Scheduling

The Division of Finance and Administration is responsible for scheduling in the Garrison Activities and Conference Center.

Priority Categories for Garrison Activities and Conference Center Scheduling:

1. First Priority - Student Groups and university-organized events for students
2. Second Priority - University Group Events
3. Academic classes
4. Third Priority – University-sponsored Events
5. Fourth Priority - External Group Events

Facility fees, as approved and published by the university, may apply according to the group's classification and type of event.

Outdoor Spaces

The outdoor spaces at HSU are dedicated to the university's mission of education. The university's campus, including the outdoor spaces, are used for the primary purpose of serving a planned and scheduled program of educational activity.

As such, the reservation and use of outdoor spaces will be based on the following schedule priorities.

1. First Priority – Events organized by academic departments related to the planned and scheduled program of educational activity (e.g. academic review sessions, departmental meetings, academically-related committee meetings)
2. Second Priority - University Group Events
3. Third Priority - Other University Group Events and Student Group Events
4. Fourth Priority – University-sponsored Events
5. Fifth Priority – External Group Events

Outdoor events require additional staffing, preparation, management and coordination. The university will evaluate its capability to serve multiple outdoor events and will only schedule multiple and/or simultaneous events when adequate resources are available.

Regulations Governing Facilities Use by External Users

Audio-visual, computer or other technical services provided by the university to External Groups may be charged to the organization or individual who requested use of the facility or grounds and/or to the individual who signed the university's space reservation form.

External Groups may not use sound amplification equipment for functions or events that are not officially authorized by the university is not permitted.

Any publicity and communications concerning any meetings of External User shall clearly identify the sponsoring organization and shall carefully avoid any statement or implication that the event is sponsored or endorsed by the university.

Definitions:

Event: An event is any planned gathering including but not limited to celebrations, dances, lectures, forums, performances, rallies, social gatherings, concerts, speaker presentations, and conferences.

Major Event: A Major Event is an event, other than a sanctioned intercollegiate athletic event, at which one or more of the following conditions apply:

1. Over 100 persons are anticipated to attend;
2. Authorized campus officials determine that the complexity of the event requires the involvement of more than one campus administrative unit;
3. Authorized campus officials determine that the event is likely significantly to affect either campus safety and security (based on assessment from the Henderson State University Police Department, hereafter HSU PD), or campus services (including roadways through and servicing the campus or parking);
4. Authorized campus officials determine that the event has a substantial likelihood of interfering with other campus functions or activities;
5. The event is a social dance or a concert, other than a performance by students or faculty of the university, regardless of how many attendees;
6. Outdoor amplified sound is requested or used;
7. Open flames will be used in the event.

Facility Use Permit: A Facility Use Permit is the university's official confirmation that an External User has permission to use certain university facilities or grounds.

AN ACCURATE ESTIMATE OF ATTENDANCE IS REQUIRED

External Groups should carefully estimate the expected number of attendees for proposed events when completing the space reservation form. The expected number of attendees will be considered as part of the university's risk and security analysis. Because the university's preparations are based upon the estimated attendance, if attendance exceeds the expected number specified on space reservation form or the Facility Use Permit, if applicable, the university reserves the right to cancel the event or cause the event to end before the specified event time. In addition, the university may limit attendance at the event to estimated attendance provided on the space reservation form.

REQUIRED TIMELINES FOR REQUESTS FOR FROM EXTERNAL GROUPS

- A. External groups or who wish to request use of a facility or university grounds for an Event other than a Major Event, must complete and submit a space reservation form no less than ten (10) business days prior to the proposed event, using the university's form which requires group name, event name, description of event, number of expected attendees, facility or location requested, and the name and signature of the individual who will be responsible for the event. A Facility Use Permit is required.
- B. External groups who wish to request use of a facility or university grounds for a Major Event must complete and submit a space reservation form, no less than eight (8) weeks prior to the proposed event, using the university's form which requires group name, event name, description of event, number of expected attendees, facility or location requested, and the signature of the individual who will be responsible for the event. A Facility Use Permit is required.
- C. External groups must have a Facility Use Permit to use a university facility or university grounds. If the university approves an external group's request to reserve a university facility or university grounds, the university will provide the user with a tentative reservation. If the user complies with the requirements of this policy, the university will issue the user a Facility Use Permit, which documents the university's final approval for the event.

