

# THE UNIVERSITY OF ARIZONA®

## Arizona's First University.

### POLICY AND REGULATIONS GOVERNING THE USE OF THE CAMPUS

*Effective Date: January 27, 1997*

*Contact: Dean of Students' Office*

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#### A. OVERVIEW

1. The purpose of this policy is to assure that The University of Arizona remains a forum for the broadest expression of views not in conflict with the normal uses of the campus, the rights of others, and the limitations of lawful conduct. The enumeration herein of certain express limitations is not intended as all-inclusive and does not preclude the imposition of other legitimate limitations.
2. The time, place, and manner of free expression activities may be regulated to prevent unreasonable interference or conflict with the educational, research, outreach, or other legitimate functions of the University, including the normal use of the affected University area by others; or any other scheduled activity.
3. The following apply to all activities on campus:
  - a. They may not be conducted in a manner constituting a violation of federal, state or local law, including but not limited to those crimes listed in Arizona Revised Statute, Title XIII, Chapter 29, "Offenses Against Public Order."
  - b. They may not be conducted in a manner or at a time or place that unreasonably interferes with the educational, research, service, and other legitimate functions of the University.
  - c. They may not be conducted in a manner that violates rules, regulations, and/or policies of the Arizona Board of Regents or the University, including, but not

limited to regulations set out below or other regulations that may be developed by the Dean of Students in accordance with this policy.

- d. They may not be conducted in a manner that violates applicable fire and safety regulations.
4. The Dean of Students has sole responsibility for the administration and implementation of the regulations for the use of the campus generally made available to the public; the Dean of Students' interpretation of all of the terms in this document is binding.
5. This policy and these regulations apply to those parts of campus over which the Dean of Students has jurisdiction.

## **B. DEFINITIONS**

1. **"Authorized"** within this document means permitted by the Arizona Board of Regents or the President of the University or his/her designee.
  - a. **"University Authorized Activity"** means an activity which has been permitted to take place by the Board of Regents, the President of the University, or a University employee or other agent to whom authority to grant such permission has been delegated.
2. **"Building or Structure Monitor"** is that person with authority to grant permission to use a building or other structure.
3. **"Contact Person"** means that person who is designated as the sponsoring organization/ individual representative to be contacted.
4. **"Camping"** means the use of any part of the campus for living, accommodation purposes such as overnight sleeping activities, making preparations for overnight sleeping (including the laying down of bedding for the purpose of sleeping), storing personal belongings, making a fire, using any tents or other structures for sleeping, digging or earth breaking, and/or carrying on cooking activities. Such activities constitute camping when it reasonably appears, in light of all the circumstances, that the participants, in conducting these activities, are in fact using the area as a living accommodation, regardless of the intent of the participants or the nature of any other activities in which they may also be engaging. Camping does not include Official University Activities or the ordinary use of University structures that have been wholly or in part designated as sleeping and/or eating areas.
5. **"Dean of Students"** means the University Dean of Students or his/her designee.
6. **"Mall"** refers to the areas between Park Avenue and Campbell Avenue and along University Boulevard East and University Boulevard West.
  - a. **"Free Speech Area"** refers to that part of the Mall which may be used without advance reservations and/or the passing of petitions, distribution of written information, picketing and carrying of placards. Such use is subject to the general limitations set out in Section 3a., above, and to the specific limitations set out elsewhere in this document.

- b. **"Reserved Area"** refers to a part of the mall which must be reserved and scheduled in order to provide for maximum use consistent with minimal interference with the University's educational, research, service or other legitimate functions. Specially designed time, place and manner restrictions are imposed in such areas to assure minimal interference with these functions.
7. **"Official University Activity"** means regularly scheduled academic classes, research and other activities of University Units and University employees or agents; normal daily operations of the University Units; and activities sponsored by University Units in the course of fulfilling their legitimate functions.
8. **"President"** means the President of the University or his/her designee.
9. **"Public Areas"** are those areas of campus generally open to the public during the times the University is open. Public Areas do not include, among other places, the interiors of University Structures.
10. **"Sponsoring Organization/Individual"** means the individual or entity responsible for the activity.
11. **"Student"** means any person registered or enrolled in one or more classes at the University, including a faculty member or employee so registered or enrolled. Graduate students who serve as assistants, associates or otherwise and all other students employed part-time by the University are classified as students for the purposes of this policy.
12. **"Student Organization"** means an organization composed primarily of students which has received recognition according to University policies and procedural regulations through the Department of Student Programs.
13. **"Structure"** means the framework of and the space enclosed by any building, booth, tent, canopy, vehicle, trailer, fence, wall or similar object or enclosure, including but not limited to, the football stadium, the Student Union and Parking lot.
  - a. **"University Structure"** is a structure owned, operated, or controlled by the University.
14. **"University"** means The University of Arizona, or the Arizona Board of Regents acting on behalf of the University of Arizona, or a person delegated power to act in the University of Arizona's behalf, or an entity to whom the Arizona Board of Regents has delegated authority to act in behalf of the University of Arizona.
15. **"University Community"** means all University employees, students, agents, and invited guests.
16. **"University Property"** and **"University Campus"** means all land, buildings and other facilities owned, operated or controlled by the University, except that this policy shall not apply to property which the University owns but over which it has legally relinquished its power of operation and control.

