**Policy**

It is the policy of the Board of Regents that the facilities of the University are to be used primarily for purposes of fulfilling the mission of teaching, research, and public service. University facilities are not available for unrestricted use for other purposes. To preserve and enhance the primary functions of University facilities, this policy was established to govern facility use on the University of Wisconsin-River Falls campus.

**Authority**

The UW-River Falls Chancellor issues this policy in accordance with the Administrative Policy process. The Vice Chancellor for Business and Finance is responsible for the administration of this policy. To request an exception to this policy, mail to: administrative-policy@uwrf.edu.

**Definitions**

1. The university's facilities are defined as the buildings and lands owned by, leased by, or otherwise subject to the control of the UW System Board of Regents and UW-River Falls.
2. A Recognized Student Organization is a group that has been chartered and registered with the Student Government Association and the Office of Student Involvement.
3. A University Department is an administrative or academic unit, and includes divisions, schools, departments, or functional equivalents at UW-River Falls.
4. Persons, organizations not associated with UW-River Falls as defined in UWS 21.02(5), are those who fall under UWS 21.04, which states the chancellor may permit persons or organizations not associated with the university to use its facilities if:
   a. The proposed use is under the sponsorship or at the invitation of an organization associated with the institution;
   b. The proposed use will not interfere with or detract from the teaching, research and public service missions of the institution, or the use of the facilities by organizations associated with the institution;
   c. The institution has appropriate facilities available for the proposed use; and
   d. The person or organization has complied with institutional procedures adopted under UWS 21.06.

**Procedure**

Requests by University Departments, Recognized Student Organizations, and other organizations associated with the University to utilize University facilities shall be directed to the Registrar’s Office for credit producing courses, or to the Campus Reservations Office for general activities or events.

Persons, organizations, and groups not associated with the University, shall contact the Conference and Contract Services Manager. For more information relating to use of university facilities, including
grounds, by persons, organizations, or groups not associated with the university, please see below under Conference and Events Service responsibilities.

Registrar’s Office Responsibilities
The Registrar’s Office is responsible for the following:

1. Schedule academic space for credit producing instructional units based upon established and agreed upon guidelines found in the Facility Use Task Force Document.
2. Oversee the distribution and collection of information from instructional units for the development of future term sessions.
3. Update all classroom assignment adjustments in the event scheduling software system.
4. Provide classroom and laboratory space use data to UW System per established guidelines.

Campus Reservations Responsibilities
The Campus Reservations Office is responsible for the following:

1. Ensure that space is scheduled according to UWS 21, this policy, and other relevant university policies for on-campus groups, such as University Departments and Recognized Student Organizations (RSO).
2. Ensure that space is used on campus based upon the guidelines, such as the UC Manual or the Facility Use Task Force Document.
3. Assist with problem solving, enforcing, and updating University Center policies and procedures and Facility Use Task Force documents.
4. Implement the interpretations of facility use based upon established Memorandum of Understandings (MOU) for various specialty spaces on campus.
5. Oversee the correct invoicing, collection and distribution of facility use fees based upon campus policies for on-campus groups.
6. Oversee the process for providing accurate, detailed facility use information to the campus community using the event scheduling software system.
7. Communicate all academic space conflicts with all parties involved.
8. Organizations or speakers invited to campus and sponsored by a University Department or a Recognized Student Organization (RSO) must enter into a contract with the University through the Campus Reservations Office.

Conference and Event Services Responsibilities
The Conference and Contract Services Manager (or designee) is responsible for the following:

1. Ensure the space is scheduled according to UWS 21, this policy, and other relevant university policies for persons, organizations, or groups not associated with the university.
2. Ensure that space is used on campus based upon the guidelines, such as the UC Manual or the Facility Use Task Force Document.
3. Assist with problem solving, enforcing, and updating University Center policies and procedures and Facility Use Task Force documents.
4. Implement the interpretations of facility use based upon established Memorandum of Understandings (MOU) for various specialty spaces on campus.

5. Oversee the correct invoicing, collection and distribution of facility use fees based upon campus policies for persons, organizations, or groups not associated with the university.

6. Coordinate with Camp, Wedding, Tradeshow and Conference organizers for facility, dining, parking, and housing requests.

7. Market to persons, organizations, or groups not associated with the university.

8. Manage contracts and fiscal resources, facility operations, and coordinate with service providers in the best interest of the University.

