

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: July 16, 2007

REGULATION TITLE:

Use of University Facilities; Definitions;
Priority of Use; Restrictions on Use.

REGULATION NO.:

6C7-4.029

SUMMARY OF REGULATION: This regulation is substantially revised to incorporate new definitions and to clarify procedures on the use of university facilities, including priority of use and restrictions on use.

AUTHORITY: BOG Resolution dated January 7, 2003

NAME OF PERSON WHO INITIATED PROPOSED REGULATION AMENDMENT:

Maribeth Ehasz, Vice President, Student Development & Enrollment Services

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS:

Regulations Administrator
4000 Central Florida Blvd.
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
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FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

Substantial rewording of Regulation 6C7-4.029 follows.

~~6C7-4.029 Use of University Buildings and Grounds~~ Use of University Facilities;

Definitions; Priority of Use; Restrictions on Use

(1) Definitions. For the purposes of University Regulations 6C7-4.010 and 6C7-4.029 through 6C7-4.0293, the following definitions apply:

(a) “University” means the University of Central Florida.

(b) “University campus” or “campus” means those lands located in Orange County, Florida, or located in the City of Orlando, Florida, occupied or controlled by the University, along with any other educational or residential facilities controlled by the University within the seven-county service area of the University.

(c) “University facilities” means all buildings and grounds, including athletic and recreational fields, on the University campus.

(d) “Instructional space” means all University facilities used primarily for the conduct of scheduled classes and other academic activities, including but not limited to classrooms, laboratories, studios, theaters, auditoriums, and lecture halls.

(e) An “event” is a gathering or activity, typically involving multiple persons. A gathering or activity does not have to be scheduled in advance to constitute an event.

(f) A “potentially hazardous event” is a gathering or activity that, due to the size of the gathering or the nature of the activity, could reasonably be expected to create a risk of harm to persons or damage to property. Potentially hazardous events are also subject to the requirements of University Regulation 6C7-4.0292.

(g) “University organizations” are defined for purposes of use of University facilities as colleges, schools, divisions, departments, institutes, or centers of the University; other corporate organizational units that are a part of or operate on behalf of the University (including but not limited to direct support organizations, foundations and alumni organizations officially

recognized by the University); the Student Government Association; registered student organizations; and honor societies officially recognized by the University.

(h) “University-related organizations” are defined for purposes of use of University facilities as those organizations that although not officially recognized or registered by or affiliated with the University or otherwise failing to meet the definition in paragraph (g) above, are related to the University because they promote the interests of the University community or perform other service to the University and its community, such as academic professional associations, nationally or regionally organized professional fraternal societies, the UCF Federal Credit Union, charitable community organizations, other public educational institutions, and governmental entities.

(j) “Non-university organizations” are defined for purposes of use of University facilities as persons or organizations that do not meet the definitions in paragraphs (g) and (h), immediately above. “Non-university organizations” includes unregistered student groups; candidates for election to public office; organizations supporting such candidates; organizations that exist primarily for the purpose of carrying on commercial activity for profit; and those persons whose activities are primarily for private gain or benefit.

(k) “Organization” means any group of persons or individuals, whether incorporated or not and whether organized by means of bylaws or not, acting in coordinated fashion. Included in the term “organization” are groups commonly thought of as clubs.

(2) Use of University buildings, indoor facilities, and athletic or recreational facilities must be scheduled in advance. Use of certain outdoor areas, including Memory Mall, Lake Clair, the Reflecting Pond, the Arboretum, and Ferrell Commons, must be scheduled in advance.

(3) Even where advance scheduling is not required, persons and organizations are encouraged to schedule events and activities in advance, because scheduled events will be given priority over unscheduled activities except in the event of an emergency or the need to conduct instructional activities. In general, the conduct of educational and administrative functions and activities of the university will take precedence over functions and activities of organizations. Certain facilities on campus, which are funded by student activity and service fees, may give priority to student activities over university business, according to policies set by those facilities.

(4) The University reserves the right to relocate scheduled activities as necessary to accommodate University programs and instructional activities.

(5) The University shall not discriminate on the basis of the viewpoint expressed by any person or organization making authorized use of University facilities.

(6) Requests for scheduling events in University facilities should be directed to the authority controlling the facility, unless otherwise specified.

(7) Use of University facilities, including athletic and recreational facilities, may be subject to rental fees and/or service charges as determined by the authority or official controlling the facility. University Regulation 6C7-4.0292 contains further information regarding rental fees and/or service charges for use of university facilities.

