

Christopher Newport University

Policy: Use of University Facilities by Members of the University Community Policy Number: 7000

| | |
|----------------------|--|
| Executive Oversight: | Chief Financial Officer/Associate Vice President |
| Contact Office: | Office of Scheduling, Events, and Conferences |
| Frequency of Review: | Biennially |
| Date of Last Review: | April 2024 |

A. PURPOSE

The buildings and grounds of Christopher Newport University (hereinafter University Facilities) exist for and are dedicated to the post-secondary education of a primarily residential student body. University Facilities exist to support the academic, residential, extracurricular and administrative activities necessary to carry out this educational mission. Christopher Newport does not offer significant capacity to support activities beyond those that serve its mission.

Christopher Newport is committed to creating an environment that fosters freedom of expression and protected speech while maintaining an atmosphere free of disruption to or interference with the activities and operation of the university. This policy is adopted to establish the conditions upon which University Facilities may be available to members of the University Community, as that term is defined below, for scheduling activities. It is also in place to ensure that, to the extent such use is available, decisions about who may use a particular location, for what purpose, and upon what conditions, are based solely upon objective, clear and consistent content and viewpoint-neutral criteria.

Any person who violates these limitations may be subject to university action under the Student Code of Conduct, University Handbook or other employee conduct policies and may be excluded from University Facilities, and/or subject to prosecution for trespass.

B. DEFINITIONS

University Facilities: All buildings and grounds owned, leased, operated, or maintained by Christopher Newport University, wherever located and for whatever purpose used.

University Activities: Activities and events initiated, planned, presented or sponsored by Christopher Newport University, its Academic Departments and Offices or other University offices (for example, University Housing, Business, Financial Aid, Advancement, Career Planning, Student Affairs) or student anchor organizations, including, but by no means limited to, classes, graduation, athletic events and practices, scheduled performances, career days, and invited speakers.

Expressive Activity: Any expression protected by the First Amendment to the United States Constitution, including but not limited to speaking, silent protest, distributing literature such as leaflets or pamphlets, displaying signs, wearing certain clothing or accessory items, dancing, meetings, performances, demonstrations, rallies and vigils

University Community: Faculty and staff seeking use of University Facilities for purposes related to their work for the University, currently enrolled students, and recognized student organizations

Affiliated Individuals: Affiliated individuals are faculty and staff seeking to use University Facilities for purposes unrelated to their work for the University, current members of the boards of affiliated organizations, or lifelong donors with commitments and gifts of \$250,000 or more

Affiliated Organizations: Any organization legally separate from CNU, formally established solely to provide support to CNU or any CNU program and recognized by CNU, such as the Christopher Newport University Education Foundation, the Christopher Newport University Real Estate Foundation, the Lifelong Learning Society, The Fine and Performing Arts Foundation, and the Christopher Newport Alumni Society Board

Third Parties: Individuals and organizations that are not Affiliated Individuals or Affiliated Organizations or members of the University Community, as those terms are defined above

Academic Buildings: The library and buildings that contain primarily classrooms, laboratories, faculty and academic support offices (see list provided at Appendix A to this policy)

Administration and Operations Buildings: Buildings, facilities and spaces whose primary purpose is to provide offices, working spaces and tools needed to organize and manage the activities, processes, and day-to-day services supporting the university (see list provided at Appendix A to this policy)

Athletic and Recreation Facilities: Buildings, courts and fields created to support university sports teams, intramurals, club sports, recreational activities, and athletic training including classrooms, locker rooms, coaching and athletic staff offices (see list provided at Appendix A to this policy)

Residence Halls: Buildings operated and maintained by the university to provide residential housing to full time students (see list provided at Appendix A to this policy)

Public Amplification Device: Any electronic or other tool whose use has the effect of increasing and projecting the volume of sound beyond the normal capacity (or sound) generated by the speaker or instrument being used. Examples of prohibited items include, but are not limited to, public address systems, powered speakers, bullhorns, megaphones, amplifiers, microphones, and sirens.

Temporary Structure: Constructed configurations used for the purpose of housing, elevating, or otherwise making an area inaccessible to others. Examples include, but are not limited to, encampments, sleeping tents, shade devices, platforms, ladders, inflatables, beds/cots, barricades, and large cardboard boxes.

