



THE UNIVERSITY OF ARIZONA

Dean of Students Office

The University of Arizona Policy and Regulations Governing the Use of the Campus Dean of Students Office

Effective January 20, 2012

Revised 10/23/14

Revised 3/23/15

A. Overview:

1. The campus grounds and properties of the University of Arizona (the "University") are devoted to and maintained for the sovereign function of providing higher education to the people, and are not places of unrestricted public access.
2. The University is committed to protecting the free speech rights of students, faculty, staff and invited guests. The purpose of this policy is to respect the Campus Community's rights to free speech and expressive activity within public and designated public forums, while preserving public health, safety and welfare, the normal business uses of the campus, and the rights of others to legitimately use and enjoy the campus.
3. The University may regulate the time, place, and manner of free speech and expressive activities in order to prevent unreasonable interference or disruption of its educational, research, outreach and business functions, normal or scheduled uses of University property by the Campus Community, as well as protecting public health, safety and welfare. Commercial Activity, as defined below, is prohibited on campus except as authorized by the Sponsored Commercial Activity on University Property Policy (see: <http://policy.arizona.edu/business-practices-guidelines-sponsored-commercial-activity>).

B. General Conditions of Use:

1. The following restrictions apply to all Campus Community activities on the University campus:
 - a. Activities may not be conducted in a manner that violates any federal, state or local law, including but not limited to the crimes listed in Arizona Revised Statutes, Title 13, Chapter 29, "Offenses Against Public Order."

- b. Activities may not be conducted in a manner or at a time or place that is either incompatible or unreasonably interferes with the educational, research, service, or other legitimate functions of the University.
 - c. Activities may not be conducted in a manner that violates the rules, regulations, or policies of the Arizona Board of Regents or the University, including, but not limited to regulations set forth in this policy or other regulations that may be developed by the Dean of Students in accordance with this policy.
 - d. Activities may not be conducted in a manner that violates applicable fire or safety regulations.
2. The Dean of Students has responsibility for the administration and implementation of these regulations and for the application of reasonable time, place, and manner restrictions regarding the use of Open Public and Designated Public Forums in order to: (1) protect and maintain University resources, facilities and property; and (2) promote public health, safety, and welfare in accordance with this policy.

C. Definitions Applicable to this Policy:

1. **"Authorized"** within this document means permitted by the Arizona Board of Regents or the President of the University or his/her designee.
2. **"Building or Structure Manager"** is that person with authority to grant permission to use a building or other internal space or structure.
3. **"Contact Person"** means that person who is designated as the sponsoring organization's or individual's representative to be contacted.
4. **"Camping"** means the use of any part of the campus for living accommodation purposes such as overnight sleeping activities, making preparations for overnight sleeping (including the laying down of bedding for the purpose of sleeping), storing personal belongings, making a fire, using any tents or other structures for sleeping, digging or earth breaking, and/or carrying on cooking activities. Such activities constitute camping when it reasonably appears, in light of all the circumstances, that the participants, in conducting these activities, are in fact using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may also be engaging. Camping does not include Official University Activities or the ordinary use of University Structures that have been wholly or in part designated as sleeping and/or eating areas.

5. **“Commercial Activity”** means: (a) all advertising, sales, purchases, or agreements for the sale or purchase of goods or services; (b) all giving, demonstration, or solicitation for the purchase or sale of goods or services provided by a person, group of persons, or other entity; and (c) all solicitations of gifts of money or other goods or services by a person, groups of persons, or other entity.
6. **"Dean of Students"** means the University Dean of Students or his/her designee.
7. **“Designated Public Forums:”** The University’s campus contains buildings and property whose primary purpose is to provide education, research and outreach. However, the University often designates areas to allow access by the University Community or to create limited forums for the discussion of certain topics or subject matter by certain speakers, each at times when the property is not being used for its devoted purposes.
8. **“Limited Public Forum”** is a sub-category of the Designated Public Forum that occurs when the University intentionally opens a Non-Public Forum to speech, or activities related specifically to defined subject matters for certain groups on certain topics.
9. **"Mall"** refers to the grassy areas between Park Avenue and Campbell Avenue and along University Boulevard East and University Boulevard West that is designated for expressive activities or Limited Public Forums, subject to the qualifications, definitions and procedures set forth in this policy.
 - a. "Reserved Area" refers to those portions of the University campus designated for reservations only which are scheduled to maximize the availability and use of the space consistent with the University's educational, research, service and business functions. Use of Reserved Areas is subject to reasonable time, place, and manner restrictions.
 - b. "Unreserved Area" refers to that part of the Mall which may be used without advance reservations or scheduling for expressive activities, including but not limited to the passing of petitions, distribution of written information, picketing, and carrying of placards. Such use is subject to the time, place, and manner limitations set forth in this policy. For the location of the Unreserved Area, see the available space map at <http://union.arizona.edu/mall/maps.php>.

