
OPEN SPACES USE

PURPOSE: The purpose of this policy is to assure that Boise State University remains a forum for the broadest expression of views not in conflict with the normal uses of the campus, the rights of others, and the limitations of lawful conduct. The time, place, and manner of free expression activities may be regulated to prevent unreasonable interference or conflict with the educational, research, outreach, or other legitimate functions of the University, including the normal use of the affected University area by others, or any other scheduled activity.

I. Overview

A. The following apply to all activities on campus:

1. They may not be conducted in a manner constituting a violation of federal, state or local law.
2. They may not be conducted in a manner or at a place or time that unreasonably interferes with the educational, research, service, and other legitimate functions of the University.
3. They may not be conducted in a manner that violates rules, regulations, and/or policies of the University and/or the State Board of Education, including, but not limited to, regulations set out below or other regulations that may be developed by the University.
4. They may not be conducted in a manner that violates applicable fire and safety regulations.

B. The Vice President for Student Affairs has sole responsibility for the administration and implementation of the regulations for the use of the part of the campus that is generally made available to the public; the Vice President's interpretation of all of the terms in this document is binding.

C. This policy and these regulations apply to all University-owned and/or controlled facilities and property and to all users of the facilities and property.

II. Definitions

A. **Activities:** Activities include, but are not limited to, the things listed under the heading "Activities" in Appendix 1 to this policy.

B. **Central Quad:** The area defined by Hemingway Center, Liberal Arts, Math/Geology, COBE, and Albertson's Library.

C. **Memorial Plaza:** The area defined by Albertson's Library, COBE, the Friendship Bridge, and the Central Quad.

D. **Multi-Purpose Plaza:** The area defined by the Multi-Purpose Classroom Building, the Education Building, and the Science-Nursing Building.

- E. Public Areas: Those areas of campus generally open to the public during the times the University is open. Public Areas do not include, among other places, the interiors of University structures.
- F. Sponsoring Organization/Individual: The individual or entity responsible for the activity.
- G. Structures: Include 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 football stadium, the tennis complex and the amphitheater.

III. Public Areas

- A. Public Areas of the campus may be used by individuals lawfully on the University property for any free expression activities, such as passing of petitions, distribution of written information, oral presentation, and/or picketing and carrying of placards, subject to the general limitations set out at A.1. above, and the specific limitations set out throughout this policy.
- B. Activities allowed in each Public Area of the campus are outlined in Appendix 1 to this document.
- C. Public Area activities shall neither impede pedestrian and vehicular traffic ingress to and egress from University structures, nor disrupt official University activities or University-authorized activities on University property.

IV. Distribution of Literature.

The passing of petitions, distribution of written information, carrying of placards, and picketing are not allowed inside University Structures, unless the facility manager gives permission for such activity.

V. Posting of Signs and Banners.

Kiosks are provided for the purpose of promoting activities and services of recognized student organizations and university departments. All other posting and advertising is not permitted, except as described herein, including, but not limited to, posting on car windshields or other similar techniques. Signs, banners, and other materials may not be affixed to the interior or exterior of any other University Structure without permission from the facility manager. Such permission may be given in the form of building guidelines or regulations. University personnel may remove materials posted in violation of this policy. The cost of such removal along with the cost of any damage to University facilities or grounds will be the responsibility of the person or organization responsible for the violation.

VI. Activities.

Any displays, exhibits, information tables, (booth, table, chair) sales, or any activities on Public Areas that are advertised by any medium, are subject to the regulations and limitations outlined below. This section shall not apply to the practice of faculty occasionally holding their classes outside of their regularly scheduled room on the University campus.

- A. To facilitate scheduling, the avoidance of irreconcilable conflicts in the use of Public Areas, the maintenance of public safety, the fullest possible use of the Public areas of the university, the uninterrupted performance of the educational, research, service and other legitimate functions of the University, persons engaged in activities in Public Areas must adhere to the following procedures:
 - 1. Reservations. Space in the Public Areas may be reserved for use by a Sponsoring Organization/Individual. Reservation of space must be made through the Student Union Reservations Office. Scheduling the use of these

spaces will be handled on a “first come, first served” basis. Requests for the use of Public Areas must be submitted to and approved by the Student Union Reservations Office in advance of the date the activity is scheduled to take place. Forms for scheduling Public Area activities are available in the Student Union Reservations Office. The Student Union Reservations Office will maintain a master calendar showing scheduled activities. **Each Sponsoring Organization/Individual will be limited to ten days per semester.**

2. Fundraising for Student Organizations. If the recognized student organization is planning a fund raising activity, a Fund Raising Scheduling and Approval form must also be signed by the Director of Student Union and Activities. Forms are available at the Student Activities or Student Union Reservations Offices.

B. Responsibility

The Sponsoring Organization/Individual shall designate a responsible individual as contact person for Public Area 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 property caused by the Sponsoring Organization/Individual or its members and will assume the risk of any injury to the property or persons of the Sponsoring Organization/Individual or its members. The name of the Sponsoring Organization/Individual must be clearly displayed, along with a copy of the approved scheduling form for the activity, at the location of the activity for the duration of the activity.