C. POLICY STATEMENT

1. Outdoor Spaces

All outdoor spaces are available to full time students for expressive activities subject to the conditions established by this policy and any other reasonable time, place and manner restrictions as might be deemed necessary by the university. Such use of outdoor areas should be scheduled at least 24 hours in advance, if possible, in order to avoid interference with or disruption of ordinary, routine, or previously scheduled activities and to ensure safety and health. University services such as set up, technical assistance, catering and parking may not be available on short notice.

The Great Lawn is available to be scheduled only as a whole, and only for university-wide events, such as graduation, fall festival, admitted freshman day and similar occasions. Other outdoor spaces are available for scheduled use by the University Community. Amplification and structures are prohibited. When not otherwise scheduled, both the Great Lawn and other outdoor spaces are available for the informal and spontaneous personal enjoyment of individual members of the University Community, guests and visitors, in a manner consistent with the conditions and limitations established by this policy.

2. Indoor Spaces

When not in use for scheduled classes or rehearsals, academic buildings are available for use by the University Community for meetings, study and conferences or other gatherings. Priority in scheduling shall be given to scholarly and academic activities. Some academic spaces are not available based on the nature of the space.

During fall and spring academic semesters, residence halls are available only for the sole use of resident students and staff and their social, academic and administrative activities.

When not in use by Christopher Newport athletic teams or by other members of the University Community for club sports, intramurals or other recreation, indoor athletic and recreational facilities may be made available for scheduling subject to the conditions of this policy.

The Klich Alumni House and its surrounding property are not available for scheduling except by the Office of Alumni Relations.

Administrative and operational buildings and spaces identified by Appendix A shall only be used for their intended purposes.

Any use of University Facilities to which the general public will be invited shall include, if necessary, some form of registration or ticketing in order to ensure that facility capacity will not be exceeded.

D. PROCEDURES

1. Conditions and Limitations

All use of University Facilities by members of the University Community are subject to and must be conducted in accord with the following conditions and limitations:

- a. No illegal activity is permitted in or on any University Facility at any time, for any purpose.
- b. No temporary structure is permitted on the Lawn or other outdoor spaces unless it is a necessary component of a university approved event.
- c. Additionally, no public amplification devices are permitted on the Lawn or other outdoor spaces unless it is a necessary component of a university approved event.
- d. All users and uses of University Facilities must comply with all applicable health and safety laws and regulations, and all applicable University policies.
- e. All use of University Facilities must respect and must not interfere with the ordinary or previously scheduled academic, residential, recreational, extracurricular or administrative activities of the University, and the demands of any unexpected occurrence or emergency as directed by the University.
- f. University Activities, as defined herein, have first claim on all University Facilities and shall have priority. The university reserves the right to relocate, reschedule or cancel a scheduled use of University Facilities as necessary to accommodate competing demands for space pursuant to this policy, or in any emergency or other unanticipated circumstance that makes scheduled use of reserved space impossible or impractical.
- g. Members of the University Community may use University Facilities informally and without scheduling. However, any unscheduled use must defer and vacate if another use has been scheduled.
- h. Faculty, staff, and recognized student organizations desiring to schedule use of University Facilities for a purpose related to their role at the University must submit a

request as far in advance as practicable. Uses that require parking, special facility set up or other University resources may not be available on short notice. Only in the rarest of circumstances is the University able to confirm space availability and coordinate its use in response to a request submitted less than 24 hours in advance of the intended use, however every effort must be made to accommodate the request.

- i. Faculty, staff and students who wish to use University Facilities for events or activities unrelated to their role at CNU may schedule such use pursuant to Policy 7001 as Affiliated Individuals, but shall receive a standard discount on fees for space rental. This discount does not apply to catering or other services that might be associated with the use.
- j. Materials, substances, equipment, or objects which are likely to endanger the life of, or cause bodily injury to, any person or which are likely to constitute a hazard to University Facilities are not permitted. With the exception of University events and those provided by Policy 1030 – Campus Tailgating, under no circumstances are flammable materials, gasoline vehicles, or use of open flames allowed at any time. Uses of University Facilities must comply with safety guidelines developed by the University’s Environmental Health and Safety Department. Approval for the display of fireworks, flame effects, bonfires, lasers and explosives is required from the State Fire Marshal’s Office by obtaining a permit.
- k. All users of University Facilities are responsible for leaving the facilities clean and free of any materials or equipment brought to the location that are not the property of the University. Users are financially responsible for damage, or any unusual clean up necessitated by their use.