10. **"Non Public Forums"** are University buildings, structures and property that are not designated as spaces open for public communication, activities, or expression, but instead are reserved for normal business, education, research, or other dedicated purposes.
11. **"Official University Activity"** means regularly scheduled academic classes, operations, research, business, and other activities, including special events of the University as approved by the University President, Provost or Vice President for Student Affairs.
12. **"President"** means the President of the University or his/her designee.
13. **"Open Public Forums"** consist of the streets and sidewalks generally open to the public during the times the University is open. Open Public Forums do not include, among other places defined in this policy, the interiors of University Structures or Designated Public Forums.
14. **"Sponsoring Organization/Individual"** means the individual or entity responsible for an activity on the University Campus.
15. **"Student"** means any person admitted and enrolled in one or more classes at the University, including a faculty member or employee so enrolled. Graduate students who serve as assistants, associates or otherwise, and all other students employed part-time by the University, are classified as students for the purposes of this policy.
16. **"Student Organization"** means an organization composed primarily of students, which has received official University recognition as a Student Organization and is in good standing according to University policies and procedural regulations administered through the Center for Student Involvement & Leadership or similar University Unit.
17. **"Structure"** means the framework of and the space enclosed by any building, booth, tent, canopy, vehicle, trailer, fence, wall or similar object or enclosure, including, but not limited to, the Arizona Stadium, McKale Center, the Student Union Memorial Center, Park Student Union, and campus parking garages.
 - a. **"University Structure"** is a structure exclusively owned, operated, or controlled by the University.
 - b. **"Temporary Structure"** means any display, apparatus, object, tent, canopy, fence, wall, enclosure or other structure that is not permanently affixed or which is not otherwise designed or intended for permanent placement on University property.

18. **"University"** means the Arizona Board of Regents on behalf of the University of Arizona, including University Units, and University employees or agents delegated with the authority to act on its behalf and on behalf of University Units.
19. **"University Community"** means all University employees, Students, invited guests and members of the public present on the University Campus for legitimate and lawful purposes.
20. **The term "University Property" and "University Campus"** mean all land, buildings and other facilities owned, operated or controlled by the University, except that this policy does not apply to property that the University owns but over which it has legally relinquished its power of operation or control to a third-party.
21. **"University Unit"** means any academic or non-academic department or division of the University or any other official entity of the University.
22. **"Business Day"** means Monday through Friday except for official University holidays.

D. Use of Designated Public Forums:

1. Designated Public Forums on the campus may be used by the University Community for free expression activities, including passing of petitions, distribution of written information, picketing and carrying of placards, at times when the University property is not being used for its devoted purpose. Use of Designated Public Forums is subject to time, place and manner restrictions.
2. Activities within Designated Public Forums shall neither impede pedestrian nor vehicular traffic, ingress to or egress from University Structures, nor disrupt or interfere with Official University Activities or Authorized Activities on University Property. In addition, activities in Designated Public Forums shall not endanger public health, safety or welfare.

E. Distribution of Literature:

1. The passing of petitions, distribution of written information, carrying of placards and picketing are not permitted in Non Public Forums or within Limited Public Forums unless such materials are within the scope of the designated subject matters or topics in such forums.
2. The passing of petitions, distribution of written information, carrying of placards, picketing, sign-up tables, or other set-ups must not: (a) block

University Structure entrances or exits; (b) disrupt normal University business; or (c) violate applicable fire or safety codes.

F. Posting of Signs, Banners and Other Materials:

Signs, banners, and other material may be affixed without permission to the outdoor "kiosks" located around the University Campus. However, signs, banners, and other materials may not be affixed to the interior or exterior of any other University Structure without permission from the particular Building or Structure Manager, or other person with authority to grant such permission. Permission may be provided in the form of building guidelines or regulations currently in effect for a particular structure. Signs, banners, and other material may not be affixed to any plant, statue, sign, lamp post, stairs or other inanimate object on campus without the permission of the Dean of Students.

