

**SOUTHWEST TENNESSEE COMMUNITY COLLEGE****SUBJECT: Use of Campus Property and Facilities****EFFECTIVE DATE: July 1, 2000; Revised December 1, 2005; Revised April 28, 2023****Revised January 29, 2024 (updating titles; related policies; and policy number)****Purpose**

The purpose of this policy is to set forth, regulate, and facilitate the appropriate uses of property and facilities owned and controlled by Southwest Tennessee Community College (“Southwest” or “the College”).

**Definitions**

For the purposes of this policy, the following definitions shall apply:

Student- a person who is registered for any credit course(s), non-credit course(s), or program at Southwest, including any such person during any period that follows the end of an academic period that the student has completed until the last day for registration for the next succeeding regular academic period.

Affiliated Entity- an officially registered student, student group, or student organization.

Affiliated Individual- person officially connected with the College including both students and employees.

Non-affiliated Entity- a person, group, or organization, which is not an affiliated entity or individual.

Non-affiliated Individual- a person who is not an affiliated individual.

**Policy**

The College regulates the use of property and facilities in accordance with Tennessee Board of Regents (TBR) regulations and the College’s mission. This policy shall be implemented and construed in a manner that ensures no undue disruption of that mission, promotes an educational

\* Spring of 2023, this policy moved from Section 3 (Student Affairs) to Section 1 (Governance, Organization, and Policy) of the Policy Manual. The former policy number was 3:02:02:00/12. The responsible administrator changed from the Vice President of Student Affairs to the Chief of Administrative Services.

rather than commercial atmosphere on campus, prevents commercial exploitation of students, and prevents use of campus property and facilities contrary to regulations.

Southwest recognizes the desire for people affiliated with the College, including student organizations, to have reasonable access to, and use of, facilities. This desire must be balanced with TBR regulations that state that the property and facilities of Southwest and other institutions are intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and affiliated entities. As such, TBR does not ordinarily allow Southwest to make its buildings or other facilities available to outside individuals or outside groups. Exceptions may be made only if the proposed use is consistent with this policy, TBR regulations, and the College's mission.

Priority for the use of College facilities will be in the following order: 1) credit and non-credit classes and programs; 2) College-sponsored activities; and 3) all other requests for usage.

#### I. General Conditions

Access to and use of campuses, facilities, and property of Southwest is restricted to the College, administration for official functions, affiliated individuals/entities, and invited or sponsored guests of the College, except as specifically provided by this policy, or when part or all of a campus, its buildings or facilities are open to the general public for a designated time and purpose. Highest priority shall always be given to administrative and educational uses. Affiliated groups, organizations, and individuals will be given priority in the use of property and facilities.

- A. Everyone present on Southwest campuses, including employees and guests, shall be subject to all rules and regulations applicable to the conduct of students on campus. Everyone present on the campuses must abide by applicable federal, state, and TBR regulations. In addition, everyone who operates motor vehicles on the College's property must abide by all regulations regarding traffic and parking.
- B. Everyone present on the campuses shall provide adequate identification upon request by an appropriate College official or representative of the Police Services/Public Safety department. Employees and students who refuse to provide identification are subject to disciplinary action. Guests and others who refuse to provide identification shall be asked to leave. If they refuse, they subject themselves to lawful removal and prosecution.
- C. Use of campus property and facilities, pursuant to prior approval as hereinafter required for meetings or other activities, is subject to limitations on the number of people who may attend as allowed by applicable building codes, fire codes, and safety standards.

- D. Compliance with regulations, policies, and rules for the conduct of assemblies, meetings, and demonstrations is a condition for use/access to campus facilities and property for affiliated entities, affiliated individuals, non-affiliated entities, and non-affiliated individuals.
- E. College equipment may be used in connection with the use of campus property and facilities only with the prior approval of the Chief of Administrative Services or a designee. In the case of student organizations, the Vice President of Student Affairs or a designee may work with the Chief of Administrative Services or designee on the request.
- F. The official(s) will take into account the College's mission and the nature of the facility or property requested, location, and time of day. College equipment, including sound amplification equipment, is not permitted to be used in unassigned areas unless the event is College-sponsored.
- G. Individuals and entities using College facilities pursuant to this policy agree to indemnify the College. The College may require:
  - 1. Adequate bond or other security for damage to the property and facilities.
  - 2. Personal injury and property damage insurance coverage.
  - 3. A performance bond or insurance guaranteeing or insuring performance of its obligations under the contract.
  - 4. Other types of insurance in such amounts as are designated by the College.
- H. The College reserves the right to identify specific facilities, uses, or events for which bond, security, and/or liability insurance will be required. In setting its policy, the College may consider the nature and uses of facilities or locations on campus and the anticipated event size or attendance for any use of campus facilities or property. Proof of compliance with this provision may be required in advance of an event. This provision shall be applied and enforced in a content or viewpoint neutral manner.
- I. All groups, organizations, and individuals applying for registration of an activity and agree to indemnify the College and hold it harmless from all liability arising out of such use by the group, organization, or individual.
- J. Affiliated groups, organizations, and individuals may be assessed the cost of providing maintenance and security required as a result of their use of campus property or facilities. All costs and fees shall be assessed to all similar uses on a content/viewpoint neutral basis.