(8) A condition for the use of University facilities may be that the sponsoring person or organization obtain adequate insurance coverage and/or that adequate security can be provided by the University Police. The costs of such insurance or security shall be borne by the event sponsor.

(9) The above provisions relate to non-commercial speech and activity. Any use of University facilities for commercial purposes must be scheduled and approved in advance. The

University shall review such requests in light of the University's contractual and other legal requirements, the relationship of the activity to the University's mission, and the benefit of the activity to the University and the State of Florida. Commercial use of University facilities is governed generally by University Regulation 6C7-4.010, which is implemented by the Department of Business Services. However, a limited number of facilities on campus, such as the Student Union, may rent out space in their facilities to members of the public pursuant to specific policies and procedures they establish for that purpose.

(10) All scheduled and unscheduled use of University facilities is subject to change, relocation, or cancellation in the event of an emergency.

Authority: BOG Resolution dated January 7, 2003. History—New 10-8-75, Amended 10-20-81, 5-5-83, Formerly 6C7-4.29, Amended 10-19-86, 4-27-03, _____.

~~(1) University buildings and grounds which constitute the facilities of the University are used primarily for the official and regular conduct of the University's business. Buildings and campus areas are available for functions originating within the divisions, colleges, departments and offices of the university, as well as direct support organizations established or recognized pursuant to Rules of the University.~~

~~(2) In the event facilities are available for uses other than as described above, particular facilities may be assigned on a noninterference basis for use in the following order of priority:~~

~~(a) Meetings, events and functions sponsored by University related organizations;~~

~~(b) Meetings, events and functions sponsored by other local or state agencies, or agencies of the Federal Government;~~

~~(c) Meetings, events and functions sponsored by nonprofit organizations where a purpose of the meeting, event or function is to further the educational mission of the University;~~

~~—— (d) Meetings, events and functions sponsored by other organizations which the University determines further the interests of the Community.~~

~~—— (3) No commercial activities, including outside food service, shall be permitted on University premises by any University related or non University related organization during, or in conjunction with, any meeting, event or function without the specific written approval of the University Vice President for Administration and Finance or designee based upon the needs of the University.~~

~~—— (4) The general public shall be deemed to have access to all yards, walkways, pavilions, libraries, book stores, and parking lots (assuming vehicles have appropriate parking permits) on the campus. Unless invited, the general public shall not have access to lecture halls, classroom buildings, classrooms, laboratories, dormitories, research areas, faculty or staff offices, or other buildings and areas specifically reserved as University housing areas or for University teaching, research, administration, recreation, and athletic activities.~~

~~—— (5) University facilities shall not be used for any purpose which will impair or interfere with the orderly processes and functions of the University, or which pose an unreasonable and immediate threat to the safety of University students and personnel or to property on campus, or are otherwise contrary to law. University athletic facilities may be used for personal recreation purposes by UCF employees, students and their immediate families providing such use is authorized by the department controlling the facility.~~

~~—— (6) Facilities shall not be used for any purpose other than that for which they were designed, nor will any use be permitted which will likely cause bodily injury or property damage or both.~~

~~—— (7) Unless specifically waived by the University Vice President for Administration and Finance based upon the financial status of an organization, non-university related organizations must provide with their application a certificate of insurance provided by a corporation licensed to do business in the State of Florida, indemnifying and saving harmless the University and the Board of Governors, their officers and employees from any and all liability, whatever its nature or description, caused by or resulting from the use or proposed use of the University facilities, in an amount not less than \$100,000 per individual and \$500,000 per occurrence, and \$100,000 for property damage per event, or such further amounts as the Vice President for Administration and Finance deems appropriate based upon financial status and nature of the event.~~

~~—— (8) Except for facilities used for scheduled educational purposes, no outside organization will be permitted to utilize University facilities on any basis until such organization shall provide the name of a University faculty or staff member officially representing a department, administrative unit or a registered student organization who shall serve as University sponsor of the meeting, event or function and shall be present in person, or through a designee acceptable to the University, throughout the meeting, event or function which takes place on campus.~~

~~—— (9) Use of University facilities made pursuant to subsection (2) above may be subject to the rental and/or service charges established by Rule 6C7-4.0291, F.A.C.~~

~~—— (10) As an exception to the foregoing, space within the Student Union and the Student Services Buildings, if otherwise available, may be used for student events and other activities where no major expenditures of University, state, or public resources are required, and where the primary beneficiaries of such use are students, staff, and faculty.~~