G. Structures:

1. Structures other than University Structures or University Property may not remain on University grounds, except as set forth in this section.
2. Structures other than University Structures may be placed and remain temporarily on the Mall in accordance with the following regulations:
 - a. Temporary Structures:
 - (1) Persons or entities intending to use Temporary Structures must list such structures on the *Campus Use Activity Form*, in the designated area, submit the form and receive approval from the Dean of Students and University Risk Management prior to erecting such structure.
 - (2) Temporary Structures may be placed and remain on the Mall between 8:00 a.m. and 5:00 p.m. weekdays and weekends, but must be taken down and removed daily, unless approved for overnight use, and the area removed of all personal effects, debris, trash, and returned to its original condition.
 - (3) Temporary Structures, including any single structure or display components, that exceed any one of the following are prohibited: (1) 100 linear feet in a single direction; (2) 4,500 square feet; or (3) duration greater than three (3) consecutive days.
 - (4) University Risk Management may request additional information and specifications regarding proposed Temporary Structures in order to assess whether such structures present reasonably foreseeable risks, hazards, or dangers to public health or safety, and to properly respond to those risks. Temporary Structures that are unreasonably dangerous

will be prohibited. In addition, all Temporary Structures are subject to a safety inspection by Risk Management prior to the start of the event/activity. The Sponsoring Organization/Individual must schedule this inspection with Risk Management.

- (5) Notification: Prior to erection of any Temporary Structure and/or overnight Temporary Structure, the Sponsoring Organization/Individual must complete a Campus Use Activity Form and obtain approval from the Dean of Students Office.
 - (6) Responsibility: The Contact Person on behalf of a Sponsoring Organization/Individual shall take responsibility for the Temporary Structure, including its proposed location and design, as well as its maintenance and insurance against property damage during the entire time it is left in place. The Sponsoring Organization/Individual or Contact Person must sign an agreement: to remove the Temporary Structure on or before the time set for removal; to abide by this policy and any other agreed upon terms for the erection of the Temporary Structure; to pay for injuries to persons or property caused by the Temporary Structure; and to assume the risk for any injury to the property or persons of the Sponsoring Organization/Individual, or members thereof. Such responsibility and assumption of risk, as well as insurance and/or indemnification, will be evidenced by the Contact Person's signature on the Campus Use Activity Form.
 - (7) Safety and Compatibility: The Temporary Structure and its intended uses may not constitute an unreasonable safety hazard; shall not block or impede entry to any building; shall not interfere with normal pedestrian or vehicular traffic, or block emergency vehicle access; shall not inflict unreasonable damage to landscaping; and shall not be incompatible with the normal activity of a particular place at a particular time. Temporary Structures must also comply with the Security requirements set forth in Section L(2)(f).
 - (8) Insurance and Indemnification: To address foreseeable risks, hazards and dangers to public health or safety posed by a proposed activity, including the use or erection of structures, displays, or other materials on the University Campus, the University reserves the right to require expressive activity sponsors to provide either insurance OR indemnification, and commercial activity sponsors to provide both insurance AND indemnification, each sufficient to protect the University, its Community, and members of the public from property damage, death and personal injury.
3. Not with standing the requirements of Section G(2)(a) above, Temporary Structures associated with Official University Activities may be erected and

remain on the Mall during the time period required to carry out the activity, including night time hours. Prior to erection of any Temporary Structure and/or overnight Temporary Structure, the Sponsoring Organization/Individual must complete a Campus Use Activity Form and obtain approval from the Dean of Students Office.

H. Nighttime Use: In furtherance of the educational, research, service, and other legitimate functions of the University, and in order to protect public health and safety, no part of the campus, including the Mall and Park Student Union outdoor space, is generally available for organized activities after 10:30 p.m. and before 7:00 a.m., except Official University Activities or Authorized Activities.

I. Camping: Camping is not allowed on University property.

J. Sound Amplification:

1. Sound amplification will be permitted as follows:
 - a. When University classes are in session, sound amplification, is only allowed from 12:00 (noon) - 1:00 p.m. Monday-Friday and from 5:00 p.m. - 7:00 p.m. Monday-Thursday.
 - b. No sound amplification is permitted after 7:00 p.m. Monday-Thursday except when authorized for Official University Activities.
 - c. Amplified sound is restricted to prevent unreasonable interference with or disruption to normal Campus activities, and in no event shall it exceed 85 db at the source.
2. Public address sound equipment may be ordered through Facilities Management www.fm.arizona.edu/fm-dept/equipmentlist.html or groups may provide their own equipment.
3. Any Sponsoring Organization/Individual using musical sound systems must clarify with Facilities Management their wattage and power amperage needs ten (10) business days prior to the scheduled event.

K. Partisan Endorsement:

The University Campus may not be used in any manner that would identify or involve the University, itself, as endorsing or sponsoring a partisan, political, sectarian, or religious position, or candidate for political office.