- K. Applications for the use Southwest property and facilities during the week of registration or the week of finals for fall, spring, and summer terms will not be accepted. In addition, access to, or use of, campus facilities or property shall not be permitted overnight unless specifically requested and approved. Such use shall be limited to the specific time and location set forth in the notice of approval/registration document.
- II. Access to Campus and Use of Facilities and Property
- A. Use of Facilities by Affiliated Entities and Individuals
1. Groups affiliated with Southwest must submit an application for space use to the Physical Plant office at least five (5) business days (excluding weekends and holidays) prior to the event or activity. That office will assist with reserving space in the current reservation platform, eSPACE. Where an application for an event related to an outside speaker involves payment of a total fee or expense in excess of \$2,500.00 from College funds, the request must be submitted at least twenty (20) business days prior to the date of the proposed speaking engagement. The Chief of Administrative Services or a designee may approve requests to use facilities filed less than five (5) business days, twenty (20) days in the case of a speaker paid from College funds, before the event if it is determined that the use of the property requested can be accommodated reasonable and that adequate cause exists for late filing of the Facility Request Form. Approval of late requests shall be within the sole discretion of the Chief of Administrative Services or a designee and, that decision shall be final. Application for the use of campus property and facilities by affiliated groups, organizations, and individuals will not be accepted more than twelve (12) months in advance. Any request for an event exceeding seven (7) days' duration will require the specific approval of the Chief of Administrative Services. If the request is submitted fourteen (14) days or more prior to the event or activity, the application is to be delivered to the Macon Cove Physical Plant office. If the request is submitted less than fourteen (14) days from the event or activity, the application must be submitted to the Office of the Chief of Administrative Services.
  2. Affiliated entities must contact the Physical Plant department for a schedule of the available campus facilities.
    - a. Written permission or denial may be in the form of an email message. Notices of approval or denial will be made available at the Macon Cove Physical Plant office. Written denial of a request will include a statement regarding the basis for denial. Written approval or denial of a request will be provided to the applicant within a reasonable amount of time. It shall be the responsibility of the applicant to obtain notice of approval or denial of any application submitted pursuant to this policy. Denial of a request to access or use campus facilities or

property shall be based solely on factors related to reasonable regulations in light of the College's mission and the nature of the facility or property requested and rendered in a content/viewpoint neutral manner.

- b. Use of facilities is limited to one-time only events, short term, intermittent, and/or repeat use of campus facilities where access/use of facilities/property are permitted without an associated rental/lease of fee. Such uses shall be limited to circumstances where the College does not actually, or effectively, cede occupancy or control of any College property. The Chief of Administrative Services or designee, may, at their discretion, give permission to affiliated entities in cases where the meetings are limited to members of the organization, for the repeated use of facilities. Approval for repeated or intermittent use of any facility or property pursuant to this policy may not exceed four (4) months in length and may only be renewed or repeated after review to determine that such use does not conflict with an institutional need or another request for access/use of the facility/space by another eligible person/entity.
- c. Faculty may invite uncompensated, unaffiliated guest speakers for regular class sessions or meetings without prior application or approval where attendance at the class session or meeting will be limited to members of the class and where no fee or compensation from state funds will be paid to the speaker. Southwest policy 2:00:00:00/30, Classroom Visitors, should be reviewed.
- d. An affiliated individual or affiliated entity sponsoring a guest speaker or event will be responsible for the conduct of both the speaker and the non-affiliated guests at the event as well as compliance with all laws, TBR, and Southwest rules and/or policies while present on campus or using campus facilities or property.

