

TENNESSEE STATE UNIVERSITY

Use of Facilities by Non-Affiliated Entities/Individuals (Facility Rentals)

I. PURPOSE

Tennessee State University (TSU) regulates the use of its campus property and facilities in order to be consistent with the University mission and educational purpose through the implementation of reasonable, content/viewpoint neutral regulations. This policy, and all campus policies developed in compliance with the policy, shall be implemented and construed so as to ensure no undue disruption of that mission, promote an educational atmosphere on campus; prevent commercial exploitation of students; and prevent use of campus property and facilities contrary to federal, state or local law, regulation, or the rules and policies of the Tennessee Board of Regents (TBR), and TSU.

In establishing this policy, and the related university policies, TSU recognizes the importance to the educational process and environment for persons affiliated with the University including officially recognized student organizations and other groups to have reasonable access to, and use of, the educational facilities on campus, to hear various views. Simultaneously, TSU also makes clear that its facilities are not open public forums, but are instead 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, TSU does not ordinarily 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 and institutional policy and mission.

Priority for the use of University facilities is in the following order: 1) credit and non-credit classes and programs, 2) University-sponsored activities, 3) all other requests for usage.

The use of certain Tennessee State University facilities by non-affiliated entities/individuals is authorized under the policies and guidelines prescribed in this policy and in Tennessee Board of Regents (TBR) Policy No.1:03:02:50, TBR Policy No. 1:03:02:10 and TBR Guideline B-026.

The University Events Management shall be the principle office responsible for the administering of this policy.

II. General Guidelines

1. A list of the facilities available for rental and the rental charges are shown in Attachment 1. Any facility not listed in Attachment 1 is unavailable for rental.

2. To apply for use of these facilities, individuals must complete the “Facilities Usage Application” via the web form or fax to the Events Management Office.
3. Unless otherwise stated, applications must be received at least 30 business days prior to the requested rental date(s). The University will consider applications received less than the stated dates but may not be able to accommodate late-filed requests.
4. When applying to use any of the University’s facilities, please be aware that:
 - a. Any activity that is scheduled must be consistent with university policies.
 - b. All requests must be submitted to the Events Management Office.
 - c. All requests must be submitted to the Events Management Office.
 - d. Approval of a request for use of any TSU facility is at the sole discretion of the University.
5. All University facilities may be reserved from 7:30 a.m. to 10:00 p.m.
6. Priorities for the use of University facilities:
 - a. Credit and non-credit classes and programs,
 - b. University-sponsored activities,
 - c. All other requests.
7. Rental Fees: Rental fees are set forth in attachment 1. If requested by the applicant, Events Management may request an adjustment to the rental fee, on behalf of the applicant. The President has the sole authority to grant adjustments to the rental fees. Any adjustments shall be rendered for legitimate content neutral reasons if deemed necessary to promote the institution’s educational mission, with due consideration given to the nature of the facility.
8. Scheduling of Facilities:
 - a. The Events Management Office is responsible for receiving and processing all applications for use of any facilities by businesses and organizations not affiliated with the University, and will make all necessary arrangements regarding security and cleaning.
 - b. The Events Management Office shall make reasonable efforts to notify applicants, via the email address provided on the application, within seven business days from receipt of the completed application. If an application is

denied, the reason will be provided and will be one or more of the reasons detailed in Section V, Denial of the Use of Facilities. Any denial of a request will be based solely on the application of content/viewpoint neutral factors related to reasonable regulations in light of the University's mission and the nature of the facility or property requested.

c. In all cases where an application for access or use of campus facilities or property is approved, such use will be subject to the execution of an appropriate written agreement regarding the conditions applicable to the approved access/use, which shall include, but not be limited to, the terms and conditions set forth in this policy. The written agreement must be executed within seven (7) business days of approval of the application.

9. Payment Policy:

A deposit in the amount of thirty five percent (35%) of the total fee is due at the time the requester submits the contract. No contract will be accepted without a deposit. Event fees may be paid via cashier's check, credit card, and money order or cash through the University's Bursar Office. Fees may also be paid by paypal. No personal checks will be accepted for payment for any event. The remaining balance of the fee is due two weeks prior to the event.