2. Scheduling and Planning

- a. All requests for scheduled use of University Facilities, with the exception of uses of the Klich Alumni House and its surrounding property, CNU Athletic Department events, and professional performances at the Ferguson Center for the Performing Arts and the Torggler Fine Arts Center, shall be submitted to the University’s Office of Scheduling, Events and Conferences. The Office of Scheduling, Events and Conferences shall consult with other offices or administrators as appropriate, and shall approve or deny the request pursuant to the limitations and requirements of this policy. Where uncertainty or conflict arises, the requests and/or scheduled uses in question shall be submitted to the Executive Director for Auxiliary Services for resolution.
- b. All decisions concerning scheduling must be consistent with this policy and shall be made based upon the following: expected attendance, space required for and appropriate to the requested use, parking and traffic implications, noise, time of day or night requested, duration, health and safety concerns, security needs, limitations of this and any applicable building or space specific policy, and other relevant and content and viewpoint neutral considerations. No request shall ever be denied based

upon the viewpoint of expressive activity included in a proposed use. Concerns about Third Party violations of this policy shall be submitted to the Vice President for Student Affairs.

- c. When a request is approved, the Office of Scheduling, Events and Conferences shall notify and coordinate scheduling-related services, materials, and equipment with other offices as necessary. The service of any food or beverage in connection with such use must be obtained from Christopher Newport Catering Services which shall charge its standard rates. Scheduling shall at all times conform to this policy and to any separate use procedures specific to particular buildings or spaces as may exist.
- d. Any permits required from state or local authorities are the responsibility of the individual or organization requesting the use. The individual or organization must provide a copy of all permits issued by state or local authorities to the University's Office of Environmental Health and Safety.
- e. Every request must identify an individual who shall be present during the activity or use and be responsible for ensuring compliance with applicable law, regulations and University policies.
- f. Faculty, staff and recognized student organizations scheduling University Facilities for uses related to their role at the University shall not be charged a fee for the use of space. Fees may be charged for services including but not limited to set up, clean up and security. The service of any food or beverages in connection with such use must be provided by University Catering Services which shall charge its standard rates.
- g. Use of University Facilities by faculty and staff for purposes other than those related to their work at the University shall be permitted and scheduled pursuant to Policy No. 7001, related to use by Affiliated Individuals, Affiliated Organizations and Third Parties.

E. REFERENCES AND RELATED POLICIES

United States Constitution, Amendment 1

Virginia Code §23.1-401

University Policy 1025 - Alcohol on Campus

University Policy 1030 – Campus Tailgating

University Policy 7001: Use of University Facilities by Affiliated Individuals, Affiliated Organizations and Third Parties

F. APPROVAL AND REVISIONS:

Approved By: Policy Committee, effective January 15, 2020

Revision 1: Policy Committee, effective October 21, 2020

Revision 2: Policy Committee, effective November 10, 2022

Revision 3: Policy Committee, effective April 30, 2024

G. NEXT REVIEW DATE: Fall 2026

APPENDIX A

Residence Halls

| | |
|--------------------|--------------------------|
| Santoro Hall | Rappahannock River Hall |
| York River Hall | CNU Village |
| Potomac River Hall | CNU Apartments |
| James River Hall | CNU Landing |
| Warwick River Hall | Special Interest Housing |
| Presidents Hall | |

Academic Buildings

| | |
|---|-------------------------------|
| McMurrin Hall | Tribble Library |
| Forbes Hall | The Torggler Fine Arts Center |
| Luter Hall | Military Science Building |
| Ferguson Center for the Performing Arts | |

Athletic and Recreation Facilities

| | |
|-------------------|---------------------------|
| Freeman Center | Volleyball Courts |
| Ratcliffe Hall | James River Field |
| Belk Track | James River Court |
| TowneBank Stadium | Captains Field - Baseball |

Jennings Family Turf Stadium
Eyre Tennis Courts
Sailing Center

Captains Field – Soccer
Captains Field - Softball

Administration and Operations Buildings

Christopher Newport Hall
David Student Union
Freeman Center
Ratliffe Hall
University Police
CNU North

Hidden Hussey Commons
Yoder Barn
Commonwealth Hall
Grounds Department
Plant Operations and Warehouse
Parking Lots and Decks