## B. Use of Facilities by Non-Affiliated Entities and Individuals

1. Non-affiliated entities must contact the [Physical Plant office](#) and [submit a Facility Request form](#). Applications must be filed with the Physical Plant office unless otherwise noted herein that they must be submitted to the Chief of Administrative Services.
2. All applications must be submitted to the appropriate office at least five (5) business days prior to the day of the event or activity. Applications for the use of campus property and facilities by non-affiliated groups, organizations, or individuals will not be accepted for activities scheduled more than three (3) months in advance.

3. Only public service groups, government agencies, and community oriented non-profit organizations will be considered for a use fee waiver or reduction. The following types of non-affiliated entities will be considered:
  - a. Statewide, regional, or local meetings of the Tennessee educational organizations;
  - b. Statewide, regional, or local programs sponsored by a person or group with a specific public service function and/or not for profit (i.e., a non-profit organization);
  - c. Statewide, regional, or educational programs of other groups or associations of an in-service or educational nature;
  - d. Non-regularly scheduled meetings, banquets, and programs sponsored by groups and/or organizations that routinely contribute financially or in-kind to the advancement of the College; and
  - e. A Southwest alumni association.
4. In utilizing campus property or facilities, non-affiliated groups, organizations, and individuals shall provide:
  - a. Adequate bond or other security for damage to the property or facilities during the period of the use;
  - b. Personal injury and property damage insurance coverage;
  - c. A performance bond or insurance guaranteeing or insuring performance of its obligations under the contract; and
  - d. Other types of insurance in such amounts as are designated by the College.
5. All public service groups, government agencies, and community oriented non-profit organizations are subject to user fees related to overhead, depreciation, maintenance, equipment, and security expenses.
6. All costs will be calculated based on internal guidelines at the time the request is submitted.
7. There will be no charges for College-related activities or activities that are being hosted or sponsored by the College.
8. Meeting the needs of internal constituencies will take priority over external requests.
9. The President must approve exceptions to this section of the policy. The President's determination will be final.

### III. Denial of the Use of Facilities

Denial of a request to access or use campus facilities or College property shall be based solely on factors related to reasonable regulations in light of the College's mission and the nature of the facility or property requested and rendered in a content/viewpoint neutral manner. Southwest may deny affiliated entities and individuals as well as non-affiliated entities and individuals the use of College facilities, including unassigned areas. Such reasons may include, but are not limited to, the following:

- A. A determination by the Chief of Administrative Service is made that the requested use would cause substantial disruption or interference with the normal activities conducted in the course of its educational mission, processes, and functions.
- B. A determination is made that the requested use would be contrary to federal, state, or local law or regulation, or policies or regulations of TBR or the College.
- C. The applicant or sponsor of the activity has not fully provided accurate or complete information required on the application for registration.
- D. The applicant or sponsor of the activity has been responsible for violation of this policy during a previously registered use of campus property or facilities, or has violated any conditions or assurances specified in a previous registration application and the College has reasonable cause to believe such violation will reoccur.
- E. Approval for use of the property or facilities has previously been given to another group, organization, or individual with higher priority for the time(s) and location(s) requested.
- F. Use of the property or facilities requested would be impractical due to set up time or take-down time required for other previously scheduled activities at the requested location immediately before and/or after the requested use, or due to other extenuating circumstances.
- G. The activity is of such nature or duration that it cannot reasonably be accommodated in the particular area for which application is made, provided that in such event, an alternative on-campus site, if available for the activity, shall be proposed by the College.
- H. The activity creates or would create a danger or dangerous condition impacting on the health, safety, and welfare of others.
- I. Such use conflicts or would conflict with existing contractual obligations.
- J. Frequency of previous use during an academic period in comparison to that of a contemporaneous applicant.

- K. The facility or property requested has not been designated as available for use for the date and time requested.
- L. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of the College's students or employees; the damage or destruction, or seizure and subversion of the College's buildings, or other property; or for campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the Chief of Administrative Services or designee may consider all relevant factors.

Any group, organization, or individual whose timely application for registration for use of property or facilities is denied for reasons cited in points (1), (2), (4), (7), (8), or (9) listed above shall have the right to appeal that denial to the Chief of Administrative Services. Notice of appeal shall be made in writing during normal business hours no later than five (5) business days prior to the time of the proposed event. The decision of the Chief of Administrative Services will be made within a reasonable time and is final.