FACILITY USE PERMIT

A Facility Use Permit is the university's confirmation that (1) an External User has permission to use certain university facilities or grounds and/or (2) a Major Event has been approved on university facilities or grounds. Reservations for events that require a Facility Use Permit are tentative until the university issues the user a Facility Use Permit. Events that require a Facility Use Permit cannot proceed unless a Facility Use Permit has been issued.

INSURANCE MAY BE REQUIRED

External groups and outside organizations involved in University-sponsored events that plan for participants to undertake activities that pose a high risk of personal injury must provide a Certificate of Insurance General Liability coverage naming "Henderson State University" as an additional insured. Vice President for Finance and Administration shall determine if an External group's planned activities pose a high risk of personal injury (e.g. cheerleading, gymnastics, bounce houses) and the amount of General Liability coverage required. If required, the event cannot proceed unless the Certificate is provided to the Vice President for Finance and Administration, no later than one week before the event.

RELEASE AND INDEMNITY

External groups and outside organizations involved in University-sponsored events must execute a signed Release and Indemnity Agreement that is binding on the event organizers and the individual who submitted the reservation form.

APPROVAL OF MARKETING MATERIALS

External groups must submit all event publicity materials that will be published or presented to individuals other than those in attendance at the event to the Office of Marketing and Communications prior to

publication and at least two weeks prior to the event. The Office of Marketing and Communications will review publicity materials to verify that event details (such as date, time and location) are accurate and that materials do not create the appearance that the university is involved in the event other than serving as the location for the event.

IV. MAJOR EVENTS BY EXTERNAL GROUPS

If security arrangements and other preparations cannot be made within the time frame set out in this policy, the event may not be approved for the date and time requested.

SECURITY PROCEDURES FOR EVENTS BY EXTERNAL GROUPS

- A. Once the university has approved a tentative reservation in response to a request to use university facilities or grounds from an External Group, the HSU Police Department (HSU PD) will conduct a security assessment based on information provided by the user on the space reservation form and any other information as HSU PD may obtain.
- B. HSU PD will assess security needs based on objective and credible evidence of specific risks, and not on assessment of the viewpoints, opinions, or anticipated expression of event speakers, sponsors, participants, community, or performers. Permissible factors for consideration include but are not limited to: (a) the proposed location of the event, (b) the estimated number of participants, (c) the time of the day that the event is to take place, (d) the date and day of the week of the event, (e) the proximity of the event to other activities or locations that may interfere, obstruct, or lessen the effectiveness of the security measures being implemented, (f) the resources needed to secure the event, (g) the anticipated weather conditions, (h) the estimated duration of the event, and (i) any similar viewpoint- and content-neutral considerations relevant to assessment of security needs. HSU PD may consult with other university officials (i.e. Vice President of Finance and Administration, Risk Manager, Office of General Counsel) as deemed necessary.
- C. HSU PD will make security recommendations that, in HSU PD's professional judgment, will address security threats identified as a result of the evaluation conducted pursuant to subpart B above. The goals of HSU PD's security recommendations will be to:
 - 1. Minimize risks to the health and safety of the event participants and audience;
 - 2. Minimize risks to the campus and surrounding community;
 - 3. Maximize the ability of the event sponsors to successfully hold the event; and
 - 4. Protect the exercise of rights of free expression by the event sponsors, participants, and community.
- D. If HSU PD determines that the event has substantial security needs, the individual who submitted the space reservation form must schedule a security assessment meeting with HSU PD no later than three weeks prior to the event date. The meeting may include, as necessary, the following: a staff member from Finance and Administration, Office of General Counsel, and/or Student Affairs; the facility manager or designee; and representatives of other organizations, if there are more than one sponsoring organization. The individuals who will be serving as first contacts for the event or signatories will be made known to the HSU PD at this time and will be present at meetings and available for consultation throughout the event-planning period. HSU PD will discuss security concerns and recommendations at the security assessment meeting, and meeting participants will discuss options for addressing security needs that HSU PD has identified.
- E. If HSU PD determines that, because of new information it has received or changing circumstances, its security assessment must be modified, it will schedule additional meetings or communications, sponsors, and other appropriate stakeholders to discuss its revised recommendations.
- F. Should the event sponsors and HSU PD be unable to agree on implementation of security measures

or recommendations, the event sponsor may submit an appeal to the Vice President of Finance and Administration or his/her designee for final determination. The Vice President of Finance or his/her designee may determine the security measures required for the event based on HSU PD's security assessment. The goals of that determination will be to:

1. Minimize any identified threat to health and safety of the event participants and audience;
2. Minimize any identified threat to the campus and surrounding community;
3. Maximize the ability of the event sponsors to successfully hold the event; and
4. Protect the exercise of rights of free expression by the event sponsors, participants, and community

G. If during an event an imminent threat to safety or property arises, avoidance or minimization of which requires termination of the event, the authority to terminate the event rests with the senior civilian administrator designated to oversee law enforcement operations. If no senior administrator is present or available, authority is delegated to the highest-ranking HSU PD officer at the event.

