

University of Southern Maine
Use of University Facilities & Grounds Policy

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Responsible Office: Office of the Chief Financial Officer

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I. Statement of Purpose

The purpose of this policy is to set forth the conditions under which the University of Southern Maine (herein known as "USM" or "University") facilities and grounds, whether owned, leased, or under the control of USM, may be used.

II. Definitions

- (a) Facilities - all buildings and structures that are owned, leased, or under the control of USM.
- (b) Grounds - all land that is owned, leased, or under the control of USM.
- (c) Public Areas - those areas generally open to the public that do not serve a specific educational, administrative, research, health, residential, dining, athletic or recreational purpose. These are also referred to as unrestricted areas.
- (d) Restricted Area - those areas not open to public activities, these include, but are not limited to, classroom and laboratory buildings, libraries, cafeterias, residence halls, and faculty, staff and student offices.
- (e) University Community - these include affiliated and recognized University groups and organizations as well as individuals who are students, staff, faculty, invited guests and volunteers. All others are considered to be unaffiliated/not affiliated with USM.
- (f) Unrestricted Area - areas that include, but are not necessarily limited to, corridors and lobbies of student/campus centers, sidewalks, parking lots, and other outdoor public areas of the campus.

III. The Policy

The primary use of all USM facilities and grounds is for purposes related to the University's mission. University instruction, research, service, and operational needs take precedence over any other use of University facilities and grounds.

Members of the University Community may conduct meetings, assemblies, and spontaneous demonstrations in all *unrestricted* areas of campus, provided that such meetings, assemblies, and demonstrations:

- (a) Are conducted in a lawful and orderly manner and in compliance with this policy and all other rules and regulations of the University;
- (b) Do not impede vehicular or pedestrian traffic;
- (c) Do not impede ingress or egress to any facility;
- (d) Do not impede access to any emergency exits;
- (e) Do not substantially interfere with classes, other scheduled meetings, events, educational process, or the necessary administrative processes of the University; or
- (f) Do not create a health or safety hazard

Meetings, assemblies and demonstrations may be conducted by members of the University community **INSIDE** University buildings, University Athletic Facilities and Fields, or Residential Halls only with specific authorization and provided that such meetings, assemblies, and demonstrations conform with the limitations listed above.

Individuals and groups that are not affiliated with USM may reserve and use *unrestricted* University buildings and grounds for any lawful purpose on a space available basis through the reservation process (contact information is provided in section V below).

Please be aware that there may be additional policies, including city and state ordinances, specific to certain facilities, grounds or event types that may include more restrictive provisions than this policy. Persons and groups seeking to use any University facility or grounds are advised to inquire about the existence of any such additional policies at the time

they reserve its use. USM facilities and grounds may not be used for purposes which are illegal or detrimental to USM property.

Application of the policy shall not be arbitrary or capricious and shall not be based upon the content of the proposed speech and this policy shall not be interpreted in such a way as to discriminate on the basis of political, religious, social or other content. This policy adheres to the principles set forth in the University of Maine System Freedom of Speech and Assembly Policy.

IV. Use of Facilities & Grounds for Speech and Assembly

USM's mission of education, research and public service is dependent upon the free flow of ideas. Given this, protecting free speech activities is of fundamental importance to the University. We understand that the exchange of diverse viewpoints may, at times, expose people to ideas they find offensive and create discomfort. The appropriate response to such speech is more speech; speech expressing opposing ideas; and continued dialogue. Speech activities protected by this policy include speechmaking, praying, distributing written materials, picketing, assembling in groups and demonstrating. For safety reasons, demonstrators are not permitted to hold stick or pole supported signs.

