

Chapter 10. Use of University Property, Rooms, and Spaces

Subchapter 10–100. General Provisions

Sec. 10–101. Purpose and Application

- a. The University of Texas at Austin permits the orderly use of rooms and spaces on its property, as provided in this Chapter, to further the educational process. The University does not endorse any statement or activity that does not represent official University action.
- b. This Chapter authorizes and regulates the reservation of University rooms and spaces; the identification of persons present on University property; and the use of alcoholic beverages on University property. Speech, assembly, and expression by students, faculty members, staff members and members of the public on University property are further protected and regulated in Chapter 13 of the *Institutional Rules*.
- c. No person or organization may use a University facility for any purpose other than in the course of the regular mission of the University or the University of Texas System unless authorized by the Regents' *Rules and Regulations*. Any authorized use must be conducted in compliance with the provisions of the Regents' *Rules and Regulations*, the approved rules and regulations of the University, and applicable federal, state, and local laws and regulations.

Sec. 10–102. General Definitions—Categories of Speakers and Users

In this chapter, unless the context requires a different meaning, the following definitions apply.

1. "Academic or Administrative Unit" means any office or department of the University.
2. "Faculty Member and Staff Member" includes any person who is employed by the University.
3. "Member of the Public" means any person, organization, or business that is not an Academic or Administrative Unit, a Registered Student, Faculty, or Staff Organization, or a Student, Faculty Member, or Staff Member.
4. "Registered Faculty or Staff Organization" includes a faculty or staff organization under the Regents' *Rules and Regulations*, Rule 40201.
5. "Registered Student Organization" means a Student Organization holding a valid registration under Chapter 6. Registered Student Organizations are considered private entities and are not viewed as extensions of an Academic or Administrative Unit, or of the University. Registered Student Organizations must register with the University and meet all obligations of Registered Student Organizations listed in Subsection 6-302 to ensure privileges as outlined in Subsection 6-301 and allow the Registered Student Organization to function within the institutional context.
6. "Sponsored Student Organization" means a Student Organization whose purpose and activities are in accord with the mission of an Academic or Administrative Unit, for whose actions and activities the sponsoring unit provides endorsement, support, and supervision that has been officially approved by the Vice President through an annual application as prescribed by the Dean of Students.
7. "Student" means a person who is currently enrolled at the University or has been enrolled at the University in a prior semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows.

8. "University Organization" includes Academic and Administrative Units, Sponsored student organizations, and Registered Student, Faculty, and Staff Organizations.

Sec. 10–103. Other General Definitions

In this chapter, unless the context requires a different meaning, the following definitions apply.

