

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, and 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" includes a student organization registered under Subchapter 6–200 of the *Institutional Rules*.
6. "Sponsored student organization" includes only a student organization registered under Subchapter 6-200 that is officially sponsored by the University under Sec. 6-101.
7. "Student" means a person who is currently enrolled at the University.
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 used for dedicated University business, an educational function, or a research function on either a permanent or a temporary basis. 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 other space within the University's limited public forum. Common outdoor areas are designated by state law as traditional public forums.

2. "Cosponsorship" 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. Cosponsored 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, or 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 or representative of the dean of students.
5. "Limited public forum" means the University property, both indoors and outdoors, that is not part of 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, residential outdoor spaces managed by University Housing and Dining including Jester Spanish Oaks Terrace, San Jacinto Amphitheatre, Honors Quad, and 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, and the Cronkite Plaza.
6. "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 Resident Conference Center.
7. "Room or space" includes any room or space, indoors or outdoors, owned or controlled by the University.
8. "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 Frank C. Erwin Jr. Special Events Center.
9. "University" means The University of Texas at Austin.
10. "Vice president" 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(b) 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.
- c. Academic or administrative units and registered student, sponsored student, faculty, or staff organizations may reserve a temporary banner space.

- d. University persons, University organizations, and members of the public may reserve an outdoor weekday amplified sound area in accordance with subchapter 13–803 of the *Institutional Rules*.
- e. University persons, University organizations, and members of the public may reserve a space within the common outdoor areas for amplified sound on evenings or weekends in accordance with subchapter 13-804 of the *Institutional Rules*.
- f. University persons, University organizations, and members of the public may reserve a space within the common outdoor areas for assembly in accordance subchapter 13–902(a) of the *Institutional Rules*.
- g. Academic and administrative units of the University will have priority in reserving the use of rooms and spaces, except that they will not have priority in the use of weekday amplified sound areas defined in Sec. 13–802 of the *Institutional Rules*.
- 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 events or business reasons which may require the university to close unexpectedly or with little notice.
- j. Except as provided within Chapter 13, 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.

- 2. 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

- a. 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:
 - 1. the proposed use of the room or space would violate Regents' *Rules and Regulations*, University regulation, or administrative rule;
 - 2. another event or exhibit has been scheduled for the proposed time and location, or so near that there is a practical conflict;
 - 3. the room or space requested is inadequate to accommodate the proposed use;
 - 4. the proposed use of the room or space would violate reasonable and nondiscriminatory fire, health, or safety standards;
 - 5. 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;
 - 6. 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;
 - 7. 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,
 - 8. the applicant has attempted to reserve space under a different name to circumvent university policy or a disciplinary sanction.
- b. If the dean of students does not approve an application under Sec. 10–203(a), upon request he or she will give the applicant a written statement of the grounds for refusal as soon as possible, but no later than five days from receiving such a request.

Sec. 10–202. Application

- a. All persons and organizations wishing to reserve an outdoor space will apply through a process prescribed by the dean of students. Members of the public may not reserve or use indoor spaces.
 - 1. Registered student organizations wishing to reserve a general purpose classroom will apply through a process prescribed by the dean of students.
 - 2. 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.
 - 3. 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. 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. Academic and administrative units are encouraged to make the rules and procedures for reserving rooms and spaces, and a list of the rooms and spaces that may be reserved, readily available on a website, flyer, or pamphlet, available at the unit's office.
- b. The dean of students will maintain the following on a website, flyer, or pamphlet, available at the dean of students' office:
 - 1. the procedures for reserving outdoor space for persons or organizations and any additional rules applicable to outdoor reservations;

Subchapter 10–300. Regulations Applicable to University Property

Sec. 10–301. Identification

- a. Any person will identify himself or herself when asked to do so by an institutional representative while in any building owned or controlled by the University or The University of Texas System. A person identifies himself or herself by:
 - 1. giving his or her name and complete address, substantiated by a current driver's license, voter registration card, or other official documentation; and,
 - 2. stating truthfully whether he or she is a student or employee of the University or The University of Texas System.
- b. 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.
- c. Any person who refuses to identify himself or herself 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 convicted of a misdemeanor as referenced in the Regents' *Rules and Regulations*, Rule 80101.
- d. Any student, faculty member, or staff member who refuses to identify himself or herself while in any building owned or controlled by the

University or The University of Texas System in accordance with Sec. 10–301(a) is subject to University disciplinary action.

Sec. 10–302. Use of Alcoholic Beverages

The use of alcoholic beverages is prohibited on property and in buildings and facilities owned or controlled by the University or The University of Texas System. However, the chief administrative officer of the University or The University of Texas System may waive this prohibition with respect to any specific event sponsored by the University or The University of Texas System. Meetings or events sponsored by registered faculty, staff, or student organizations are not events sponsored by the University or The University of Texas System. State laws related to alcoholic beverages will be strictly enforced at all times on property controlled by the University of Texas System and its component institutions.

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. Cosponsorship

- 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 cosponsored event in the University's limited public forum.
- b. Registered student, faculty, or staff organizations, individual students, faculty members, and staff members may not cosponsor any event in a building or facility 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 cosponsorship 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 cosponsored 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(b)(1); or
 4. distributes any proceeds of the event to an off-campus person or organization, except for
 - A. the proceeds of charitable contributions solicited under the authority of subsection 13–205(b)(1); or
 - B. payment of a fair market price for goods or services provided to the University person or organization; or
 5. reserves a room or indoor space for the 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 cosponsorship:
 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 cosponsored 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. Appeals

- a. A University organization aggrieved by a decision under this chapter may appeal to the vice president by letter or by e-mail, also sending a copy to the decision maker, within fourteen days after the day the decision is announced. The appeal must contain the University organization's name and mailing address, a concise description of the decision complained of, the University organization's reasons for disagreeing with the decision, and the date the decision was announced.
- b. 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 to the vice president a copy of the written statement of the reason given for the decision. At the discretion of the vice president, both parties may present oral arguments to an appeal of the decision under this Chapter.
- c. The action of the vice president will be communicated by letter or by e-mail to the University organization and the decision maker within five days after the appeal and related documents have been received.

Sec. 10–403. Further Review by Petition

The issuer of a criminal trespass warning or a decision maker, or the University person or organization may petition, by letter or by e-mail through the vice president, to the president of the University to review the decision being appealed. The president may establish an ad hoc committee and refer the request to the committee to review the request for appeal and affirm or reverse the underlying determination. The committee reviews appeals solely at its discretion as determined by a majority vote of the committee members. Petitioners do not have a right to this further review should the committee decide not to provide it. Decisions by the committee to reverse or affirm the underlying determination are made by a majority vote of the committee members.