The University also recognizes that the exercise of free speech must not disrupt the normal activities of the University. Activity that interferes with the University's ability to carry out its mission is not protected by the First Amendment and is a violation of this policy. A speech activity disrupts the normal activities of the University when a reasonable person is unable to effectively perform a legitimate mission related University activity because of the speech activity taking place. Examples of disruption include, but are not limited to:

- Conducting the speech activity at a volume that substantially disrupts the normal use of classrooms, offices, laboratories, and other University facilities or grounds;
- Impeding vehicle or pedestrian traffic;
- Impeding ingress or egress to any facility;
- Impeding access to any emergency exits;
- Conducting a speech activity inside a building after the normal closing hours of the building;
- Destroying or materially damaging University property; or
- Creating a health or safety hazard

A. Speech and Assembly for University Affiliated Individuals and Groups

Although individuals who are affiliated with the University are not normally required to reserve University facilities and grounds for speech activities (exceptions noted below under "scheduling required"), users should be aware that the facilities and grounds may be used for regularly scheduled activities and these activities have priority over other uses. In order to avoid conflicts with others, users (groups or individuals) wanting to use an area that is regularly scheduled for activities are encouraged to schedule it at least 10 days in advance (contact information is provided in section V below). Community members who choose not to schedule a speech activity that occurs and unduly interferes with a prior scheduled activity are in violation of this policy will be asked to disperse and leave the area. If they fail to disperse, they may be subject to established disciplinary procedures. The University reserves the right to have appropriate security present to preserve order and protect the safety of its students, employees and property.

Scheduling does not operate as a process for prior approval of speech content. Speech activities will be scheduled on a first-come, first-served basis for the requested location. Events will not be scheduled if there is a scheduling conflict with an earlier planned event or if the requested event will clearly result in a violation of this policy.

B. Speech and Assembly for Non-Affiliated Individuals and Groups

Unlike University community members, non USM-affiliated individuals or groups wishing to engage in organized free speech activities must always reserve space (contact information is in section V below). Reservations will be approved on a space available basis. Priority is given to University affiliated individuals and groups including departments, recognized student organizations, students, faculty and staff that submit requests to reserve these locations. The University reserves the right to have appropriate security present to preserve order and protect the safety of its students, employees and property.

Speech and assembly must take place in the area reserved and must not disrupt the normal or previously scheduled activities of the University, unreasonably restrict the movement of other individuals or organizations, damage property or create an unsafe situation for any individual, group or organization.

C. Scheduling Required - because of size, safety, logistics, and other considerations, the following types of speech activities must be scheduled in advance:

- All speech activities conducted and/or sponsored by individuals and groups not affiliated with the University.
- Planned demonstrations on campus. 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 through the appropriate office in section V below. This does not apply to spontaneous demonstrations by USM community members for which there is no prior promotion or organization.
- Building a structure on campus (also requires a Facilities Permit).
- Use of a public address system or loud speakers (also requires a Facilities Permit).

V. Where to Reserve Space

- A. Reserving Athletic Facilities on the Gorham Campus (includes ice arena, field house and gymnasium)
Contact the Department of Athletics at 207-780-5430
- B. Reserving Use in Sullivan Recreation and Fitness Complex on the Portland Campus
Contact the Sullivan Recreation and Fitness Complex at 207-780-4169
- C. Reserving Table Vending Space
on the Portland and Gorham Campuses, contact Student Involvement & Activities at 207-4090
on the Lewiston Campus, contact the Dean's Office 207-753-6594
- D. Reserving Southworth Planetarium

Contact the Southworth Planetarium at 207-780-4249

- E. Reserving Classroom/Academic Space (must be affiliated with USM) on the Portland or Gorham Campuses, contact Space & Scheduling at 207-780-5616 on the Lewiston Campus, contact the Dean's Office 207-753-6594
- F. For all requests to reserve space by individuals, groups, and organizations not affiliated with USM (except Gorham Athletic Facilities, Portland Recreational Facilities, Table Vending space, Southworth Planetarium or space on the Lewiston Campus), contact the Department of Conferences at 207-780-5960.

In addition to this policy there may be other policies, rules and regulations in place for specific buildings, grounds and facilities on-campus. Persons and groups seeking to use any University facility or grounds are advised to inquire about the existence of any such additional policies at the time they reserve its use.

VI. Public Safety Coverage at Events and Activities

All events that are likely to involve more than 100 attendees must be communicated to the Directors of Public Safety and Facilities Management prior to confirming the event reservation and at least 10 working days in advance of the proposed event. Public Safety reserves the right to require and charge for public safety or other police personnel presence if in the opinion of the Director of Public Safety, or designee, it is necessary to preserve order, provide safety, oversee crowd control, and/or manage traffic and parking due to this event or a combination of events occurring at the same time.