9. For persons, organizations, or groups not associated with the university, the Conference and Contract Services Manager handles all aspects of facility usage and negotiates a contract that shall spell out the terms of the agreement. Because university resources must be used first and foremost to fulfill the university’s mission of teaching, research, and public service, requests from persons, organizations, or groups not associated with the university to use university facilities, including outdoor spaces, are subject to the below provisions.

   a. Before utilizing university facilities, those persons, organizations, or groups must:
      i. Contact University Conference and Event Services (conferences@uwrf.edu) at least 3 business days prior to the use of university space;
      ii. Must provide the University’s Conference and Contract Services Manager with accurate information to understand how and for what purpose the space will be used, so that the university may properly support the request to use the space (e.g., date/time, number of people, parking information) and the university may provide information relating to safety (e.g., candles, inclement weather) and about any other applicable policies (e.g., food/beverage, alcohol, solicitation);
      iii. Must have a signed contract with the University’s Conference and Contract Services Manager; and
      iv. Must pay the required contract fee (contact conferences@uwrf.edu for fee information).

   b. These persons, organizations, and groups are expected to comply with university policy. Persons, organizations, or groups who attempt to use university facilities, which are defined in this policy to include outdoor spaces, without first meeting the requirements listed above will be asked to leave university grounds. If appropriate, the university may direct persons, organizations, or groups who have not met the requirements listed above or who do not wish to reserve space to utilize the public sidewalk along Cascade Avenue, provided that it would meet their needs, that they can do so safely, and that they do not obstruct pedestrian or vehicle traffic.

   c. In recognition of the university’s commitment to freedom of expression, as well as the policy statement below, the university does not consider content or viewpoint when contracting for use of university facilities with persons, groups, or organizations not associated with the university. All use must occur within the limits of reasonable viewpoint-neutral and content-neutral restrictions on time, place, and manner of expression and the provisions of Chapters UWS 17, 18, and 21.

**Falcon Center Scheduling Responsibilities**
The Falcon Center Scheduling Office is responsible for the following:
1. Ensure that space is scheduled according to UWS 21, this policy, and other relevant university policies.
2. Use the policies and guidelines of the Facility Use Task Force Document when scheduling the Falcon Center related areas.
3. Assist with problem solving, enforcing, and updating Falcon Center policies and procedures and Facility Use Task Force documents.
4. Implement the interpretations of facility use based upon established Memorandum of Understandings (MOU) for various specialty spaces on campus.
5. Oversee the correct invoicing, collection and distribution of facility use fees based upon campus policies for on-campus groups or groups not associated with the university.
6. Communicate all academic space conflicts with all parties involved.
7. Market to groups not associated with the university for improved revenue generation.
8. Manage contracts and fiscal resources, facility operations, and coordinate with service providers in the best interest of the University.

**Director of University Center or Falcon Center Responsibilities**
The Director of University Center or Falcon Center (or designee) is responsible for the following:

1. Use delegated authority to review and execute contracts in alignment with financial authority. Contracts larger than authority level must be reviewed and executed by the Vice Chancellor for Business and Finance.
2. All signed contracts are sent to the Business and Finance Office for storage.

**Risk Management Responsibilities**
The Risk Manager (or designee) is responsible for the following:

1. Review contract language periodically whenever language is deleted or added to the contracts.
2. Approve Certificate of Insurance for off-campus groups.

**Outdoor Spaces**
University facilities includes all university grounds. The university has certain outdoor spaces on its grounds that are reservable. These reservable outdoor spaces include the University Center Circle Patio, the University Center Mall, the University Center Firepit, the Amphitheater, the Amphitheater Fire Pit, Hagestad Mall, Hathorn Lawn, I.M./softball fields, the East Side Sport Courts, and tennis courts. Persons, groups, or organizations who have reserved these outdoor spaces take priority for use of that space.

Outdoor spaces on university grounds that are not reservable, as well as those reservable spaces that have not been reserved, may be used freely by UW-River Falls students and employees, including use to assemble and engage in spontaneous expressive activity, subject to the parameters of Chapters UWS 17, 18 & 21, as well as reasonable time, place, and manner restrictions listed in this policy. Outdoor athletics facilities are not available for spontaneous expressive activity by students or employees.
Persons, organizations, or groups not associated with the university must follow the procedures explained above to reserve space, including reservable outdoor space.

**Recognition of Right to Freedom of Expression**

The University is committed to academic freedom and freedom of expression and acts in accordance with Regent Policy Document 4-21 (Commitment to Academic Freedom and Freedom of Expression). Nothing in this policy regarding use of university facilities is intended to infringe on the constitutional right of students and employees to assemble and engage in spontaneous expressive activity, as long as such activity does not materially and substantially disrupt the functioning of an institution. At the same time, university administrators, faculty, and other instructors are responsible for maintaining order, and for ensuring that the primary use of university facilities is in accordance with the university’s mission of teaching, research, and public service. Accordingly, access to university facilities for purposes of free speech and expression shall occur within the limits of reasonable viewpoint-neutral and content-neutral restrictions on time, place, and manner of expression as stated in this policy and within the provisions of Chapters UWS 17, 18, and 21.

**Viewpoint and Content Neutral Application**

University employees shall not consider the content or viewpoint of expressive activities when applying or when enforcing this policy.

