

Part 1. Scheduling Priorities and Procedures

The general facilities scheduling priority is: academic, student, affiliated, non-affiliated and other. Scheduling is accomplished by the RCTC Facilities and Academic Scheduling Coordinator. Scheduled use of a particular area of campus supersedes any unscheduled use, even when scheduling is not a requirement for a particular campus facility.

Room scheduling between RCTC, WSU-R, and RPS will occur as follows:

1. Scheduling will address the diverse needs of each institution.
2. General classroom scheduling room blocks will be created for daytime (8:00 am to 4:30 pm) and evening (5:00 pm to 10:00 pm)
3. Specialized classrooms e.g., nursing labs, science labs, technical program spaces, etc.) will first be scheduled according to classroom design.
4. Priority will be given to accommodate special health-related needs of the faculty and/or students in accordance with ADA regulations.
5. General classroom design relative to class size, tables, and/or other equipment will determine classroom assignment.
6. All regular class sessions per course will meet in one originally assigned room for the semester, when possible.
7. After the above priorities have been met, consideration will be given to teaching needs, technology required and room priority for each institution.

Non-instructional individuals or groups approved to use a particular area or facility on campus will be given a room confirmation identifying the time, date, and location of the use of RCTC facilities. Approved users should have the room confirmation available for inspection at the time of the use of the facilities. All non-affiliated organizations will be required to enter into a facility use agreement prior to being granted usage of RCTC facilities. Any facilities use agreement entered into pursuant to this Policy must be consistent with Minnesota State Procedure 6.7.2.

Individuals, groups, and organizations who wish to use RCTC facilities should provide sufficient notice of a desired use. At a minimum, this entails seven (7) days' notice for small facilities and thirty (30) days' notice for larger facilities. In cases where an individual, group, or organization wishing to use RCTC facility must enter into a facility use agreement, at least thirty (30) days' notice is required. Individuals, groups, and organizations who wish to use the designated Free Expression Zones must give at least one business days' notice. Exceptions can be made/granted by the Vice President of Finance and Facilities.

Except where RCTC affirmatively opens its facilities for expressive purposes, or as required to do so by law, the College retains the ability to enter into facilities use contracts with individuals, groups, or entities at its own discretion.

Part 2. Facilities Use Fees

Facility Use Fees are available to view on RCTC's website. In addition, RCTC reserves the right to assess cleanup and security costs, if applicable, and recover for any damage done to RCTC property or facilities.

The use of RCTC facilities by RCTC faculty, staff or students for personal use is considered a use by a non-affiliated organization or individual.

Recognized student groups may reserve campus facilities and sponsor a non-affiliated organization for an event, but as a sponsor, the student group must be the primary planner, implementer, and financier of the event. Recognized student groups may not reserve campus facilities on behalf of a non-affiliated organization in order for that organization to obtain the lower lease rate or priority reservations. Such a practice, known as fronting, is prohibited and may result in disciplinary action being taken against the recognized student organization and/or its members.

Non-affiliated organizations engaged in a commercial enterprise must be charged the current market rate when leasing RCTC property.

Cancellation fees are as follows: 100% of any deposit will be forfeited should the event be cancelled fewer than five (5) days before the reserved date.

Part 3. Safety and Liability Concerns

A. Insurance and Indemnification: All non-affiliated organizations using RCTC facilities, other than speakers in a free expression zone of campus, must provide evidence of insurance in advance of the event.

All non-affiliated organizations using RCTC facilities must agree to indemnify and hold harmless RCTC, the Board of Trustees of Minnesota State, as well as their officers, employees, representatives, and agents from and against all claims, demands, actions, and all liability to any persons or property that are in any way related to the user's use of RCTC facilities.

B. Security: RCTC's Public Safety division will determine if security is required for an event involving RCTC facilities and, if so, how much is required. Except when using free expression zone(s), all non-affiliated organizations using RCTC facilities must provide security for the event. The amount of security required will be determined by the RCTC Public Safety division based on the following considerations: (1) the number of anticipated attendees; (2) the type of event; (3) whether alcohol is served at the event; (4) the locale of the event; and (5) other relevant factors.

Except for security required in free expression zones, facility users will bear the cost of security at events.

C. Food and Alcohol: Alcohol and/or controlled substances may only be made available on campus in accordance with Minnesota State policy 5.18 and procedure 5.18.1. RCTC is a tobacco-free campus; smoking, vaping, e-cigarettes, or chewing tobacco are not allowed to be used on campus grounds or in any campus buildings.

D. Noise and Lighting: No user of RCTC's facilities may operate any outdoor lighting or sound amplification in a way that interferes with the College's primary mission to educate its student body. The user of RCTC facilities wishing to use sound amplification must obtain an Activities/Sound Permit from the City of Rochester and obtain RCTC approval that it has been set at an acceptable level prior to its actual use. This includes the use of amplified sound in free expression zones. The Activities/Sound Permit for the City of Rochester can be found at the following link:

<http://www.rochestermn.gov/departments/cityclerk/licenses/index.asp>. After receiving this approval, the user may not increase the sound volume on amplification devices. Students, groups, or organizations in the free expression zone may be relocated to another free expression zone if their noise level, amplified or otherwise, interferes with the educational activities of the institution. If complaints are received - regardless of whether the sound level was previously deemed acceptable--the facility user must agree to lower the volume upon the request of RCTC, or RCTC may elect to cancel the event.

