

PROCEDURE TITLE:	USE OF OUTDOOR SPACES
PROCEDURE NO.:	4.44:2
RELATED POLICY:	4.44REV
PAGE NO:	1 OF 4
RESPONSIBLE ADMINISTRATOR:	CHIEF OPERATING OFFICER
EFFECTIVE DATE:	6/21/2024
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APPROVED BY:	PRESIDENT

## 1.0 APPLICATION AND SCOPE

- 1.1 This procedure establishes rules for the use of outdoor spaces on the Shawnee State University campus, and other outdoor real property that is owned, leased or managed by Shawnee State University.
- 1.2 Outdoor spaces are dedicated primarily for use by the university community for purposes consistent with the University's mission and related teaching, learning, studying, research, academic, extracurricular and student life, and administrative activities.
- 1.3 Outdoor spaces intended for vehicular transportation and parking, including university-owned roads and parking lots, must be used solely for those purposes absent prior permission from the Chief Operating Officer or Director of Public Safety.
- 1.4 Usage of stadiums, ballparks, and other fields that are used by intercollegiate athletic teams may be restricted by rules established by the Athletic Director.
- 1.5 Additional rules may apply to particular locations and/or during certain times, which may be communicated by signage at the location.

## 2.0 USE OF OUTDOOR SPACE, GENERALLY

- 2.1 Outdoor spaces are generally available for use by the University community and the public with or without advance reservation or notification. When required, issuance of reservations shall be made without reference to the expression associated with the activity.
- 2.2 The University may designate certain outdoor spaces that are available for reservation by the University community and the public granting certain users exclusive use of a space during the reserved time.

### 3.0 DEMONSTRATIONS AND PROTESTS

- 3.1 Subject to additional restrictions stated in this procedure, any individual or group may participate in a demonstration, protest, picketing, or rally in a non-restricted outdoor area, without prior notification.
- 3.2 Protests and demonstrations may not occur inside university buildings, on porches or porticos of University buildings or facilities, nor may demonstrations impede ingress or egress to any University property, parking lot, building, facility, or event.
- 3.3 Protests and demonstrators must be at least 25 feet from any University building during classroom hours.
- 3.4 Protests and demonstrators, including individuals who are distributing literature must stay at least 25 feet from any outdoor University event or approved event.

### 4.0 AMPLIFIED SOUND AND SIGNS

- 4.1 The use of amplified sound such as microphones, speakers, amplifiers, and bullhorns is prohibited unless approved in advance through the University and Community Events Office. Requests will be evaluated based on the nature of the space and other activities and events that may be occurring at the time. Amplified sound may also be regulated by local ordinance.
- 4.2 Signs, equipment, and other items may not be taped to or otherwise attached to and left on trees, bushes, light poles, furniture, automobiles, permanent signs, walls, or other structures, except in areas clearly dedicated to public posting of materials such as public bulletin boards.

### 5.0 CAMPING, TENTS, AND OVERNIGHT SLEEPING

- 5.1 Overnight outdoor sleeping or camping is prohibited without prior permission.
- 5.2 No person may erect tents or structures requiring stakes, poles, or other attachments in outdoor University spaces. Requests for approval under this subsection will be evaluated according to security, safety, and other logistical considerations by the Chief Operating Officer in consultation with the Department of Public Safety and/or Director of Facilities.
- 5.3 No tents or other temporary structures intended to serve as a shelter, temporary building, or with an intended use for sleeping or camping may be set up without prior approval from the Chief Operating Officer or his/her designee.

## 6.0 FOOD AND ALCOHOL

Food, beverages, and alcohol may not be sold or served in outdoor areas except as permitted by Policy 3.19 and exclusive food service and beverage agreements, and alcohol permits held by the University or its food services vendor. Open flames, including grills, are not permitted with the exception of University-approved and installed permanent charcoal grill pits.

## 7.0 CLEANUP AND DAMAGE

Users of outdoor spaces are responsible for not causing property damage, and for cleaning up trash and other items at the conclusion of their activity. Cleanup and/or damage fees may be assessed to the responsible individual or group in instances where an outdoor event results in property damage.

## 8.0 DISRUPTION

8.1 The University reserves the right to control or regulate any demonstration, protest, rally, or other activity if the Director of Public Safety or his/her designee determines such activity is disruptive, as defined below, or that it materially and substantially interferes with the University's operations, programs or activities. Disruption is dependent on context, including the number of participants, size of the space, and proximity to academic or administrative functions. Determinations of disruption will be made without regard to the content of any expression associated with the activity. When an activity is disruptive, the Director of Public Safety reserves the right to terminate the activity or direct the activity to another campus location.

8.2 As used in this section, disruption includes, but is not limited to:

- 8.2.1 Interfering, or attempting to interfere with the University's classes, events or normal operations;
- 8.2.2 Interfering, or attempting to interfere with or block the ingress or egress of any walkway, roadway, or building entrance;
- 8.2.3 Interfering with a university event by blocking views with signage or other objects or making sufficient noise to interfere with a speaker's or group's performance from being heard or enjoyed by others;
- 8.2.4 Committing any act likely to create a health or safety hazard to oneself or others;
- 8.2.5 Engaging in an act that destroys, or could lead to destruction of, University or personal property;
- 8.2.6 Using amplified sound without approval;

- 8.2.7 Speech or expression that is not constitutionally protected, including obscenity, fighting words, threats of imminent violence, physical harm to individuals, or damage to University or other personal property.
  - 8.2.8 Violating any federal, state or local law, including an occupancy permit, building code, or fire code.
- 9.0 Any person or organization violating this procedure may be subject, upon proper notice, to sanctions up to and including a ban from university property and/or in cases of criminal activity, arrest. See Policy 5.36, Banning Individuals from University Property and Procedure 5.36:1, Circumstances & Processes to Ban Individuals from University Property. When enforcing these rules, an official or employee authorized to maintain order should make a reasonable attempt to warn and advise registered student organizations, students, faculty, staff, and non-affiliates to cease the prohibited conduct or activity before citing and/or arresting the individual for violation of these rules, except where the conduct reasonably appears to create a threat to endanger health, safety, or property.

#### History

Effective: 6/21/2024