

GROUNDS AND FACILITY USE POLICY

SLT 10.4

Date of Last Update:

August 23, 2021

Approved By:

- Senior Leadership Team

Responsible Office:

Office of General Counsel

POLICY STATEMENT

I. Pursuant to Article VIII of the Michigan Constitution of 1963, Grand Valley State University ("the University") has the responsibility to serve as a public institution of higher education. To carry out this Constitutional mandate, the University owns and/or controls property and facilities. The University has established the following grounds and facility use policy to ensure the University's educational mission is actualized, while allowing for the exchange of ideas.

This policy applies to all buildings, grounds, and other spaces owned or controlled by the University.

For purposes of this policy, the term "Expressive Activity" includes:

1. Meetings and other group activities of students and student organizations;
2. Speeches, performances, demonstrations, rallies, vigils, and other events by students, student organizations, and outside groups invited by student organizations;
3. Distributions of literature, such as leafleting and pamphleting; and
4. Any other expression protected by the First Amendment to the U.S. Constitution.

University property is primarily dedicated to academic, student life and administrative functions. But it also represents the "marketplace of ideas," and especially for students, many areas of campus represent a public forum for speech and other Expressive Activities. For students and registered student organizations, certain areas of campus are venues for free expression, including speeches, demonstrations, and the distribution of literature, as provided by this policy.

The University shall not consider the content or viewpoint of the Expressive Activity or the possible reaction to that Expressive Activity in applying this policy. The University shall not

impose restrictions on students, student organizations, or university employees due to the content or viewpoint of their Expressive Activity or the possible reaction to that Expressive Activity. In the event that other persons react negatively to a student's, registered student organization's, or university employee's Expressive Activity, the University (including representatives from the Department of Public Safety) shall take all necessary steps to ensure public safety while allowing the Expressive Activity to continue, unless the University's operations are materially and substantially disrupted.

No Expressive Activity shall be permitted to violate or hinder the rights of others within the campus community.

The University does not assume any obligation or responsibility for the content of the materials distributed.

PROCEDURES

II.

A. General Rules.

Subject to the additional rules set forth herein, students and student organizations shall be allowed to conduct Expressive Activities on University property within the following parameters:

1. The Expressive Activity does not block access to campus buildings and does not impede ingress or egress to the University, any University property, parking lot, building, facility, or event (generally a minimum of 25 feet).
2. The Expressive Activity takes place at least 50 feet from academic buildings.
3. The Expressive Activity does not obstruct vehicular or pedestrian traffic.
4. The Expressive Activity does not constitute unlawful activity.
5. The Expressive Activity does not create a clear and present threat to public safety.
6. The Expressive Activity does not take place in a location that has already been reserved by the University, a registered student organization, or an outside organization.
7. The Expressive Activity may use an amplification device so long as the sound does not create a material and substantial disruption to the University's operations.
8. The Expressive Activity does not include posting materials on University property, except as provided by the University Posting Guidelines (<http://www.gvsu.edu/posting/>).
9. The Expressive Activity does not include soliciting or accepting donations, except as provided in this policy.
10. The Expressive Activity takes place between the hours of 8 a.m. and 5 p.m., except as otherwise provided in this policy. Gatherings at the Carillon Tower or the

Transformational Link may take place until 11 p.m.

11. Distribution of printed materials must be done in person.
12. Individuals and/or groups engaged in Expressive Activity are responsible for picking up any printed materials dropped on the ground around the areas of distribution. The University may charge such individuals and/or groups a reasonable clean up fee if they fail to do so.
13. Parking lots, ramps, and garages are not designated or suitable for Expressive Activities, and windshield flyers are not permitted.
14. Individuals and/or groups engaging in Expressive Activity agree to pay for any damage they cause to University property.
15. For University employees, the Expressive Activity addresses a matter of public concern.
16. The Expressive Activity does not violate the Michigan Campaign Finance Act.

This policy shall not apply to any person or organizations desiring to sell merchandise or services on campus. Any person or organization desiring to sell merchandise or services on campus should contact the Event Services Office at 616-331-2350.

B. Outdoor Locations.

For outdoor University areas, students, registered student organizations, and employees may freely engage in spontaneous Expressive Activities provided that such activities are in compliance with all other provisions of this policy.

Students and registered student organizations may reserve outdoor University facilities to solicit and accept donations for charitable causes or to engage in other Expressive Activities.

C. Indoor Locations.

For indoor University facilities and areas, students, registered student organizations, and University employees may freely engage in spontaneous Expressive Activities subject to the following conditions:

1. Distribution of written or printed materials, such as leafleting or pamphleting, and petitioning for signatures may be conducted at all outdoor locations and the indoor locations specified in this policy.
2. Guests may speak at indoor locations as long as they are invited by a student or a registered student organization.
3. The Expressive Activities are in compliance with all other provisions of this policy.

Students and registered student organizations may use the Kirkhof Center for the following activities:

1. Students and registered student organizations may reserve space in the Kirkhof Center

for any proper purpose, including, but not limited to, to promote a cause or event, to promote a student organization, or to solicit and accept donations for charitable causes.

2. Distribution of written or printed materials, such as leafleting or pamphleting, and petitioning for signatures may be conducted inside the Kirkhof Center, as long as the student or registered student organization reserves the space pursuant to this policy.

D. Reserving Campus Facilities:

1. If students, registered student organizations, or University employees wish to reserve indoor or outdoor campus facilities, they shall submit their application for reservation to Event Services at least two business days prior to the reservation date. The University will respond to the reservation application within one business day.
2. If individuals or organizations who are not members of the University community (i.e., not students, student organizations, or University employees) wish to use campus facilities for Expressive Activities on campus, they may use either the area surrounding the Carillon Tower or the plaza surrounding the Transformational Link. Use of this space is free of charge and may be reserved by contacting Event Services at 616-331-2350. A reservation for use of the space will take precedence over a spontaneous Expressive Activity. Expressive Activities must stay within 50 feet of each of these landmarks and are to follow the General Rules provided herein.
3. Students, registered student organizations, University employees, and non University members may reserve facilities for Expressive Activities to take place after 5 p.m., subject to the facility's hours and availability.
4. Reservation requests will be processed and granted on a first-come, first-served basis. These requests may be denied for the following reasons only:
 - a. The requested venue is an indoor facility and the request conflicts with any other provision of this policy;
 - b. The venue is already reserved for another event(1) ;
 - c. The activity will attract a crowd larger than the venue can safely contain;
 - d. The activity is a clear and present threat to public safety, according to the university's police or security department;
 - e. The activity will occur during college examination periods; or
 - f. The activity is unlawful.
5. During an event, the student, student organization, or University employee requesting the reservation is responsible for preserving and maintaining the facility it reserved. If it causes any damage to those facilities, the person(s) or organization (and its officers, if

applicable) shall assume responsibility.

FOOTNOTES

(1) In the event that multiple individuals or organizations submit conflicting reservation requests, the following order of precedence shall govern: (1) official University activities and events; (2) registered student organization activities and events; (3) student activities and events; and (4) all other activities and events.