If alcohol is to be served or consumed during any event or activity, USM's Alcohol and Other Drugs Policy requires the presence of USM Public Safety.

Police presence for events with fewer than 100 attendees is at the discretion of the University official responsible for scheduling the space. In all cases, events planners are encouraged to seek advice from Public Safety.

To request Public Safety Personnel please use the Request form available at the USM Public Safety Website. For Parking & Transportation Guidelines please visit the Parking and Transportation Website.

VII. Building Hours

A. Standard Building Hours

The University has over 80 buildings and many can serve different purposes and constituencies than others. This requires that they may be open for different hours than other buildings. This is especially true with the Libraries and Learning Commons, the Computer Labs, the Costello Sports Complex and Sullivan Recreation and Fitness Complex. Therefore it is difficult to provide precise building hours for all buildings.

When classes are in session, University buildings and offices will typically be unlocked and open during hours similar to the following:

Classroom Buildings:	8:00am - 10:00am Monday through Thursday 8:00am - 5:00pm Friday Weekends - as needed
Kenneth T.H. Brooks Student Center:	7:00am - 1:00am Monday through Sunday
Robert L Woodbury Campus Center:	7:00am - 10:00pm Monday through Friday; Saturday and Sunday for Special events
University Offices:	8:00am - 4:30 Monday through Friday

During the summer and school holidays, many buildings have reduced use and staffing which necessitates shortening the open hours. For specific information about the hours for any building or office, one should call in advance to make sure that the area is open before coming to campus. Contact information and hours for services and departments can be found by searching for the area on the USM website (<http://usm.maine.edu>).

The University reserves the right to lock or change hours of operation in any facility without advance notice. In the event of closure, reservations, events and scheduled classes may be relocated, postponed or canceled. The University will attempt to advise affected individuals of such closures as soon as possible after the decision is made.

The Department of Facilities Management is responsible for unlocking buildings Monday- Friday. The Department of Public Safety locks the buildings and is responsible for unlocking the buildings on Saturdays, Sundays and Holidays.

B. Accessing Buildings Outside of the Standard Hours

- If Buildings are to be unlocked at a time other than those listed above, this must be scheduled with USM Public Safety at least 24 hours in advance.
- At the discretion of the Department Chair, Departments may allow employees and/or students access outside of the Standard Building Hours by requesting a Building Key from Facilities Management to be left at Public Safety in Gorham. The Department is responsible for providing Public Safety a list of authorized users every semester and the hours of permitted access.
- Regular faculty and staff employees who have been authorized to possess a Building key and/or who remain in their offices after their Building Standard hours do so at their own risk. Buildings are closed to all others unless a regular faculty or staff employee is present and is directly supervising. University employees are responsible for the activities and conduct of anyone they grant access to after regular building hours.
- As part of the University's efforts to maintain the safety and security of the campus community, the University encourages all employees to inform Public Safety when they are staying in a building after the standard building hours and are working alone and when they leave. Employees may do so by completing the After-hours Notification Form or by contacting Public Safety by phone at 207-780-5211.

C. Holidays and Weather Closings

On a day of an official University Holiday or weather closing when there are no classes or events scheduled, buildings will be locked and closed to the public. Residence Halls and the Brooks Student Center and Dining Hall will typically remain open as scheduled for residential students.

Members of the University Community may sign up for emergency text alerts and/or emails; including announcements of weather closing through the online USM Alert Registration.

VIII. Unauthorized Uses of Facilities & Grounds and Prohibited Items and Behaviors

The University has the right to prohibit certain items and behaviors on all property that it owns, leases or controls. These include, but are not limited to:

- Bathing; except where bathing facilities are provided as part of the program (residence halls and athletics and recreation facilities)
- Camping; including in a RV
- Engaging in sexual activity in any University Building other than a residence
- Sleeping; per State Fire Code, no University Building is approved for overnight occupancy other than the residence halls
- Possession of weapons
- Possession of pyrotechnics
- Use of tobacco products, alcohol, or other drugs as prohibited by the Tobacco Free Policy and the University Alcohol & Other Drugs Policy
- Impeding egress and/or violating fire code; such as securing a bicycle to a stairwell
- Modifying the University building or physical plant without an approved facilities permit including the installation of any computer networking hardware
- Operating and/or storing motorized (internal combustion) vehicles inside a University building (except the Parking Garage) and/or under a University building awning or roof

IX. On-Campus Sales and Solicitation

A. Authorized Sales, Solicitations and Advertisements

The University has designated certain facilities and areas of campus for authorized sales, solicitations and advertisements. For more information, please see the Table Vendor Program (below) and Banners, Flyers and Posters (section X).

