

UNIVERSITY RULES
TEXAS A&M UNIVERSITY-CORPUS CHRISTI

41.01.99.C1 Use of University Facilities

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1. GENERAL

- 1.1 Texas A&M University-Corpus Christi (TAMUCC) focuses on the higher education needs of South Texas and the state, and is committed to excellence in teaching, research, creative activity and service. Priority for facility use at the university will be primarily for functions consistent with the mission of the institution. Use of university facilities by outside individuals, groups, or organizations may be granted with written permission and in accordance with university rules and procedures, Texas A&M University System policies or regulations, and other state of Texas requirements.
- 1.2 The main campus of TAMUCC is located in an ecologically sensitive area, which includes protected wetlands that serve as habitat for numerous rare and endangered species. All university facilities must be used in a way that respects, conserves, and protects our unique environmental setting.

2. DEFINITIONS

2.1 University Groups

- 2.1.1 A **department** is an administrative or academic unit within the university, staffed by university employees, acting within the scope of their employment and may include volunteers approved by the department.
- 2.1.2 A **student departmental group** is funded or supported by an administrative or academic unit within the university but is not a recognized student organization. Examples are: Cheerleaders, Dance Team, Honors Student Association, Island Ambassadors, President's Ambassadors, and Student Newspaper.
- 2.1.3 **University affiliated group** is any entity that has a signed affiliation agreement with the university and exists for the primary purpose of supporting the activities of the university. Examples are: Alumni Foundation, Harte Research Support Foundation, South Texas Institute of the Arts and TAMUCC Foundation.
- 2.1.4 A **student organization** is a student group that has agreed to the guidelines established for these groups and has been accepted by

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University Center and Student Activities (UCSA) for inclusion as a recognized student organization. UCSA maintains a list of these groups that is updated annually.

2.2 Non-University Groups

Non-university groups may include some members or participants who are university personnel, alumni, or students but the university does not have control over these organizations' activities, nor do they exist for the primary purpose of supporting the university's mission. Examples are: individuals, for-profit groups, non-profit groups including professional organizations or societies, governmental organizations, other universities and political groups.

2.3 University Functions

University functions are activities scheduled, planned, participated in, and/or performed by university groups. There are several types of functions within this definition.

2.3.1 **General functions** have a purpose significantly related to the mission and/or advancing the activities of the entire university. Examples are: convocations, homecoming, state of the university, and student orientations.

2.3.2 **Departmental functions** are activities performed by a unit or department of the university that have a purpose significantly related to the mission of the department or the guests of the department. Examples are: athletic events, benefits fair, career fair, departmental retreats, employee development day, meetings, recreational activities, ring ceremony and theatrical or music productions.

2.3.3 **Student group functions** are activities performed by a departmental unit, student departmental group or recognized student organization for the benefit of students. Examples are: entertainment activities, fundraising activities, meetings, and membership drives or distribution of information.

2.4 Academic Functions

Academic functions are instructional/curricular, research, or extension activities that include regularly scheduled courses offered by the university. Activities related to established academic courses or programs and conducting research are also considered academic functions.

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2.5 Non-University Functions

Non-university functions are functions or events performed for the primary benefit of a non-university group and their guests. Fundraising, sales, and solicitation activities that are conducted by university groups or individuals will also fall under this category if the proceeds are not exclusively benefiting a student group, recognized student organization, the university, or another state agency.

3. USE OF UNIVERSITY FACILITIES

3.1 For the university to ensure consistent, efficient, and effective use of facilities, scheduling is decentralized. Authority to schedule university facilities and space will be delegated by the President to various campus administrators.

3.2 All university physical spaces, including buildings, grounds, and parking areas will be used for purposes for which they are designed. In those cases where a request is outside the original design purpose, the facility administrator may allow an exception.

3.3 For most facilities, priority for scheduling will first accommodate all academic functions. Other uses of facilities or physical space must not interfere with academic activities.

3.4 University functions that involve only university personnel and/or students will be coordinated and scheduled by the appropriate administrative units.

3.5 Community Outreach coordinates and schedules non-university functions. Non-university groups will submit details of their functions to Community Outreach to initiate the reservation process.

3.6 Written use agreements are required for all non-university groups using facilities. The agreement will provide information to include financial responsibility, insurance coverage as well as the fees to recover costs associated with the use of space, personnel, and equipment.

4. OTHER ISSUES RELATED TO THE USE OF FACILITIES

4.1 Rental and Recovery Costs

The university may charge university groups fees to recover cost incurred for use

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of personnel and equipment. University groups may also be charged fees for facility costs under certain conditions. The university may also charge non-university groups fees to recover costs incurred for use of space, facilities, personnel and equipment. Standard rates will be established for each facility on an annual basis. There may be exceptions granted for cost of space or facilities as outlined in Section 4.5.

4.2 Sales/Rentals and Solicitations

Anyone wanting to engage in sales, rentals, or soliciting donations on campus must first obtain written permission from the Director of University Services. Permission may be granted for sales or rental activities only when the product or service represents a distinct convenience to the campus community and is not otherwise readily available on campus. If these activities disrupt the normal activities of the campus the university may revoke the permission previously granted. Promotion, advertising, and marketing on campus in *public forums* and *designated public forums* does not require written permission but it can be monitored for fraud and illegality; if the activity becomes disruptive to the normal activities of the campus, participants will be asked to cease the disruptive activity or face eviction.