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 non-University owned tables, chairs or displays/exhibits or any other material 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 responsibility for such clean-up on behalf of the Sponsoring Organization. An exception to the requirement for dismantling and removing all but trash and debris exists if the Sponsoring Organization/Individual is willing to pay the costs of having Campus Security protection overnight. Failure of the Sponsoring Organization/Individual to comply with this section will result in the University billing the responsible party for any services rendered as a result of their non-compliance.

D. Equipment

All uses of the Public Areas that require special equipment, such as risers, tables, recreational equipment, etc., must be coordinated with the designated representative of the Facilities Operations and Maintenance Department. Sponsoring Organization/Individual shall be responsible for costs associated with equipment use.

E. Payment

Any Sponsoring Organization/Individual not funded by the University or by student fees must pay the University prior to approval of the activity for any services to be provided by the University, including but not limited to, security. Payment by such Sponsoring Organization/Individual shall be submitted to Student Union or Facility Operations and Maintenance.

- F. Insurance
The Sponsoring Organization/Individual may be required to provide satisfactory evidence of ability to compensate for potential injury when there is a reasonable basis for concern that an activity may cause significant personal or property damage. Such evidence typically includes a certificate of liability insurance in the amount of \$500,000, and must be provided to the Office of Risk Management upon request.
 - G. Noise and Sound Amplification
Use of sound amplification in all Public Areas is governed by Section J below.
 - H. Security
After consultation with Campus Security, the contact person of the Sponsoring Organization/Individual will be notified of any necessary security arrangements, including the use of monitors and other aspects of crowd control. The contact person is responsible for making the necessary arrangements for the deployment of Campus Security Officers, or other appropriate authority, if additional security is required. Sponsoring Organization/Individual shall be responsible for any additional cost experienced by the University in providing security for the activity.
- VII. Credit Card and Third-Party Solicitations.
- A. Signed applications for credit cards or other third-party signed contracts cannot be collected.
 - B. Gifts in exchange for completion of third-party contracts or credit card applications cannot be distributed or promised.
 - C. Vendors that solicit credit cards or require a third-party contract must provide and display credit card and/or debt education materials - this may include information provided by the University. The annual fees, interest rates and computation methods must be displayed.
 - D. Companies collaborating with Student Organizations or University-affiliated groups for compensation must compensate that group with a flat fee, not per application.
- VIII. University Buildings.
- A. Persons or entities desiring to use University Buildings for activities other than those that constitute the ordinary use of such structures in fulfillment of the educational, research, service and/or other legitimate functions of the University must obtain permission from the appropriate facility manager.
- IX. Nighttime Use.
- A. In furtherance of the educational, research, service, and other legitimate functions of the University, no part of the campus is generally available for organized activities after 10:30 p.m. and before 7:00 a.m. except official University activities or University-authorized activities.
- X. Camping.
- A. Camping is not allowed on University property.
- XI. Noise and Sound Amplification.
- A. Sound amplification is generally not permitted on the campus during class times. Exceptions may be granted on a case-by-case basis. In addition, any unreasonable level of noise caused by mechanical or other similar cause shall be prohibited.
- XII. Manner of Display:
- A. The Vice President for Student Affairs is authorized to require a Sponsoring Organization/Individual to utilize reasonable methods to allow the public a choice

about viewing or receiving certain material that the Vice President deems may not be suitable for a general audience. The methods required will be narrowly tailored to respect the free expression rights of the Sponsoring Organization/Individuals balanced with the University's legitimate interest in maintaining a public area that is freely accessible to all members of the public.

XIII. Interpretations, Amendment and Effect of Certain Findings.

A. The Vice President for Student Affairs may make insubstantial changes to the wording of this policy when such changes are required for clarity and do not affect the substance of the policy. If one or more provisions of this policy are declared inoperative or are otherwise voided, the remaining provisions shall remain in full force. The Vice President shall have the sole authority to interpret this policy and these interpretations shall be binding.

XIV. Enforcement.

A. This policy shall be enforced by Campus Security, the facility managers, and the Office of the Vice President for Student Affairs.

XV. Violations.

A. Any Sponsoring Organization/Individual who violates any of the provisions of the policy may be denied approval for future requests for permission to use University property for activities that require such permission, or may otherwise be restricted in their use of University property.

B. Any Sponsoring Organization/Individual whose violations of the provisions of the policy also constitute violations of other policies, rules or regulations of Boise State University, or the State Board of Education will be subject to all applicable sanctions for violations of those other policies, rules, or regulations.

I. Appendix 1

	CENTRAL QUAD	MEMORIAL PLAZA	MULTI-PURPOSE PLAZA	STADIUM PARKING LOT*	PUBLIC AREAS ON CAMPUS
ACTIVITIES					
Amplification				X	
Food Service	X	X	X	X	
Info table - booths/tables/chairs	X	X	X	X	
Displays/Exhibits	X	X	X	X	
Films				X	
Sales	X	X	X	X	
Credit Card Solicitations	X	X	X	X	
Posted Signs/Banners	kiosks	kiosks	kiosks	X	
Distribution of	X	X	X	X	X

Literature					
Passing of Petitions	X	X	X	X	X
Picketing/Carrying Placards	X	X	X	X	X
Individual Oral Presentation	X	X	X	X	X

X - indicates activities allowed in this area
*unrelated to Intercollegiate Athletic Events