Florida Gulf Coast University Board of Trustees
June 19, 2012

SUBJECT: Regulation: FGCU-PR9.001 Use of University Facilities

PROPOSED BOARD ACTION

Approve the amendments to FGCU-PR9.001, Use of University Facilities Regulation.

BACKGROUND INFORMATION

This Regulation addresses, generally, the use of University facilities. The amendments to the Regulation clarifies and delineates the use of amplified sound at outdoor spaces of the campus. It also provides a mechanism to report and address violations related to sound amplification.

Supporting Documentation Included: Notice and Text for Regulation FGCU-9.001 Use of University Facilities

Prepared by: Vice President for Student Affairs J. Michael Rollo

Legal Review by: General Counsel Vee Leonard (May 16, 2012)

Submitted by: Vice President for Administrative Services and Finance Steve Magiera
REGULATION TITLE:
Use of University Facilities

REGULATION NO:
FGCU-PR9.001

SUMMARY:
This Regulation is being amended to address the issue of sound amplification in outdoor spaces.

FULL TEXT:
The full text of the regulation being proposed is attached and can also be found at http://www.fgcu.edu/generalcounsel/promulgation.asp

AUTHORITY:
Board of Governors Regulation 1.001

UNIVERSITY OFFICIAL INITIATING THE PROPOSED REVISED REGULATION:
Ruth Rodrigues, Director, Campus Reservations and Record Management

UNIVERSITY OFFICIAL APPROVING THE PROPOSED REGULATION:
Steve Magiera, Vice President for Administrative Services and Finance

PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION:
Diane St. John, Administrative Assistant, dstjohn@fgcu.edu; 239.590.7466 (Phone), 239.590.7470 (Facsimile); 10501 FGCU Blvd. S, Fort Myers, FL 33965-6565.

ANY COMMENTS REGARDING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED IN WRITING ON OR BEFORE JUNE 4, 2012 BY 5:00 P.M. THE COMMENTS MUST IDENTIFY THE REGULATION ON WHICH YOU ARE COMMENTING.

THIS NOTICE WAS POSTED ON THE FGCU WEBSITE ON: MAY 16, 2012
REGULATION: FGCU-PR9.001

Use of University Facilities

(1) Definitions

(a) University Persons, Groups and Organizations: Registered students, faculty members, administrative and professional and university support personnel, the student government, registered or recognized student organizations, official University colleges, departments, or other organizational units which are a part of, or operate on behalf of, Florida Gulf Coast University, such as the Foundation and the alumni association.

(b) Non-University Persons, Groups and Organizations: Persons, groups or organizations which do not meet the definitions outlined in (a)“A.” above, such as including but not limited to charitable community organizations, other public educational institutions includingand those organizations which exist primarily for the purpose of commercial activity for profit, or private gain or benefit.

(2) Event Classifications and Requirements

(a) Requisite Events shall be defined as:

1. Events coordinated and managed solely by the University schools, colleges, departments, departmental centers, institutes and grants conducting official University activities. These events must be pertinent to the daily operation and mission of the University.

2. Events coordinated and managed solely by the Student Government, University Student Organizations officially registered through the Division Office of Student AffairsInvolvement or those groups pending registration who that have been authorized by the Office of Student Involvement.

(b) Non-Requisite Events shall be defined as:

1. Events that are coordinated and managed by the University schools, colleges, departments, departmental centers, institutes, or grants in conjunction with an outside group. These events must be related to the mission of the University.

2. Events that are coordinated and managed by Student Government, University Student Organizations officially registered through the Office of Student
Involvement or those groups pending registration who have been authorized by the Office of Student Involvement, in conjunction with an outside group.

(c) University Sponsored Events shall be defined as events that are managed and coordinated by an outside group, but a University department, group, college, center, institute or group has agreed to sponsor the event and facilities use rental.

(d) Private Events shall be defined as any for-profit and non-profit organization, entity, or agency, non-FGCU alumni associations, student, faculty or staff use of University facilities for non-related University activities, or other outside persons or groups not affiliated with the University.

(3) III Scheduling of Facilities

(a) The first priority for the use of University facilities is instructional and academic activities of the University.

(b) All instructional space of the University shall be under the assignment and control of the Registrar's Office.

(c) Instructional space not scheduled by the Registrar’s Office shall be released to Campus Reservations for event scheduling after each Fall, Spring and Summer terms add/drop registration deadlines.

(d) Instructional space shall not be scheduled for events or meetings during the week of final exams each academic term.

E. Scheduling of outdoor and multi-purpose spaces shall occur through the Office of Campus Reservations or through a University Facility Use Custodian, as defined in FGCU Policy 3.026.

IV. Use of Outdoor Spaces

A. Approval and scheduling of events in outdoor areas must be consistent with regulations and policies of the University. As a condition of approval, the University may impose safety, security and liability requirements, consistent with the use to be made of the area. Moreover, the space to be utilized must be adequate for the nature of the event.

B. Any use of sound amplification equipment in the outdoor areas of campus must have prior approval through the Office of Campus Reservations.

C. Events held in the outdoor areas of campus must maintain a reasonable sound level. A sound level is considered reasonable when it meets the needs of the event without disrupting the regular activities of the adjacent academic or other operational areas. Complaints of noise should first be reported to the Office of Campus Reservations. (If the complaint concerns a Registered Student
Organization, the complaint will be forwarded to the Office of Student Involvement for resolution.)

D. Amplified sound will not be permitted at any space located in areas that fall within 25 feet of an academic building or other operational area, with the exception of the Student Plaza and the Cohen Center Courtyard.

E. In academic areas and other operational areas, the use of sound amplification equipment will, generally, not be allowed on class days (Monday through Friday). If sound amplification is permitted in an area, the sponsoring group or organization is responsible for maintaining a sound level that does not disrupt the regular activities of the adjacent academic or other operational areas.

F. Failure to comply with this regulation or refusal to lower volume when notified to do so by the Office of Campus Reservations or the Office of Student Involvement, may result in the loss of privileges associated with the use of University facilities.

\( V \) Fee Schedule

The President or designee shall approve a fee schedule and other procedural information giving priority and discounts for events that are solely managed and coordinated by University faculty, staff or student groups. Each event category shall have specific requirements relating to space usage fees, as well as contract and insurance requirements.

Specific Authority:
§1001.74(6)(b), Florida Statute
BOG Regulation 1.001

History of Predecessor Rule:
New 8/2/98

History of Regulation:
New 1/15/08; Amended 6/16/09; ______________

Effective Date of Regulation:
6/16/09 ______________