17. "**University Unit**" means any academic or non-academic department or division of the University or any other official entity of the University.
18. "**Weekday**" means Monday through Friday except for official University holidays; "**Day**" means calendar day.

### **C. PUBLIC AREAS**

1. Public Areas of the campus may be used by individuals lawfully on the University Property for any free expression activities, including passing of petitions, distribution of written information, picketing and carrying of placards, subject to the general limitations set out at A.3 above, and the specific limitations set out throughout this document.
2. Public Area activities shall neither impede pedestrian and vehicular traffic ingress to and egress from University structures, nor disrupt Official University Activities or University Authorized Activities on University Property.

### **D. DISTRIBUTION OF LITERATURE**

1. The passing of petitions, distribution of written information, carrying of placards, and picketing are not allowed inside University Structures, unless the building or structure monitor gives permission for such activity.
2. The passing of petitions, distribution of written information, carrying of placards, picketing, sign-up tables, or other set-ups (a) must not block University Structure entrances or exits and (b) must comply with all applicable fire and safety codes to the same extent required of all activities.

### **E. POSTING OF SIGNS AND BANNERS**

1. Signs, banners, and other material may be affixed without permission to the outdoor "kiosks" located around the University campus. Signs, banners, and other materials may not be affixed to the interior or exterior of any other University Structure without permission from the particular Building or Structure monitor or other person with authority to grant permission. Such permission may be given in the form of building guidelines or regulations. Signs, banners, and other material may not be affixed to any plant or inanimate object on campus without the permission of the Dean of Students.

### **F. ACTIVITIES**

1. **The Mall:** See Section K Below. Any activities on the Free Speech area of the Mall that are expected to attract more than 25 people or are advertised by any medium are subject to the limitations of Section F2 below.
2. **Public Areas other than the Mall.** To facilitate scheduling, the avoidance of irreconcilable conflicts in the use of Public Areas other than the Mall, the maintenance of public safety, the fullest possible use of the Public areas of campus, the uninterrupted performance of the educational, research, service and other legitimate functions of the

University, persons engaged in activities in Public Areas other than the Mall should adhere to the following procedures:

- a. **Notification:** Activities that are expected to attract more than 25 people or are advertised by any medium should be preceded by a notice to the Dean of Students not less than 24 hours prior to the expected time of such activities.
  - b. **Arrangements:** The notice shall set out the name, address, and telephone number of the Sponsoring Organization/Individual or of the Contact Person; the anticipated number of participants in the activity; the time and place at which it is planned; and the security, sanitation, and clean-up arrangements to be provided by the Sponsoring Organization/Individual.
  - c. **Approval:** The Dean of Students will approve the activity in writing unless the activity is too large to be safely contained in the area proposed, is in conflict with the use of another who has previously given the notice prescribed, or otherwise violates any of the limitations set out in Section A.3 above. In such cases, the Dean will make all reasonable efforts to determine and provide a suitable alternative time and location for the proposed activity, and/or to determine how the activity can be modified to satisfy the requirements of Section A.3, above.
  - d. **Security:** The Dean of Students, after consultation with the Chief of the University of Arizona Police Department, will advise the Contact Person of the Sponsoring Organization/ Individual about necessary security arrangements, including the use of monitors and other aspects of crowd control, and make necessary arrangements for the deployment of University Police or other appropriate authority, if additional security is required.
3. **University Structures:** Persons or entities desiring to use University Structures for activities other than those that constitute the ordinary use of such structures in fulfillment of the educational, research, service and/or other legitimate functions of the University must obtain permission from the appropriate Building or Structure Monitor.
  4. **Other Campus Areas:** In areas of the campus other than those described in Sections F1, 2, and 3, above, the Mall. Public Areas other than the Mall, and University structures activities that are expected to attract more than 25 people or that are advertised in any medium are not allowed. All other activities in such areas are subject to the limitations of section A.3 above.