**Reasonable Time, Place, and Manner Restrictions**

In addition to the provisions of Chapters UWS 17, 18, and 21, the University’s time, place, and manner restriction on students and student organizations engaged in spontaneous expressive activity in outdoor spaces on the University’s campus are: 1) There must be free access and egress to and from all university buildings (staff may define barriers or lanes to ensure access/egress); 2) The activity cannot materially and substantially disrupt another event or activity; 3) The activity may not enter the space(s) of another event or activity; 4) The activity may not create noise that materially and substantially interferes with university classes and other activities; 5) The activity may not obstruct vehicle or pedestrian traffic.

Protests and demonstrations that materially and substantially disrupt the rights of others to engage in or listen to expressive activity shall not be permitted and may be subject to sanction.

**Narrow Categories of Unprotected Speech**

Courts have ruled that only certain, narrow categories of expression are not protected by the First Amendment. These very narrow categories, as defined by the courts, include:

- Incitement to imminent lawless action: Using speech to incite others to commit immediate acts of violence.
- Harassment: Typically requires repeated activity and must be more than the mere expression of views, words, symbols, or thoughts that someone finds offensive. The university follows the University of Wisconsin Board of Regents policy document on Discrimination, Harassment, and Retaliation, which defines discriminatory harassment as “unwelcome verbal, written, graphic or physical conduct that: is directed at an individual or group of individuals on the basis of the individual or group of individuals’ actual or perceived protected status…and is sufficiently severe or pervasive so as to interfere with an individual’s employment, education or academic environment or participation in institution programs or activities and creates a working,
learning, or living environment that a reasonable person would find intimidating, offensive or hostile.” This includes harassment “on the basis of race, color, creed, religion, age, sex, sexual orientation, gender identity or expression, national origin, ancestry, disability, pregnancy, marital or parental status, or any other category protected by law, including physical condition or developmental disability.”

- **True threats**: Serious expression of an intent to commit an act of unlawful violence to a particular individual or group of persons (e.g., threatening someone with the intent to place them in fear of bodily harm or death).
- **Defamation**: False statements about someone that harms their reputation (not satire or parody).
- **Fighting words**: Face-to-face utterances that are intended to incite an immediate breach of peace.

The definitions provided above are for illustrative and informative purposes only.

**Hate Speech**
Expression that some may characterize as “offensive” or as “hate speech” is subject to First Amendment free speech protection, and UW-River Falls, as a public university, supports and upholds the First Amendment.

**Speakers on Campus**
If a student organization has invited a speaker to campus, or if a person, organization, or group not associated with the university contracts with the university to reserve space on campus, it does not mean that the university agrees with or endorses their viewpoint. Nor should it be understood that individual students or employees agree with that viewpoint.

While the university supports and upholds First Amendment free speech rights, the university also recognizes its obligation to create a safe, inclusive learning and working environment for all members of the campus community.

- If someone is engaging in one of the narrowly defined categories of expression that is not protected by the First Amendment, the situation may be unsafe. In an emergency, call 911.
- If someone has been the victim of or a witness to a bias-motivated incident, report the concern to the university’s Bias Incident Report Team. (BIRT gives due consideration to the protection of First Amendment rights.)
- If someone encounters offensive or disagreeable speech, that person has the option to ignore it or leave the situation or area.
- Additionally, the First Amendment protects the rights of all individuals, and therefore, individuals encountering disagreeable or offensive speech have the right to engage in their own expression, so long as they do so in a way that is consistent with this policy and does not materially and substantially disrupt the rights of others to engage in or listen to the expressive activity. This can look different depending on the situation. Some examples could include:
  - Deciding to civilly and respectfully debate or discuss the speech with the person speaking,
  - Ignoring or moving away from the individual or group; and
  - Engaging in their own expression.
- Students who would like support or information relating to exercising their freedom of expression rights should contact the Assistant Chancellor for Student Success (https://www.uwrf.edu/Student-Success/Services.cfm).
Sanctions and Appeals Process
Failure to adhere to the provisions of this policy may result in appropriate disciplinary action as provided under existing procedures applicable to students, faculty, and staff, and/or civil or criminal prosecution. If a person, organization, or group wants to challenge an official scheduler's decision on use of a university facility, the first appeal should go to the scheduler’s supervisor. If the challenge persists, the second appeal is to the relevant division head. The third and final appeal is to the chancellor. The chancellor’s decision is final.

Related Documents
- UWS 21 - "Use of University Facilities" - Wisconsin Administrative Code
- UWS 18-“Conduct on University Lands”-Wisconsin Administrative Code
  https://docs.legis.wisconsin.gov/code/admin_code/uws/18
- University Centers Policy and Procedure Manual
- Administrative Policy Paper AP-01-110 Segregated Fee Assessment/Waiver
  https://www.uwrf.edu/Administration/Policy/upload/Segregated-Fees-Assessment-Waiver-AP-01-110.pdf
- Administrative Policy Paper AP-02-101 Business Activities
  https://www.uwrf.edu/Administration/Policy/upload/Business-Activities-AP-02-101.pdf

Contact
To direct questions about this policy, mailto: administrative-policy@uwrf.edu.