For this section, the following definitions apply:

Consideration – An inducement to enter an agreement. Some right, interest, profit, or benefit, or some forbearance, detriment, loss, or responsibility given or undertaken by parties to the transaction, including funds, gratuities, or contributions.

Sales and Rentals – The offer to transfer goods to, or render services for, another, whether for immediate or future delivery, in exchange for funds, pledges, contributions, or other consideration.

Soliciting Donations – The collection of funds, pledges or contributions by an individual, group or entity without requiring consideration in return. This also includes the promise of future funds, pledges, and/or contributions.

Transaction – An exchange of consideration (funds, pledges, or contributions) between two or more persons or entities for the purposes of consummating a sale or rental.

Promotion, Advertising, and Marketing – Creating publicity for a product, service, event, program, activity, etc. without the individual or group also seeking to sell, rent, or solicit a donation.

Traditional public forums include the University's public streets, sidewalks, parks, and similar common areas. These areas are generally available for expressive activity, planned or spontaneous, for the individual or small groups (generally where a crowd of 25 or less will be

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present, and/or where an event is not promoted in advance, and/or when an event is not sponsored by a student organization) at any time without the need for reservation, or prior approval. (Obstructing or impeding the flow of vehicular or pedestrian traffic is prohibited).

Designated public forums include other parts of campus that may become temporarily available for expressive activity as designated by the university. These temporary locations, while in existence, will be treated similar to public streets, sidewalks, and parks in terms of access and availability for expressive activity. (Obstructing or impeding the flow of vehicular or pedestrian traffic is prohibited.)

Limited public forums have limited open access for public expression, or they may be limited to particular groups or to particular topics. Creation of, and access to, limited public forums for Student publications may be requested through the office of the Vice President for Student Engagement and Success.

Non public forums are areas that are not traditional public forums or designated public forums. These include areas that are not by tradition or designation forums for public communication. These forums will be restricted to use for their intended purpose and are not available for public expressive activity. Examples include, but are not limited to, classrooms, residence hall rooms, faculty and staff offices, academic buildings, administration buildings, Health Center facilities, library, research and computer laboratories, and research facilities.

Additionally, there are areas such as residences, the Bell Library, utility buildings, etc. that have distance requirements, crowd placement restrictions, and security concerns that may vary depending on security needs, terror alerts, and other factors. Additionally, security needs, terror alerts, local and national events may affect the availability of spaces that would otherwise be routinely available. Information about existing requirements, restrictions, or security concerns will be discussed at the time the reservation request is processed.

Those who choose to observe and/or listen to expressive activities, bear the responsibility of recognizing and honoring the right of free speech. Any acts that are disruptive to the normal operations of the university, including classes and university business, or that invade the rights of others will not be tolerated. Faculty, staff, and students engaging in a disruptive activity may be subject to disciplinary action. Any participant in a disruptive activity may face criminal charges.

4.3 Fundraising

The university may request and negotiate a share of fundraising net revenue in addition to or in lieu of rental fees for fundraising or sales activities that are proposed by non-university groups. The Executive Vice President for Finance & Administration or designee will be involved in execution of facility use agreements that involve fundraising activities.

4.4 Conference and Camps

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For functions that involve charges, fees, or ticket sales to participants, such as camps or conferences, the university reserves the right to charge any university group, student organization, or non-university group a facility fee based upon participant head count, parking needs or any other reasonable rate structure. Considerations include the nature of the space used, number of participants, university personnel time involved, and equipment use.

4.5 Exceptions

The President or his designee has authority to grant exceptions for use agreements and/or waive facility use fees.

4.6 Damage to Property

Destruction, damage, unauthorized possession or misuse of university property (including keys, library materials, and laboratory supplies) is prohibited. Costs will be recovered from the party using the facility in the event of damage.

4.7 Animals

Service animals, as defined under applicable law, and lab animals are allowed in the facilities and on grounds of the campus. All other animals are prohibited unless part of an approved university program or activity. Wellness activity such as utilizing the Hike and Bike Trail will qualify as an approved program, but animals must be on leashes.

4.8 Minors

Non-student minors must be supervised while on campus at all times. Any damage caused by minors will be recovered by a charge to the entity holding the reservation or to the parents or guardian.

4.9 Political Activities

As a state institution of higher education, TAMUCC is required to remain neutral in partisan political activities and will adhere to all requirements contained within System Regulation 07.03.01; *Political Campaign Events on Property Under the Control of The Texas A&M University System* (see <http://sago.tamu.edu/policy/07-03-01.htm>).

4.10 Free Speech

Faculty, staff, students, and visitors enjoy all constitutional rights and privileges concerning freedom of speech and participation in political events. However, on

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the TAMUCC campus, free speech activities and space usage are subject to safety restrictions and may not be disruptive to instructional and academic activities. In the case an event is expecting a crowd of 25 or more, they can be asked to reserve space.

4.11 Rescheduling

Once events are scheduled, they are generally not rescheduled or moved unless there are extenuating circumstances. TAMUCC reserves the right to move any function to another facility or to reschedule a function.

4.12 Events Open to Public

University functions open to the public require notification of the event details by the Submission of the Institutional Event Form to Community Outreach.

Contact for Interpretation: Executive Vice President for Finance and Administration
(361) 825- 2321