"Commercial sales, solicitations, advertising, or other commercial activity" includes any activity whose purpose is to inform, induce, or encourage individuals or groups to purchase, rent, lease, or use (i.e. NOT purchase, rent, lease, or use) any goods or services. Door-to-door solicitation and sales is prohibited on all property USM owns, leases or controls.

B. Table Vending Program

The University rents space to vendors in order to provide unique products and services that are not otherwise available on-campus to the USM community. For purposes of this policy, a vendor is defined as a business person or entity who wishes to offer their products and services at USM.

1. The Table Vending program is managed by the following offices:

on the Portland and Gorham Campus, contact Student Involvement & Activities at 207-4090

on the Lewiston Campus, contact the Dean's Office 207-753-6594

2. Indoor vending locations on each campus are:

Portland:	Luther Bonney Hall and Woodbury Campus Center
Gorham:	Brooks Student Center and Bailey Hall
Lewiston:	South Hall

3. To reserve space, the Vendor must:

- Submit a vending registration form and a *hold, harmless and implied consent form* to the appropriate office at least seven (7) days in advance. Electrical and internet access needs must be requested at the time of reservation.
- All items to be sold must be listed in detail on the reservation form and then authorized by a USM representative
- Pay the non-refundable rental fee by the due date indicated in the reservation confirmation. Rates are listed on the [Vending@USM](#) Website. Vending fees will not be refunded if registration is canceled within the week of the scheduled reservation.

4. One 6-foot table and two chairs will be provided for each reservation.

5. If the University is closed due to weather or emergency situations on a date the Vendor is scheduled, the University will work with the vendor to re-schedule their reservation.

6. In order to allow for a variety of vendors within a limited amount of space and time, vendors will be allowed to vend for a maximum of three (3) class-session days per week and no more than six (6) class-session days per month. Vending can only take place when classes are in session, typically Monday through Thursday from 8:30 AM to 9 PM and Friday from 8:30 AM to 4 PM. Commercial vendors are prohibited from selling goods at USM on the following days:

- a. All New Student Orientation dates
- b. During final exam weeks in December and May
- c. Weekends

7. Campus groups and organizations also use the same areas to conduct events and activities. At times, space may be limited for vendor use. In such cases, every reasonable accommodation will be made to provide vendors with alternative days and times on a first come, first served basis until all vendor spaces are taken.

8. During a Vendor's visit to campus the following guidelines will be expected and enforced:

- a. All vendors must check-in with the office with whom he/she registered prior to setting up their table.
- b. Vendors must follow all University policies while on-campus. This includes presenting only the products and services approved on the reservation form, and only at the table assigned, not using amplified sound, staying behind the table(s) or in their Vendor space, and not following, shouting, or otherwise significantly disturbing students and employees while vending their products on campus.

- c. Vendors may display posters and banners from the front of their table only. Postings on walls and ceilings are prohibited.
- d. Parking arrangements should be coordinated with Public Safety by the day of your visit to campus.

9. Additional Requirements for Food Vendors

- a. Must comply with state and local licensing requirement for the community where the vending will occur.
- b. Must comply with all state and local sanitary, health and safety requirements.

10. All vending machines must be authorized and managed through USM Dining Services.

11. USM is not responsible for any loss or damage to Vendors or their property, does not guarantee exclusivity of any products and services, and reserves the right to assign or reassign table locations and spaces.

12. The Table Vending Program coordinator for each campus, or their designee, shall act to resolve any conflicts or issues that may arise in the course of implementing this policy, or in resolving any issues that are not specifically covered by these regulations.