#### IV. Unassigned Areas

Any affiliated entity or individual or non-affiliated entity or individual wishing to assemble, demonstrate, or distribute literature or engage in similar public activity on any of the Southwest property must complete a request form at least five (5) business days in advance of the desired date of the activity. The Chief of Administrative Services and the Vice President of Student Affairs or their designees will review the requests that relate to or will take place on a Southwest campus. Approval or denial of the request will be made in writing and may take the form of an email message. Denial of a request to use an unassigned area will include a statement regarding the basis for the denial.

Upon written approval, the requesting individual or entity must adhere to the following guidelines in addition to the applicable conditions listed in this policy:

- A. The activity must be held in the following unassigned areas, unless otherwise specified:
  1. Union Campus – under the flag near the Southwest sign
  2. Macon Cove Campus – courtyard between Farris B and Thornton Building
  3. Gill Center – grassy area between main building and gym
  4. Maxine A. Smith Center – sidewalk near front handicap parking
  5. Whitehaven Center – sidewalk on the southwest corner of the building
- B. Participants in the activity must remain in the unassigned area.



- C. The activity may not take place in a classroom, library, or other academic building or facility.
  - D. The activity may not take place in an administrative area, employee office, or work area.
  - E. The activity may not block the flow of pedestrian or vehicular traffic.
  - F. Participants may not make physical contact with others.
  - G. Participants must leave the area free of debris and litter.
  - H. Sound amplification is prohibited in the unassigned area unless used in conjunction with a College-sponsored event.
  - I. No Southwest equipment shall be used during the activity.
  - J. The activity must not interfere with scheduled College-sponsored activities.
  - K. All Southwest and TBR policies and procedures and local, state, and federal laws must be obeyed.
  - L. Activities may not take place during final exam week or registration week in any semester.
  - M. Activities may not take place before 8:00 a.m. or after 6:00 p.m. Activities may not take place on Saturdays, Sundays, or when the College is closed.
  - N. Activities are limited to a total of four per month for any individual or entity requesting usage. The College will consider additional requests for activities.
  - O. Children under the age of 18 are no permitted to participate in the activity without being accompanied by an adult.
  - P. Southwest is not responsible for equipment used by participants in the activity.
- V. Literature Distribution or Sale

- A. Any proposed distribution or sale of literature by an affiliated or non-affiliated group, organization, or individual is subject to the specified registration requirements and procedures.
- B. Any literature which is, or which is proposed to be, distributed or sold shall comply with all applicable federal, state, and local laws and regulations, and with the regulations and policies of TBR and the College. No obscene literature or material, as defined by law, shall be distributed on any property owned or used by the College.
- C. No literature, material, or other printed matter shall be sold or distributed within:
  - 1) classrooms, libraries, or other academic buildings or facilities; or 2) administrative and employee offices and work areas. However, the College may permit such sale or distribution in designated locations within the lobbies or other general use areas of the above-noted buildings or other campus facilities designated for placement of literature for distribution or sale. Further, this shall not restrict a faculty member from distributing within the classroom non-commercial material related to the particular course or subject matter.
- D. In addition to those areas designated in Section C above, the College prohibits the use of areas where such would:
  - 1. Cause injury or damage to campus resources;
  - 2. Unreasonably impair the academic atmosphere of the campus;
  - 3. Unreasonably interfere with the academic program and other activities, or with the administrative functions; or
  - 4. Substantially impair the use of facilities or services on the campus or the flow of vehicular or pedestrian traffic.
- E. No person, whether distributor or recipient of literature, shall cause any litter to occur on the campus, and literature shall only be discarded in trash receptacles on campus.
- F. Persons engaged in the sale or distribution of printed matter shall not obstruct or impede pedestrians or vehicles, harass other persons with physical contact or persistent demands, misrepresent the purposes of affiliations of those engaged in the sale or distribution, or misrepresent whether the printed matter is available without cost or donation.
- G. Southwest reserves the right to terminate the distribution or sale of literature by any group, organization, or individual which violates the provisions of this policy.

## VI. Miscellaneous

The Chief of Administrative Services oversees the Physical Plant department. The Physical Plant office is responsible for receiving and processing applications and registrations pursuant to this policy and shall maintain a copy of the policy for inspection by groups, organizations, and individuals interested in the use of campus property and/or facilities and shall provide a copy of such policy upon request and payment of a reasonable charge.

**Responsible**

**Source of Policy:** Business and Finance

**Administrator:** Chief of Admin Services

**Related Policy:** 6:00:00:00/11; 3:01:01:00/4

**TBR Policy Reference:** 1.03.02.50  
3.01.01.00, 3.03.00.00



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**President**

**Date:** January 29, 2024