

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: June 18, 2018

REGULATION TITLE:

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

REGULATION NO.:

UCF-4.029

SUMMARY OF REGULATION AMENDMENT: This regulation is amended to update several of the definitions and to clarify the language regarding priority of use and restrictions on use. Additional minor changes are made throughout.

AUTHORITY: BOG Regulation 1.001

NAME OF PERSONS WHO INITIATED PROPOSED REGULATION AMENDMENT:

Regulations Administrator

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
4365 Andromeda Loop N.
Millican Hall, Suite 360
Orlando, FL 32816-0015
Phone: (407) 823-2482
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FULL TEXT OF THE PROPOSED REGULATION AMENDMENT:

UCF-4.029 Use of University Facilities; Definitions; Priority of Use; Restrictions on Use

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

- (a) "University" means the University of Central Florida.
- (b) "University campus" or "campus" means all grounds and buildings of the University of Central Florida ~~those lands located in Orange County, Florida, or located in the City of Orlando, Florida,~~ occupied or controlled by the University

~~or under the guidance, supervision, regulation, or control of the University of Central Florida, along with any other educational or residential facilities controlled by the University within the seven county service area of the University.~~ “University campus” or “campus” does not include those facilities occupied by the University in leased or shared-use facilities; instead, events at those facilities must comply with policies and procedures proscribed by the owner of the facility. (E.g., Seminole State College establishes guidelines for events at Seminole State College, including in those areas used by the University of Central Florida.) “University campus” or “campus” also does not include Research Park or affiliated housing.

- (c) “University facilities” means all buildings ~~(inclusive of building curtilage)~~ 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 UCF-4.0292.
- (g) “March” means an organized walk, run, or procession by a group of people for a specific cause or issue where the organizer does or could reasonably expect at least 50 people to participate.
- (h) “Parade” means a public procession, ~~usually sometimes~~ including a marching band or float(s) and often of a celebratory nature, held in honor of an anniversary, event, person, cause, etc.
- (i) “University organizations” are defined for purposes of use of University facilities as colleges, schools, divisions, departments, institutes, or centers of the University; the Student Government Association; and certain corporate

organizational units that operate for the benefit of the University (including but not limited to all University direct support organizations,).

- (j) “University-related organizations” are defined for purposes of use of University facilities as registered student organizations; honor societies officially recognized by the University; and those organizations that, although not officially recognized or registered by or affiliated with the University or otherwise failing to meet the definition in paragraph (i) above, are related to the University because they promote the interests of the University or perform other service to the University, such as nationally or regionally organized academic professional associations or professional fraternal societies supported by an academic unit. For purposes of this and other regulations governing the use of University facilities, other public educational institutions and other governmental agencies of and within the State of Florida may be treated as “University-related organizations” at the discretion of the University, the UCF Federal Credit Union, charitable community organizations, other public educational institutions, and governmental entities.
- (k) “Non-university organizations” are defined for purposes of use of University facilities as persons or organizations that do not meet the definitions in paragraphs (i) and (j), immediately above. “Non-university organizations” include unregistered student groups; candidates for election to public office; organizations supporting such candidates; charitable organizations; 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.
- (l) “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.
- (m) “Non-common outdoor areas” means those outdoor areas of the University campus which are not generally accessible for common use by the University community. These areas include, but are not limited to: grounds within the curtilage of or at the entrances to University residential facilities; grounds associated with the Burnett House; athletic and recreational fields or areas,

including any operated by the Recreation and Wellness Center or the UCF Athletics Association; grounds immediately adjacent to University buildings where use could impair entrance to or exit from the building or interfere with activities within the buildings; and grounds associated with the Creative School for Children. Many of these outdoor areas may be crossed or walked upon for purposes of accessing a facility but are not available for events or activities by members of the University community.

- (2) Priority of Use and Restrictions on Use. Use of University buildings, indoor facilities, and athletic or recreational facilities must be scheduled in advance. Except in regard to purely expressive activities on occasions where there is not a prior reservation or scheduled event or activity. Use of certain outdoor areas must be scheduled in advance: this includes Memory Mall, Lake Claire, the Reflecting Pond, the Arboretum, and Ferrell Commons courtyard. Recreation and Wellness Center recreational facilities fields and areas are not generally accessible for common access by the university community, but may be available for reservations under procedures established by the Recreation and Wellness Center.
- (3) Even where advance scheduling is not required, persons and organizations are encouraged to schedule events and activities in advance, because scheduled events and activities will be given priority over unscheduled activitiesones, except in the event of an emergency or the need to conduct instructionaleducational or administrative activities of the University. In general, the conduct of educational and administrative functions and activities of the university will take precedence over functions and activities of organizations and persons. 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 instructionaleducational and administrative 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.

(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. See Regulation UCF-4.0292 for further information regarding insurance requirements.

(9) The above provisions relate to non-commercial speech and activity. Any use of University facilities for commercial purposes or commercial speech 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 UCF-4.010, which is implemented by the Department of Business Services. However, a limited number of facilities on campus, such as the Student Union and the Recreation and Wellness Center, 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.

(11) The possession or use of firearms, explosives, or munitions on campus is generally prohibited. Law enforcement personnel may carry firearms or munitions and may use them in the course of law enforcement activities. The university also reserves the right to permit the use of firearms or munitions by military personnel or trainees.

Authority: BOG Regulation 1.001. History—New 10-8-75, Amended 10-20-81, 5-5-83, Formerly 6C7-4.29, Amended 10-19-86, 4-27-03, 8-15-07, 06-09-08, Formerly 6C7-4.029, Amended 1-15-2010, _____-18.