1. "Common Outdoor Area" means outdoor space that is not regularly used for dedicated University business and its primary purpose is not an educational function or a research function. This space is generally open for use and enjoyment by University community members in the regular course of their days, pursuant to applicable rules. It does not include the outside surfaces of a University building, surfaces associated with or connected to a University building, a University structure, spaces dedicated to temporary outdoor banners, spaces dedicated to temporary outdoor exhibits, or any Dedicated Areas. It is a Limited Public Forum not open to the general public for their expressive activities.
2. "Co-sponsorship" means an event held within the University's limited public forum where an Academic or Administrative unit is delegated authority from the president of the University to partner with an off-campus person or organization for such event and does so. Co-sponsored events are University events by virtue of being partially sponsored by a University Academic or Administrative Unit.
3. "Day" means an 8:00 a.m. to 5:00 p.m. calendar day, and excludes weekends, University holidays, skeleton crew days, and days on which regularly scheduled classes are suspended due to emergent situations. "University holiday" and "skeleton crew days" means days identified in the holiday schedule published by the Office of Human Resource Services. If a deadline in this Chapter falls on a Saturday, Sunday, University holiday or skeleton crew day, that deadline will be moved to the next day.
4. "Dean of Students" means the Dean of Students of The University of Texas at Austin or any delegate of the Dean of Students.
5. "Dedicated Areas" means the University property, both indoors and outdoors, that is not the Common Outdoor Area. This includes the outside surfaces of a University building, surfaces associated with or connected to a University building, a University structure, spaces dedicated to temporary outdoor banners, spaces dedicated to temporary outdoor exhibits, and residential outdoor spaces managed by University Housing and Dining, including Jester Plaza, San Jacinto Amphitheatre, Honors Quad, Duren Courtyard, the Blanton Museum's outdoor Plaza and Art Garden, the Union Building Patios, the William C. Powers Jr. Student Activity Center patios, Goldsmith Hall, the pedestrian bridge adjoining the Graduate School of Business, Moody Pedestrian Bridge, and the Cronkite Plaza. These spaces are also part of the Limited Public Forum.
6. "Limited Public Forum" refers to the University's status as a place for University students, faculty, and staff to engage in expressive activity pursuant to the reasonable restrictions on the time, place, and manner of expressive activities as set out in Chapter 13 of the Institutional Rules.
7. "Residential Conference Center" means facilities that are designated by the president as allowed by the Regents' *Rules and Regulations*, Rule 80112. Residential Conference Centers include the AT&T Hotel & Conference Center.
8. "Room or Space" includes any Room or Space, indoors or outdoors, owned or controlled by the University.
9. "Special Use Facilities" means facilities that are designated by the president as allowed by the Regents' *Rules and Regulations*, Rule 80106. Special use facilities include the facilities controlled by Texas Performing Arts, and the Moody Center.

10. "University" means The University of Texas at Austin.
11. "Vice President for Student Affairs" means the Vice President for Student Affairs at The University of Texas at Austin, or his or her designee.

Subchapter 10–200. Reservation of a Room or Space on University Property

Sec. 10–201. Permission to Use

- a. Academic or Administrative Units and Registered Student, Sponsored Student, Faculty, or Staff Organizations may reserve a space to assemble in the limited public forum areas in accordance with subchapter 13–902 of the *Institutional Rules*. University Organizations may reserve the use of a room for purposes permitted by the *Regents' Rules and Regulations*.
- b. Academic or Administrative Units and Registered Student, Sponsored Student, Faculty, or Staff Organizations may reserve a temporary outdoor exhibit space on weekends in accordance with subchapter 13-700 of the *Institutional Rules*.
- c. Academic or administrative units and registered student, sponsored student, faculty, or staff organizations may reserve a temporary banner space on weekends in accordance with subchapter 13-500 of the *Institutional Rules*.
- d. University persons and University organizations may reserve an outdoor weekday amplified sound area in accordance with section 13–803 of the *Institutional Rules*.
- e. University persons and University organizations may reserve a space within the Common Outdoor Areas for amplified sound on evenings or weekends in accordance with section 13-804 of the *Institutional Rules*.
- f. University persons and University organizations may reserve a space within the Common Outdoor Areas for assembly in accordance section 13–902 of the *Institutional Rules*.
- g. Academic and administrative units of the University will have priority in reserving the use of rooms and spaces.
- h. Any person or organization with a reservation has the right to the room or space for the time covered by the reservation. Any person or organization using or occupying the room or space without a reservation must yield control of the room or space in time to permit a user with a reservation to begin using the room or space promptly at the beginning of its reserved time.
- i. Reservations are subject to cancellation for extenuating circumstances, including but not limited to health and safety concerns, credible evidence that the organizing group intends to violate University policy, or business reasons which may require the university to close unexpectedly or with little notice.
- j. Except as provided within subchapters 13-600, 13-700, 13-800, 13-900 and 13-1000, reservations are not required but are strongly encouraged. A University organization or faculty member, staff member, or student planning to use a room or indoor space without a reservation may find the facility locked or in use by another University organization.