10. Cancellation Policy:

There is a non refundable fee of \$50 for cancellations made more than 30 days prior to the event. If cancellation is between 15 to 29 days prior to the event, \$75 will be non-refundable. If cancellation is less than 15 days prior to the event, there will be NO REFUND.

11. Miscellaneous:

a. The use and/or possession of alcoholic beverages on University, owned or controlled property shall be prohibited.

b. The University's marketing and communication department should review all press releases and advertisements prior to release regarding events scheduled using University facilities to ensure accuracy of the information being provided as it relates to the University.

c. If there are audio/visual needs, the group requesting use of the facility should meet with a representative of the Communications and Information Technology (CIT) to determine technical requirements at least two weeks prior to the date of

the scheduled event. If it is determined more technical assistance is required above what is included in the facility rental rate, additional charges will apply.

d. If rental is of outdoor spaces, and power is needed and available in the area, the group requesting use of the facility should meet with Facilities Management to determine electrical requirements at least two weeks prior to the date of the scheduled event. Working with the Facilities Management is mandatory for all stage rentals requiring electrical set-up of more than a 110 volt receptacle. Additional installation and electrical usage charges will apply for any additional set-up.

e. TSU food services contract requires that all on-campus catering be provided by the University's food services vendor (Aramark). Any food service needs should be arranged through the vendor's catering manager at least two weeks prior to the event. All arrangements for catering (including payment terms) will be between the renter and the food services vendor.

f. Insurance. Except as provided below, proof of insurance, in the form of a minimum one million dollar commercial general liability policy, shall be required for all rentals involving use of facilities/property and outside areas. TSU must be listed as an additional insured on the policy, and proof of coverage must be provided to the Events Management Office at least seven business days prior to the rental. Upon request, TSU may, in its sole discretion, waive the insurance requirement based on the nature of the rental (a meeting versus an event), the type of organization renting the facility/outside area (non-profit organization), and the frequency of the requests to rent a particular facility/outside area. In all rentals, including in those instances when insurance is not required, renting organization shall agree to indemnify and hold harmless the University from any liability, including any instance involving damage and/or theft, arising out of the rental. The renting organization/individual will be liable for any damages to the University's facilities and equipment, and subsequent repair costs, and will be required to reimburse TSU for all expenses incurred.

III. Use of Campus Grounds

1. Any affiliated entity or affiliated individual or non-affiliated entity or individual wishing to assemble, demonstrate, distribute literature or engage in similar public activity on one of the TSU campuses must complete an online request form at least five (5) business days in advance of the desired date of the activity.

2. The Vice President of Student Affairs or designee will review the requests that relate to or will take place on the TSU Campus.
3. Approval or denial of the request will be in writing and may take the form of an email message.
4. Disapproval of the request to use the assigned areas will include a statement regarding the basis for the disapproval. See Section III.D. for examples of reasons for denial.
5. Upon written approval, the requesting individual or entity must adhere to the following guidelines in addition to the applicable conditions listed in Section III.B:
 - a. The activity must be held in the following assigned areas:
 1. Campus Center-Court Yard
 2. Laura M. Averiett Amphitheater
 3. Welton Plaza
 - b. Participants in the activity must remain in the assigned 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. Any literature distributed on campus must comply with all applicable local, state, and federal laws and regulations, as well as rules and policies of TSU and TBR.
 - f. No obscene literature or material, as defined by law, shall be distributed on campus.
 - g. The activity may not block the flow of pedestrian or vehicular traffic.
 - h. Participants may not make physical contact with others.
 - i. Participants must leave the area free of debris and litter.
 - j. Sound amplification is not permitted.
 - k. No TSU equipment is to be used during the activity.

- l. The activity must not interfere with scheduled TSU sponsored activities.
- m. Users must comply with all TSU and TBR policies and procedures and local, state and federal laws.
- n. Activities may not take place during final exam week or mid-term week in any semester.
- o. Activities may not take place before 9:00 a.m. or after 6:00 p.m. Activities may not take place on Saturdays, Sundays or when the University is closed.
- p. Activities are limited to a total of four per month for any individual or entity requesting usage. The University will consider additional requests for activities.
- q. Children under the age of 18 are not permitted to participate in the activity without being accompanied by an adult.
- r. TSU is not responsible for equipment used by the participants in the activity.