X. Use of Banners, Flyers and Posters

A. All flyers posted on general use bulletin boards and inside the residence halls on the USM campuses must be stamped by the Student Life office in either the Woodbury or Brooks Student Centers or the Dean's Office at the Lewiston Campus. The office stamping the flyer will retain one copy of the flyer in their Events Binder. Flyers that are not stamped will be removed from the bulletin boards. By stamping the flyers, the University registers the flyer, but does not necessarily approve or disapprove of the flyer's content.

B. Postings on the general use bulletin boards on-campus are limited to a maximum of 10 posters for a University event, or 5 posters for a non-University event; with no more than two flyers for the same event per board. Posting in the residence halls are limited to no more than 1 per floor and 1 per building lobby; with no more than 50 flyers total within all residence halls. Stamped flyers must be brought to 100 Upton Hall during regular business hours to be distributed to the Resident Assistants for posting within the residence halls. Posting are permitted up to two weeks before the event unless approved by Student Life.

C. Specific posting areas are set aside on kiosks and bulletin boards for the posting of Housing, Jobs, Events and FYI. Flyers attached to the wrong area may be removed and recycled. The office stamping the flyers is responsible for providing a list of locations of the general use bulletin boards.

D. Flyers must be:

- 11" by 7" or smaller
- attached with tacks or masking tape
- posted so not to obstruct the flyers of others

- removed within 24 hours after the advertised event (residence hall staff take responsibility for posting and removing the flyers in the residence halls)
- easily and immediately removable. Stickers, paint, chalking, etc. are not permitted
- clearly contain contact information for the sponsor of the event

E. Banners must be:

- registered with the Student Life office on the campus or the Dean's Office on the Lewiston Campus
- hung in an approved location
- attached with masking tape, or line clips
- posted so not to obstruct the banners of others
- removed within 24 hours after the advertised event
- easily and immediately removable. Stickers, paint, chalking, etc. are not permitted
- clearly contain contact information for the sponsor of the event

F. Flyers and banners must not contain

- references to the use, sale, or consumption of alcohol, tobacco, marijuana, or illegal drugs
- obscenity
- anything in violation of USM policy or procedure or advertise or promote illegal activity

G. Posting flyers is prohibited on vehicles, the inter-campus buses, on walls, in bathrooms, on windows, on doors, and on bulletin boards not for general use and all other places other than general use bulletin boards without appropriate authorization.

H. The group, organization and/or individual responsible for violating this policy may lose their privilege to post flyers on-campus and disciplinary and/or criminal action may be taken.

I. Any posting/sign attached to a structure/building, tree, or put into the ground requires prior approval through a Facilities Permit.

J. The Departments of Student Life and the Dean's Office on the Lewiston Campus maintain the discretion to post information and advertisements of University sponsored events and programs as they see fit within the Residence Halls and Campus Centers assuming that doing so does not damage the facility and/or create a health or safety issue. All other posting by University employees must occur on bulletin boards or be approved by Facilities Management. Posting is not permitted in elevators, on painted surfaces, or on the windows of exterior building doors (other than the postings described below in "K").

K. The University reserves the right to post Safety Notices and Timely Warnings anywhere necessary to reach the Campus Community.

XI. Chalking On-Campus

Chalking on-campus sidewalks is permissible in outdoor, public areas accessible to rain using water-soluble sidewalk stick chalk (spray chalk is prohibited). Chalking is prohibited on all vertical surfaces. The chalked messages must not contain

- references to the use, sale, or consumption of alcohol, tobacco, marijuana, or illegal drugs
- obscenity
- anything in violation of USM policy or procedure or advertise or promote illegal activity

XII. Animals on Campus

A. Inside Campus Buildings

Animals are not permitted in any campus building with the exception of a service dog or a service dog-in-training accompanied by their trainer. The University of Maine System Guidelines Regarding Service Animals can be found at http://staticweb.maine.edu/wp-content/uploads/2019/07/SYSTEM-POLICY-UMS-Service-Animals-July-2019_Accessible.pdf?0fa197. Also, Emotional Support Animals (also known as Assistance Animals defined by the Fair Housing Act) may be allowed in the Residence Hall buildings but only with prior approval by the Disability Services Center (to begin this process, students should contact the Disability Services Center at dsc-usm@maine.edu or 207-780-4706. Some pets may be approved for Residence Halls by the Director of Student Life under the regular, staff/faculty live-on & live-in Pet Policy (a copy of the policy may be obtained from Student Life).