H. The group or individual sponsoring the event must agree to reimburse costs of basic event security provided by HSU PD, including other law enforcement or security personnel whom HSU PD hires or with whom HSU PD contracts to provide services for the event. Security fees will be based on standard and reasonable rates for law enforcement or other security personnel and for any associated equipment costs or rentals. The number of personnel and amount and type of equipment charged will be based on an assessment including but not limited to the following criteria:

1. Event venue, including venue size, location, number of entrances and exits to be staffed;
2. Time of day;
3. Number of expected attendees;
4. Whether entrances will be controlled and whether tickets will be sold;
5. Whether the event will be open and/or advertised to non-affiliates of the university;
6. Whether there will be sales of food, beverages, or other items and whether cash handling will occur;
7. Whether event performers come with personal security teams or details that require HSU PD liaisons; and
8. Whether event sponsors or event performers request additional security measures.

Additional security fees will not be charged to event sponsors based on concerns that the subject matter of the event or the viewpoints, opinions, or anticipated expression of the sponsors, event performers, or others participating in the event.

I. In the event that a proposed event includes the participation of children under the age of 18 years of age, the university may require the event organizers to provide proof of appropriate background screening and training regarding the prevention and reporting of child abuse and neglect for event personnel.

OUTSIDE SPEAKERS

Invitations to Outside Speakers by Faculty or Staff

Members of the faculty may invite outside speakers to participate in any class, conference, or institute which is a part of the university's planned and scheduled educational program. Unless the appearance or performance of the invited speaker constitutes a Major Event as defined by this policy, the event shall be subject only to regular room scheduling procedures and regulations.

Invitations to Outside Speakers by Student Organizations

If a Recognized Student Group that is in good standing wishes to invite an outside or off-campus speaker or performer to address an open meeting of its organization, the Student Group's on-campus advisor must provide his or her written approval when the Student Group requests permission to use university facilities. In the event that the group does not currently have an official advisor, the approval of a vice president is required. The university administration may properly express its concerns regarding the potential for disruption of the university's functions or the expression of dissenting views posed by the proposed visit of the speaker or performer.

In all open meetings at which an off-campus speaker will speak, the on-campus advisor or the vice president who approved the request for facility use must be present during the event.

Permission to use a facility or university grounds does not imply endorsement, sponsorship, or support by the university of the views, opinions, or programs of the users or the speakers. Any promotional or marketing materials must not create the appearance of the endorsement, sponsorship, or support by the university.

TABLES, CHAIRS AND DISPLAY MATERIALS

Only University Groups, Student Groups and University-Sponsored Groups may reserve, use, or maintain tables, chairs, or other display materials on the university's campus.

DISTRIBUTION OF MATERIALS

Individuals who are not members of University Groups, Student Groups, or University-Sponsored Groups may stand to distribute non-commercial announcements, statements, and materials, but may not set up tables, chairs, or other display materials in the outdoor areas of the campus consistent with this policy, the university's Policy on Speech and Expression, other university policies, the planned and scheduled program of educational activity, the orderly conduct of other university business, and the free flow of vehicular and pedestrian traffic. Individuals must remove all materials from campus.

University Groups, Student Groups or University-Sponsored Groups may undertake activities that are consistent with the university's Policy on Speech and Expression, this Facilities Use policy, other university policies, the planned and scheduled program of educational activity, the orderly conduct of other university business, and the free flow of vehicular and pedestrian traffic.

Individuals who are not students, faculty or staff may not place posters, handbills, or any other forms of announcement or statement on or against, attached to, or written on any structure or natural feature of the campus including, but not limited to, the sides of doors or buildings, windows, the surface of walkways or roads, gates, fountains, posts, lamp post, waste receptacles, or trees.

Students, faculty and staff may post posters, signs, or other forms of announcement to designated bulletins boards or specified displays on campus with the approval of the university. No group or individual may use any chalk, paint, or make permanent markings on any university structures.