## G. STRUCTURES

1. Structures other than University Structures may not remain on University Property.
2. Structures other than University Structures may be placed and remain temporarily on the Mall in accordance with the following regulations:
  - a. Temporary Structures may be placed and remain temporarily in the area between Park and Campbell Avenue between 8:00 a.m. and 5:00 p.m. weekdays and weekends, but must be taken down and removed daily and the area removed of all debris and trash.
  - b. Temporary Structures that are part of an Official University Activity or University Authorized Activity are allowed to the extent that such Official University Activities or University Authorized Activities require the erection of Temporary

## Structures.

3. Subject to the regulations set out below, Temporary Structures for Official University Activities or University Authorized Activities on the Mall may be erected and remain on the Mall for the agreed upon period of time required to carry out the activity and need not be taken down at night during that period of time.
  - a. Notification: Prior to erection of any Temporary Structure, the Sponsoring Organization/ Individual must obtain a Mall Scheduling Form from the Arizona Student Unions Catering/ Scheduling Office. Prior to erection of any overnight Temporary Structure, the Sponsoring Organization/Individual must obtain an Overnight Temporary Structure form from the Arizona Student Unions Catering/Scheduling Office.
  - b. Responsibility: The Contact Person, on behalf of a Sponsoring Organization/Individual shall take responsibility for the Temporary Structure, including its proposed. Location and design as well as its maintenance during the entire time it is left in place. The Sponsoring Organization/ Individual or Contact Person will sign an agreement to remove the Temporary Structure at or before the time set for removal; to abide by this policy and these regulations and any other agreed upon terms for the erection of the Temporary Structure, to pay for injuries to persons or property caused by the Temporary Structure; and to assume the risk for any injury to the property or persons of the Sponsoring Organization/Individual or members thereof. Such responsibility and assumption of risk will be evidenced by the Contact Person's/Individual's signature of the agreement on the Mall Scheduling Form and/or Overnight Temporary Structure Form.
  - c. Safety: The Temporary Structure and its intended uses may not constitute an unreasonable safety hazard; shall not block or impede entry to any building or interfere with normal pedestrian or vehicular traffic; or inflict unreasonable damage to landscaping.

## **H. NIGHTTIME USE**

1. In furtherance of the educational, research, service, and other legitimate functions of the University, no part of the campus, including the Mall, is generally available for organized activities after 10:30 p.m. and before 7:00 a.m., except Official University Activities or University Authorized Activities.

## **I. CAMPING**

1. Camping is not allowed on University property.

## **J. SOUND AMPLIFICATION**

1. Sound amplification will be allowed in accordance with the following guidelines:
  - a. When classes are in session, sound amplification will only be allowed from 12:00 noon - 1:00 p.m. Monday - Friday and from 5:00-7:00 p.m. Monday - Thursday.
  - b. No sound amplification will be permitted after 7:00 p.m. Monday - Thursday except when authorized for Official University Activities.

2. Public address sound equipment may be ordered through Facilities Management or groups may provide their own equipment.
3. Any Sponsoring Organization/Individual using musical sound systems must clarify with Facilities Management their wattage and power amperage needs ten (10) weekdays prior to the scheduled event.