VI. General Conditions for Use of Facilities or Campus Grounds

Once an affiliated or non-affiliated individual or entity has permission to use University grounds/other property or facilities, including open access areas, the requirements outlined in this section, as well as all other requirements put forth in this policy, must be met. Violation of, or failure to comply with, the requirements set forth in this policy or other University policies may result in the immediate revocation of previously granted approval for access/use of campus facilities or grounds/property.

1. Applicable building, fire codes, and safety standards applicable to a particular facilities and/or property must be met.
2. All TSU and TBR rules and/or policies must be followed.
3. Sound amplification equipment may be used only when prior approval has been requested and approved by the appropriate official taking into account the University mission and the nature of the facility or property requested, location, and time of day.
4. Any rental of University equipment must follow the appropriate University policy and procedure. University equipment is not permitted to be used in the open access areas.

5. All individuals and/or entities, by making application for registration of an activity and by subsequent use after approval by the University, agree to indemnify the University and hold it harmless from any and all liabilities arising out of such use of the property and/or facilities of the institution, including, but not limited to, personal injury, property damage, court costs and attorney's fees.
6. All persons operating motor vehicles in conjunction with an approved use/access of campus facilities and/or property shall be subject to University and TBR rules, regulations, policies and procedures regarding traffic and parking.
7. Users of facilities or grounds/other property and/or their sponsor(s) are responsible for all activities associated with the event.
8. Use of the requested facility and/or grounds/other property shall be limited to the declared purpose in the application for use/access to campus facilities and/or property.
9. Access to, or use of, campus facilities or grounds/other property shall not be permitted overnight unless specifically requested and approved pursuant to the requirements of this policy and/or other applicable University policies. Such use shall be limited to the specific time and location set forth in the notice of approval/registration document.
10. All persons on campus in conjunction with an approved application for use/access shall provide adequate identification upon request to appropriate officials and security personnel of the institution. Persons or groups who refuse to provide such identification may be subject to immediate removal from campus and/or disciplinary action. In appropriate circumstances, such persons may become subject to arrest and/or prosecution.
11. TSU shall have the right to terminate the use of campus facilities or grounds/other property by any group, organization or individual which violates any provision of this policy, University policy, local, state, or federal law or regulation.

V. Denial of the Use of Facilities or Campus Grounds

TSU may deny affiliated entities or individuals or non-affiliated entities or individuals the use of University facilities, including open access areas, for any one of the following reasons:

1. The grounds/other property or facilities have been previously reserved by another group, organization or individual with equal or higher priority,
2. Frequency of previous use during an academic period in comparison to that of a contemporaneous applicant,
3. Use of the grounds/other property or facilities requested would be impractical due to scheduled usage prior to or following the requested use, or due to other extenuating circumstances,
4. The applicant or sponsor of the activity has not provided accurate or complete information required on the application for registration,
5. The applicant or sponsor of the activity has been responsible for violation of University or TBR policy during a previously registered use of campus grounds/other property or facilities,
6. The applicant has previously violated any conditions or assurances specified in a previous registration application,
7. The facility or grounds/other property requested has not been designated as available for use for the time/date,
8. The anticipated size or attendance for the event will exceed building/fire codes, established safety standards, and/or the physical or other limitations for the facility or property requested,
9. The activity is of such nature or duration that it cannot reasonably be accommodated in the particular facility or area for which application is made,
10. A determination that the size and/or location of the requested use would cause substantial disruption or interference with the normal activities of the institution, the educational use of other facilities or services on campus or the flow of vehicular or pedestrian traffic,

11. The activity conflicts with existing contractual obligations of the institution,
12. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of the institution's officials, faculty members, or students, the damage or destruction, or seizure and subversion, of the institution's or school's buildings, other property, or for other campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the responsible official may consider all relevant factors,
13. A determination that the requested use would be contrary to local, state, or federal law, regulation, or the policies or regulations of the TBR, or the institution.
14. The activity is of a non-charitable, profit-making nature.
15. The University cannot accommodate the activity within the requested timeframe.