L. Regulations for Scheduling Outdoor Activity space including the University Mall:

1. **Unreserved Area:** Because of size, safety, logistics, and other considerations, planned demonstrations must be scheduled in advance. A planned demonstration is a public manifestation of protest, condemnation, or approval; taking the form of a mass meeting, procession, picket, or similar activity which is organized and promoted more than a day before the event. Users must schedule such events with the Arizona Student Unions Event Scheduling Office at least 10 working days in advance. This does not apply to spontaneous demonstrations for which there is no prior promotion or organization or where events do not allow at least 10 working days in advance. In such situations, as much prior notice as possible must be provided to the Arizona Student Union Event Scheduling Office and/or the Dean of Students Office. The University will attempt to accommodate such spontaneous demonstrations subject to adequate space and resource availability. Staff will accommodate spontaneous demonstrations in areas which have not been reserved that day by other organizations and where the presence of the demonstration will not be disruptive to other groups which have reserved space in the same area.

2. **Designated Public Forums** on campus including but not limited to the the Mall may be scheduled to avoid conflicts with and disruption of normal educational, business, or other legitimate University purposes and to maintain public health and safety. The following regulations are intended to provide for maximum permissible use that is consistent with minimal interference with the University's legitimate functions:
 - a. **Reservations:** Space on campus including the Mall and Designated Public Forum areas may be reserved for use by a Sponsoring Organization/Individual. Reservation of space must be made through the Arizona Student Unions Events/Scheduling Office or other appropriate scheduling entity. Scheduling use of the Mall or any other campus outdoor space will be handled on a "first come-first served" basis. Requests for the use of outdoor space including the Mall and Designated Public Areas on the Mall must be submitted to and approved by the Arizona Student Unions Events/Scheduling Office ten (10) business days in advance of the date the activity is scheduled to take place. Forms for scheduling Campus Use Activities are available in the Arizona Student Unions Events/Scheduling Office or online at http://union.arizona.edu/mall/request_form.php. The Arizona Student Unions Campus Activities Coordinator will maintain a master calendar showing scheduled Campus and Mall activities.

- b. Responsibility: The Sponsoring Organization/Individual shall designate a responsible individual as Contact Person for all Campus Use Activities requested. It is understood that a Sponsoring Organization/Individual, acting through its Contact Person, will take full responsibility for injury to any person or damage to property caused by the Sponsoring Organization/Individual or its members, and assume the risk for any injury to persons or damage to property of the Sponsoring Organization/Individual or its members.
- c. Clean-Up: The Sponsoring Organization/Individual will be responsible for cleaning the activity area of debris and trash on a daily basis, and will be responsible for the dismantling and removing of any tables, chairs, or structures used for the activities. When the sponsoring entity is an organization rather than an individual, the Contact Person will be the individual who will be charged with the Sponsoring Organization responsibility for such clean-up on behalf of the Sponsoring Organization. If an area is not properly cleaned up, the Sponsoring Organization/Individual will be billed an appropriate clean up charge by the University.
- d. Equipment: All uses of the campus outdoor space including the Mall and Designated Public Forum areas of the Mall that require special equipment, such as platforms, amplifiers, tables, recreational equipment, etc., must be coordinated with the designated representative of the Facilities Management Department at www.fm.arizona.edu/fm-dept/equipmentlist.html.
- e. Payment: Any Sponsoring Organization/Individual not funded by the University must pay the University prior to commencement of the activity for any services to be provided by the University. Payment by such Sponsoring Organization/Individual shall be submitted to the Campus Use Activity Office.
- f. Security: The Dean of Students, after consultation with the Chief of the University of Arizona Police Department and University Department of Safety & Risk Management, may require that adequate security measures be taken to provide protection for persons seeking attendance, persons in attendance at an event, Temporary Structures, and/or for the University property involved.

Where a proposed event presents a concern for the health or safety of the attendees, the University Community, or the public, or potential damage to University property or facilities, the University may require the event sponsor to pay security costs adequate for the protection of those who may attend the event and the University property involved. In determining whether such a requirement is imposed, the Dean of Students and the University of Arizona Police Department will consider objective criteria,

including the following: (1) the number of anticipated attendees, (2) whether the proposed event involves an activity or structure that poses an inherent risk of injury or property damage, (3) whether the sponsor intends to charge admission to the event; and (4) any prior incidents of injury or property damage during similar events at the University or other institutions.

The Dean of Students will advise the Contact Person of the Sponsoring Organization/Individual about necessary security arrangements, including the use of monitors and other aspects of crowd control. It is the responsibility of the Sponsoring Organization/Individual to work with the University of Arizona Police Department to make necessary arrangements for the deployment of University police, or other appropriate authority, if additional security is required.