## **K. UNIVERSITY MALL REGULATIONS**

1. **Free Speech Use Area:** Uses that are expected to attract more than 25 people or that are advertised in any medium are subject to the limitations of Section F.2 above.
2. **Reserved Use Area:** Because the Mall is used for many educational, service, and other legitimate University purposes, as well as for non-University purposes, and because there is a strong likelihood of conflicts in such uses, it is necessary to schedule Mall activity in the Reserved Use Area. Scheduling regulations are designed, therefore, to impose time, place and manner restrictions on users that will assure use of the Mall by the greatest possible number of users. Because activities scheduled for the Mall must not unreasonably interfere with the University's educational, research, service and other legitimate functions, it is also necessary to adopt regulations that impose time, place and manner restrictions to assure minimal interference with such functions. The following regulations therefore are intended to provide for maximum use consistent with minimal interference with the University's legitimate functions.
  - a. **Reservations:** Space on the Mall may be reserved for use by a Sponsoring Organization/ Individual. Reservation of space must be made through the Arizona Student Unions Events/ Scheduling Office. Scheduling the use of the Mall will be handled on a "first come, first served" basis. Requests for the use of the Mall must be submitted to and approved by the Arizona Student Unions Events/Scheduling Office ten (10) weekdays in advance of the date the activity is scheduled to take place. Forms for scheduling Mall activities are available in the Arizona Student Unions Events/Scheduling Office. The Arizona Students Unions Events/Scheduling Office will maintain a master calendar showing scheduled Mall activities.
  - b. **Responsibility:** The Sponsoring Organization/Individual shall designate a responsible individual as Contact Person for Mall activities requested. It is understood that a Sponsoring Organization/Individual, acting through its Contact Person, will take full responsibility for injury to any person or property caused by the Sponsoring Organization/Individual or its members and will assume the risk or any injury to the property or persons of the Sponsoring Organization/ Individual or its members.
  - c. **Clean-Up:** The Sponsoring Organization/Individual will be responsible for cleaning the activity area of debris and trash on a daily basis, and will be responsible for the dismantling and removing of any tables, chairs or Structures used for the activities. When sponsoring entity is an organization rather than an individual, the Contract Person will be the individual who will be charged with the responsibility for such clean up on behalf of the Sponsoring Organization.
  - d. **Equipment:** All uses of the Mall that require special equipment, such as platforms, amplifiers, tables, recreational equipment, etc., must be coordinated with the designated representative of the Facilities Management Department.

- e. **Payment:** Any Sponsoring Organization/Individual not funded by the University must pay the University prior to approval of the activity for any services to be provided by the University. Payment by such Sponsoring Organization/Individual shall be submitted to Cost Accounting in the Facilities Management Department.
  - f. **Insurance.** The Sponsoring Organization/Individual may be required to provide satisfactory evidence of ability to compensate for potential injury when there is a reasonable basis for concern that an activity may cause significant personal or property damage. Such evidence may include satisfactory evidence of liability insurance in the amount of \$1,000,000. Such evidence must be provided to the Risk Management and Safety office.
  - g. **Structures:** Use of structures on the Mall is governed by Section G. above.
  - h. **Sound Amplification:** Use of sound amplification is governed by Section J above.
  - i. **Commercial Activity:** Sponsored commercial activity is governed by the University Business Practices Guidelines [Policy on Sponsored Commercial Activity on University Property](#).
3. **Mall Events Committee:** The Mall Events Committee annually reviews guidelines for the use of the Mall and assists the Dean of Students' Office in events approval as needed. The Mall Events Committee is composed of the Associate Dean of Students, who serves as chair; representatives from the Arizona Student Unions, Facilities Management, Risk Management and Safety, Parking and Transportation, Intercollegiate Athletics and the University Activities Board; a faculty representative; Mall/Commercial Activity Coordinator; Executive Vice President for Clubs and Organizations/University Activities Board President; and a student organization president.

## **L. INTERPRETATIONS, AMENDMENT AND EFFECT OF CERTAIN FINDINGS**

1. The Dean of Students may make insubstantial changes to the wording of this document when such changes are required for clarity and do not affect the substance of the documents. If one or more provisions of this document are declared inoperative or are otherwise voided, the remaining provisions shall remain in full force. The Dean of Students shall have the sole authority to interpret these policies and regulations and these interpretations shall be binding.

## **M. ENFORCEMENT**

1. The Policy and Regulations Governing the Use of the Campus shall be enforced by the University of Arizona Police Department, the Arizona Student Unions and the Dean of Students' Office.

## **N. VIOLATIONS**

1. Any Sponsoring Organization/Individual who violates any of the provisions of the Policy and Regulations Governing the Use of the Campus may be denied approval for future requests for permission to use University Property for activities that require such permission or may be otherwise restricted in their use of University Property.

2. Any Sponsoring Organization/Individual whose violations of the provisions of the Policy and Regulations Governing the Use of the Campus also constitute violations of other policies, rules or regulations published by The University of Arizona, or the Board of Regents will be subject to all applicable sanctions for violations of those other policies, rules or regulations.
3. Any sponsoring Organization/Individual whose violations of the provisions of the Policy and Regulations Governing the Use of Campus also constitute violations of federal, state, or local law will be subject to all applicable sanctions for violations of such law

Revised and Adopted January 27, 1997.