Sec. 10–202. Application

1. University persons and organizations wishing to reserve a space in the Common Outdoor Area will apply through a process prescribed by the dean of students.
 - i. Registered student organizations wishing to reserve a general-purpose classroom will apply through a process prescribed by the Dean of Students.
 - ii. Individual faculty and staff members using space for academic or administrative purposes, registered faculty and staff organizations, and academic and administrative units wishing

to reserve a general-purpose classroom will apply through a process prescribed by the registrar.

- iii. Reservations for rooms and spaces controlled by academic or administrative units other than the registrar and the Dean of Students will be made through the unit that controls the room or space.
 1. Rooms and spaces controlled by other units include special use facilities, residential conference centers, athletic facilities, classrooms that are not general-purpose classrooms, many conference rooms, reception areas, and other specialized rooms and spaces and may be subject to special rules.
2. The Dean of Students will maintain the following information online:
 - i. the procedures for reserving outdoor space for University persons or organizations and any additional rules applicable to outdoor reservations;
 - ii. the procedures for registered student organizations reserving general purpose classrooms and any additional rules applicable to such reservations; and,
3. a list of general-purpose classrooms.

Sec. 10–203. Consideration of Application

1. The Dean of Students will approve a properly completed application to reserve an outdoor space and will facilitate a properly completed application to reserve a general-purpose classroom, unless the Dean of Students finds that:
 - i. the proposed use of the room or space would violate *Regents' Rules and Regulations*, University regulation, or administrative rule;
 - ii. another event or exhibit has been scheduled for the proposed time and location, or so near that there is a practical conflict;
 - iii. the room or space requested is inadequate to accommodate the proposed use;
 - iv. the proposed use of the room or space would violate reasonable and nondiscriminatory fire, health, or safety standards;
 - v. the proposed use of the room or space would constitute an immediate and actual danger to students, faculty members, or staff members or to the peace or security of the University that available law enforcement officials could not control with reasonable effort;
 - vi. the applicant is under a disciplinary sanction or is the subject of a criminal trespass warning that prohibits reserving the use of a University room or space or that prohibits the proposed use of the room or space;
 - vii. for indoor spaces and spaces within the University's limited public forum, the applicant owes a monetary debt to the University and the debt is considered delinquent by the crediting agency; or,
 - viii. the applicant has attempted to reserve space under a different name or different organization name to circumvent university policy or a disciplinary sanction.
2. If the Dean of Students does not approve an application under Sec. 10–203(a), the applicant may request a written statement detailing the grounds for refusal
 - i. The written statement shall be provided by the Dean of Students no more than five days after receiving such a request.

Subchapter 10–300. Regulations Applicable to University Property

Sec. 10–301. Identification

1. Any person will identify himself or herself when asked to do so by an institutional representative while in any building or on property

owned or controlled by the University or The University of Texas System. A person identifies himself or herself by:

- i. giving his or her name and complete address, substantiated by a current driver's license, voter registration card, or other official documentation; and,
 - ii. stating truthfully whether they are a student or employee of the University or The University of Texas System.
2. An "institutional representative" is any regent, executive officer, administrative officer, attorney, peace officer, or security officer of the University or the University of Texas System, or the designee of any of the foregoing.
 3. Any person who refuses to identify themselves in accordance with Sec. 10–301(a) while in any building owned or controlled by the University or The University of Texas System may be referred to the Dean of Students and/or law enforcement, as referenced in the Regents' *Rules and Regulations*, Rule 80101.

Sec. 10–303. Unauthorized Access

Permitting or allowing unauthorized individuals to enter into buildings and facilities restricted from unauthorized access by deliberately disengaging, deactivating, or otherwise circumventing locking devices is prohibited. Unauthorized access includes but is not limited to:

- a. an individual leaving the door open or holding it open to individuals without badges or to unauthorized personnel and
- b. if an unauthorized person enters at the same time as an authorized individual.

