

Policy Type: Administrative

Responsible Office: Division of Student Affairs, Office of the Provost and Vice President for Academic Affairs

Initial Policy Approved: 12/11/2017

Current Revision Approved: 05/29/2018

## Policy Statement and Purpose

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The university is committed to creating an environment that fosters the exercise of protected speech and other expressive activity on university property while maintaining an atmosphere free of disruption to the mission of the university. It recognizes that the free expression of ideas and open inquiry are essential in fulfilling its academic mission by embracing rigorous open discourse, argumentation, speaking, listening, learning and the exploration of ideas. As such, the university has established requirements for use of its property to pursue its academic mission, provide a safe environment, and preserve the functional and aesthetic integrity of the campus. Expression by individuals or groups, as described in this policy is not speech made by, on behalf of, or endorsed by VCU.

This policy applies to activity conducted on university property. The restrictions are designed to comply with the Code of Virginia sections 23.1-900.1 and 23.1-401 and are narrowly tailored to serve the university's interest in maintaining the safe and effective educational and administrative operations of the university without regard to the viewpoint of any speech or expression. In accordance with VCU's Space Use Regulation, 8 VAC 90-70-10 *et seq.*, entry upon and use of university property must be in accord with VCU policy. Any person who violates these restrictions may be excluded from university property, subject to criminal penalties for trespass, or subject to university action under applicable policy, such as the Student Code of Conduct or employee conduct policies. For the purpose of this policy, the term "person" may include an individual, group or organization based on the context.

VCU supports an environment free from retaliation. Retaliation against any employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation is prohibited.

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## Who Should Know This Policy \_\_\_\_\_

All university personnel, students, and other parties seeking to use university property are responsible for knowing this policy and familiarizing themselves with its contents and provisions.

## Definitions \_\_\_\_\_

Please direct policy questions to the Office of the Vice President for Student Affairs.

## Policy Specifics and Procedures

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### I. Instructions for General Use of University Property

University property, including outdoor areas, is designated primarily for use by students, faculty, and staff to advance the educational mission of the university. Any university student or employee may generally use campus spaces in accordance with university policy. However, any other person may use university property for assembly or organized expressive activity only (1) if sponsored or hosted by a member of the university community with authority under an applicable university policy or (2) by reserving a specifically designated area through the process set forth in section II(B)(3) of this policy.

The university may require any person to pay applicable rental or usage fees and comply with appropriate contractual obligations. In addition to complying with the restrictions set forth in this policy, persons desiring to use certain university spaces must comply with requirements established by the university office responsible for the specific space. Such requirements, including restrictions for reservation, scheduling, insurance, posting and other use of such space, must be consistent with this policy and other reasonable

11. Use amplified sound, including bullhorns, except as approved in advance under applicable policy and within sound limits that will not disrupt university operations; or

security challenges. A Major Event is an event, other than an academic course, program, or curriculum approved by the provost, which involves any one of the following risk factors:

- a. Expected attendance over 150 persons unless the approved seated occupancy load of the space is greater than 150 persons, in which case any of the other factors render event a Major Event;
- b. Setting with safety concerns (including time and location) based on assessment from the VCU Police;
- c. The event is a dance or concert, regardless of how many attendees;
- d. Presence of any object or substance requiring review by the Office of Environmental Health and Safety, including but not limited to any animal, open flame, firework, pyrotechnic, or other flammable or hazardous item;
- e. Installation of any structure, such as a tent, stage, scaffold, bleacher, bounce house, or carnival-style ride;
- f. Alcohol served; or

#### 4. *Event Fees and Charges:*

All persons and event organizers are responsible for costs of damage, repair and clean up arising from their use of university facilities. Examples of such costs related to event reservations include the cost of providing tents, platforms, special fixtures and equipment, or the assignment of maintenance or security personnel. The university will determine any fee for security based on viewpoint-neutral standards used to assess risk, such as the number of expected attendees as determined by the university, the location of the event, the time of day, and presence of alcohol or special equipment. Consistent with lawful protection of expressive activity, VCU will not charge security-related fees based on the content of the expressive activity, the likelihood of disruption caused by others than event attendees, or the actions of those who may protest the expressive activity.

#### Forms \_\_\_\_\_

There are no forms associated with this policy and procedures.

#### Related Documents \_\_\_\_\_

1. Dean of Students Information about Reservations  
<https://students.vcu.edu/find-resources/dean-of-students/resources/ram-voice/>
2. VCU's Space Use Regulation, 8 VAC 90-70-10 *et seq.*  
( ) and in  
[Policy Library](#)
3. Virginia law governing speech on campus, Va. Code § 23.1-900.1  
( )
4. Virginia law governing restrictions on student speech; limitations, Va. Code § 23.1-401  
( )

#### Revision History \_\_\_\_\_

This policy supersedes the following archived policies:

Approval/Revision Date	Title
December 11, 2017	<i>Reservation and Use of Space – Interim</i>
September 11, 2018	<i>Reservation and Use of Space</i> [minor revision to repair typographical error]
February 28, 2019	<i>Reservation and Use of Space</i> [added definition for “Member of the Public”]

## FAQ

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1. How does this policy affect the university's Rules and Procedures?  
Any conflicting requirements in the University's Rules and Procedures, which applies solely to faculty discipline, are superseded by the requirements of this policy.
2. Where can I find more information about reserving space at VCU?  
Information regarding reservations is available at the following link: <https://students.vcu.edu/find-resources/dean-of-students/resources/ram-voice/>