B. On Campus Grounds

- All animals must be under the control of the responsible person while on campus grounds and restrained by a leash, at all times, that does not exceed 6 feet in length. A service dog must be harnessed, leashed or tethered while in public places unless these devices interfere with the service animals' work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal. Additionally, animal(s) must be licensed and fully inoculated in accordance with presiding municipality guidelines. Service dogs are subject to local dog licensing and registration requirements.
- Fecal matter deposited on campus must be picked up immediately and disposed of properly by the animal's handler.
- Domestic animals may not enter any campus building, enclosed or delineated outdoor athletic or recreational facility, or officially reserved outdoor event on-campus. The only three exceptions are for individually trained service dogs (as defined by the Americans with Disabilities Act and its amendments), Emotional Support Animals approved by the Disability Services Center (to begin this process, students should contact the Disability Services Center at dsc-usm@maine.edu or 207-780-4706), and pets approved by the Director of Student Life under the regular, staff/faculty live-on & live-in Pet Policy (a copy of the policy may be obtained from Student Life).
- Animals found tethered, unattended or abandoned may be humanely impounded in accordance with all applicable laws and regulations. IN the event of endangerment to the animal, or others, or public nuisance, the animal's handler or owner is subject to summons and the animal may be humanely impounded.
- All animals must behavior appropriately on campus grounds. If there is anything about the condition, health or behavior of any animal on-campus that is deemed by the University to be a threat to the health or safety or any member of the campus community or to any other animal, the animal may be removed from campus in any manner deemed necessary by University officials at the owner's expense.

C. Campus Events/Activities Involving Animals

Campus events and activities involving animals must be approved by the Chief Office of the applicable Division in consultation with Facilities Management, Risk Management, Environmental Health & Safety and Public Safety.

XII. Installation of Flags on or in University Facilities

- A. The American flag and the State of Maine flag are considered the only official flags of the University.
- B. No other flag installations, in areas that would imply that it is an official flag of the University, will be allowed without the express written consent of the President of the University.
- C. Public Law 94-344 shall govern the proper use and display of the official flags.
- D. The flags will only be lowered on orders of the President of the University or his/her designee.
- E. The Department of Facilities Management is responsible for all actions related to the official flags.

XIII. Filming & Photography for Commercial and/or Political Purposes

- A. Permission must be obtained before taking photographs or video segments on University property intended for use in advertising spots that market a product or service, or promote a political candidate or cause.
- B. To obtain permission, contact USM Office of Public Affairs (780-4200).and the USM Risk Management (780-5245) Risk Management requires a short written description of what the photos/videos will be used for, group information, and contact information. If the photography or video recording is authorized, the University may ask to witness the photo shoot to ensure compliance with the above rules and regulations.
- C. The photographer/videographer needs to have prior permission, in writing, from those appearing in their photographs or videos, including people in the background. Please use USM's photo release form when asking for permission from people who may be captured in photographs or videos.
- D. Images and videos cannot show any USM signage, logos, clothing, etc. if they might imply University endorsement of a product, service, candidate, cause or program.
- E. The photographic or filming activity can not disrupt classes, other University activities, pedestrian or vehicular traffic.

Failure to comply with these regulations shall subject the individual or group to immediate revocation of authorization to engage in the activity and may result in disciplinary and/or employment action, a no trespass order, and/or criminal prosecution.

Custodian: Beatrice Fevry

Reviewed Date: June 1, 2018

The University of Southern Maine does not discriminate on the grounds of race, color, religion, sex, sexual orientation, including transgender status and gender expression, national origin, citizenship status, age, disability, genetic information or veteran's status in employment, education, and all other programs and activities. The following person has been designated to handle inquiries regarding non-discrimination policies: Director of Equity & Compliance, 209 Deering Avenue, Portland campus, 207-228-8304.

This policy is reviewed at least annually by the Office of the Chief Business Officer. Last reviewed June 1, 2018.