Sec. 10-304. Co-sponsorship

- a. Only Academic or Administrative Units delegated authority from the President of the University may partner with an off-campus person or organization for a co-sponsored event in the University's limited public forum.
- b. Registered Student, Faculty, or Staff Organizations, individual students, faculty members, and staff members may not co-sponsor any event on campus with an off-campus person or organization. Sponsored Student Organizations are an extension of the sponsoring Academic or Administrative Unit under the authority of subsection 6-101(9) of the Institutional Rules.
- c. An event is a prohibited co-sponsorship if an individual or a registered student, faculty, or staff organization
 1. depends on an off-campus person or organization for planning, staffing, or management of the event; or
 2. advertises the event as co-sponsored by an off-campus person or organization; or
 3. operates the event as agent of, or for the benefit of, an off-campus person or organization, except for solicitation of charitable contributions under the authority of subsection 13–205(2)(A); or
 4. distributes any proceeds of the event to an off-campus person or organization, except for
 1. the proceeds of charitable contributions solicited under the authority of subsection 13–205(2)(A); or
 2. payment of a fair market price for goods or services provided to the University person or organization; or
 5. reserves a room or space for the primary use of an off-campus person or organization; or
 6. engages in any other behavior that persuades the Dean of Students that an off-campus person or organization is in fact responsible for the event, in full or in substantial part.
- d. The following facts do not, in and of themselves, indicate a prohibited co-sponsorship:

1. that a University person or organization endorses an off-campus person or organization or its message;
 2. that a University person or organization sells, distributes, or displays literature prepared by an off-campus person or organization or containing contact information for an off-campus person or organization (subject to the rules in section 13–205);
 3. that a University person or organization has purchased goods or services from an off-campus provider;
 4. that a registered student, faculty, or staff organization has invited a guest speaker under subchapter 13–1000;
 5. that a registered student, faculty, or staff organization has received financial contributions to support the event from an off-campus donor.
- e. Speech events occurring in the common outdoor areas, which adhere to the time, place, and manner rules of Chapter 13 of the Institutional Rules, are not prohibited as co-sponsored events even when University persons or organizations partner with an off-campus person or organization for the planning, staffing, or management of such events.

Subchapter 10–400. Enforcement and Appeals

Sec. 10–401. Response to Violations

A student who violates a prohibition in this Chapter may be disciplined under the procedures in Chapter 11 of the Institutional Rules. A Registered Student Organization or a Sponsored Student Organization that violates a prohibition in this Chapter may be disciplined under Chapter 6 of the Institutional Rules. A member of the public who violates a prohibition in this chapter may be issued a criminal trespass warning banning such person from all or part of University property.

Sec. 10–402. Decision Review

- a. A person or organization seeking to appeal a denied reservation request made under this chapter may submit a written appeal to the dean, vice president, or executive leaders designated to receive appeals by the Academic or Administrative Unit. The appeal must be sent by e-mail within fourteen days after the day the decision is announced. A copy of the appeal must also be sent to the decision maker within fourteen days after the day the decision is announced.
 1. An appeal regarding a reservation request made through the process prescribed by the Executive Director of Student Involvement may be sent to the Dean of Students.
 2. An appeal regarding a reservation request made through the process prescribed by the registrar may be sent to the Assistant Vice Provost and University Registrar.
 3. An appeal regarding a reservation request for rooms and spaces controlled by another academic or administrative unit may be sent to the dean of the school or college or the executive leader of the administrative unit.
- b. The appeal must contain the person or organization's name, contact information, a concise description of the decision complained of, and the person or organization's rationale for appealing, and the date the decision was announced.
- c. When timely notice of appeal is received, the decision maker from the Academic or Administrative Unit that controls the room or space will prepare and send a copy of the written decision and the rationale for the decision to the dean, vice president, or executive leader.
- d. The dean, vice president, or executive leader will communicate a decision on the appeal by e-mail to the person or organization and the decision maker within five days after the appeal and related documents were received.