- g. Insurance and Indemnification: To address foreseeable risks, hazards and dangers to public health or safety posed by an activity, or the use or erection of the displays or other materials on the University campus, the University reserves the right to require expressive activity sponsors to provide either insurance OR indemnification, and commercial activity sponsors to provide both insurance AND indemnification, each sufficient to protect the University, its Community, and the public from property damage, death, or personal injury.
- h. Structures: Use of structures on the Mall and other Designated Public Areas is governed by Section G. above.
- i. Sound Amplification: Use of sound amplification is governed by Section J. above.
- j. Commercial Activity: Commercial activity is generally prohibited on University Property, except as permitted by the University Business Practices Guidelines Policy on Sponsored Commercial Activity on University Property (<http://web.arizona.edu/~policy/bpg4.shtml>).

M. Fireworks Prohibited:

Fireworks, as defined by Arizona Revised Statutes, Title 36, Chapter 13, Article 1, "Fireworks," including "consumer firework" and "permissible consumer firework," are prohibited on University Property unless expressly authorized by University officials with actual authority to provide such authorization and related to a University Authorized Activity.

N. Cooking:

Propane grills or electric cooking/heating appliances are the only cooking devices allowed on campus, unless otherwise prohibited under this policy or as a Camping activity. Wood, charcoal, Coleman fuel and other fuels are not allowed. Any requests for other types of cooking devices must be approved by the Campus Use Policy Committee and Risk Management Services.

O. Smoking and Tobacco Policy:

The University prohibits the use of products that contain tobacco or nicotine, including cigarettes, cigars, pipes, bidis, kreteks, hookahs, water pipes, and all forms of smokeless tobacco. Littering campus with remains of tobacco or smoking-related products also is prohibited. All University employees, students, visitors, guests and contractors are required to comply with this policy. Organizers of public events, such as conferences, meetings, public lectures, social events, and cultural events using campus facilities will be mindful of this Policy and encourage compliance. University students, faculty, staff and guests who encounter someone who is violating this Policy are encouraged to respectfully inform that individual about the Policy and encourage compliance.

P. Interpretations, Amendment and Effect of Certain Findings:

The Dean of Students may make insubstantial changes to the wording of this document when such changes are required for clarity and do not affect the substance of the document. If one or more provisions of this document are declared inoperative or are otherwise voided, the remaining provisions shall remain in full force. The Dean of Students shall have the sole and final authority to interpret these policies and regulations and his/her interpretations shall be binding.

Q. Campus Use Committee:

The Campus Use Committee annually reviews guidelines for the use of the Mall and other Designated Public Forum areas and assists the Dean of Students' Office in event approval as needed. The Campus Use Committee is composed of the Dean of Students, who serves as chair; representatives from the Arizona Student Unions, University of Arizona BookStores, Facilities Management, Risk Management and Safety, Parking and Transportation, Intercollegiate Athletics, University of Arizona Police Department, Campus Recreation, Residence Life, External Relations and the University Activities Board; a faculty representative; Campus Use /Commercial Activity Coordinator; an ASUA member, a GPSC member and a student organization president.

R. Enforcement:

The Policy and Regulations Governing the Use of the Campus will be enforced by the the Dean of Students Office, the Arizona Student Unions, Risk Management

and Safety, and the University of Arizona Police Department.

S. Violations:

1. Any Sponsoring Organization/Individual who violates any of the provisions of this policy may be denied approval of future requests for permission to use University Property for activities that require such permission, or may be otherwise restricted in their use of University Property.
2. Any Sponsoring Organization/Individual whose violations of the provisions of this policy also constitute violations of other policies, rules, or regulations published by The University or Arizona or the Board of Regents will be subject to all applicable sanctions for violations of those other policies, rules, or regulations including but not limited to the Student Code of Conduct and policies relating to University employees.
3. Any Sponsoring Organization/Individual whose violations of the provisions of this policy also constitute violations of federal, state, or local law will be subject to all applicable sanctions including criminal arrest, prosecution and/or civil penalties for violations of such laws.

Political Activity Policy Fact Sheet:

<http://externalrelations.arizona.edu/political.cfm>

Student Code of Conduct:

<http://deanofstudents.arizona.edu/policiesandcodes/studentcodeofconduct>

Sponsored Commercial Activity on University Property:

<http://policy.arizona.edu/business-practices-guidelines-sponsored-commercial-activity>

Smoking and Tobacco Policy:

www.hr.arizona.edu/policy/classified-staff/408.0