Part 4. Dissemination of Written Material

Individuals and groups affiliated with RCTC are permitted to disseminate non-commercial written material via hand distribution in common spaces on campus provided they have secured prior approval through Student Life and do not otherwise obstruct the flow of traffic on campus.

Non-affiliated organizations or affiliated organizations not approved to disseminate materials in common spaces, may reserve a table or request use of a free express zone to offer materials for non-commercial purposes by contacting the Facilities and Academic Scheduling Coordinator.

Commercial materials may only be distributed in accordance with the College's Vendor Policy – see http://www.rctc.edu/policies/facility/Vendor_Policy.html.

The use of bulletin boards, signage, banners, and other postings is prohibited, except as expressly provided in this Policy, or as addressed in other policies.

Groups and individuals are prohibited from placing materials on vehicles in any campus parking lot.

All persons distributing materials are expected to refrain from littering and to encourage the same of others. Distribution is defined as and limited to individuals handing materials to other individuals who may accept them or refrain from receiving them. An individual's right to privacy must be respected. No person may attempt to threaten, intimidate, or badger another individual into viewing or accepting a copy of any materials. Further, no person may persist in requesting or demanding the attention of another individual who has attempted to walk away or has clearly expressed no interest in the materials.

Part 5. Expressive Activity/Free Expression Zones

The Constitutions of the United States and the State of Minnesota guarantee all individuals the right to the freedom of expression. Minnesota Statute 135A.0 states that one of the four objectives of public higher education under state law is "to promote democratic values and enhance Minnesota's quality of life by developing understanding and appreciation of a free and diverse society." In recognition of its status as a public institution of higher learning, RCTC identifies the following locations open

to the public for the free expression of ideas during the hours of **8:00 a.m. to sunset**, Monday through Friday without the requirement that a user fee be paid.

- Amphitheater adjacent to Main Campus, extending north to the Sports Center Quad
- Oak Grove adjacent to the main entrance circle driveway on the Main Campus
- Grass area directly south/adjacent to the Heintz Center South parking lot

Individuals, groups, and organizations who wish to use the designated free expression zones must give at least one business days' notice through the facilities reservations process. Exceptions to this timeframe can be made by the Office of the Vice President of Finance and Facilities and/or the College President. Use of free expression zones may be permitted on Saturday and Sunday with prior authorization from the Vice President of Finance and Facilities.

Individuals and groups, whether RCTC affiliated or not, must follow the scheduling procedures identified in this Policy to ensure the free expression zone is available at a time when an individual or group wish to make use of it. Moreover, scheduled use of a free expression zone supersedes any unscheduled use of the property, and RCTC reserves the right to cancel use of the space for college related activities or events. An individual or group is allowed to reserve the free expression zone(s) no more than three (3) times per semester, and no more than three (3) times during the summer. Exceptions to this limitation can be made by the Vice President of Finance and Facilities.

RCTC will share scheduled uses of free speech zones through electronic communications to students and employees. RCTC encourages the RCTC community to be tolerant of those expressing different points of view while taking advantage of the opportunities to express themselves and be exposed to new ideas.

Impeding access to entrances, sidewalks, or parking lots or otherwise interfering with the free flow of pedestrian or automotive traffic into and out of campus buildings and grounds is prohibited. If directed by college officials, non-affiliated organizations may be restricted from entering buildings if it is determined such access may disrupt college operations. Failure to abide by this procedure may result in an individual being trespass on campus.

Part 6. Chalking:

Recognizing chalking is a creative and effective means of promoting events, chalking is permitted on sidewalks of the Campus grounds that are exposed to weather elements and not covered by a roof or overhang. Chalking is prohibited on other surfaces, including, but not limited to, roadways, buildings, steps, walls, benches, tables, signs, poles, columns, trash receptacles, trees, and other surfaces, structures, and fixtures.

Chalking is limited to registered students and student groups, official College departments and offices, and to College faculty and staff promoting a College activity/event, while fostering a commitment to a welcoming and diverse environment. Chalking cannot interfere with another message that has already been chalked, and because chalking is exposed to the public, the College cannot assure the message will remain as created or not be altered, and the College has no responsibility to preserve or remove chalked messages. Chalking must include the time, date, and place of the event, identify the sponsor, and shall not be applied more than seven (7) days in advance of the event. The College reserves the right to remove any and all chalking on College property that is not compliant with the law, this policy and associated procedures, RCTC's Student Code of Conduct, other College policies, or is considered obscene, threatening or slanderous.

The material used to mark sidewalks must be water-soluble stick chalk. The use of markers, paints, oil-based products, spray chalk, or other types of markers or liquids are prohibited. Environmentally sound clean-up is encouraged.

Part 7. Election Activity

- A. Statement:** As a state supported public institution of higher learning, RCTC is required to remain neutral concerning partisan political activities. RCTC recognizes the rights of members of the RCTC community, be they faculty, students, or staff, to engage in partisan political activities in their individual capacities, separate and distinct from their standing as members of the RCTC community.
- B. Guidelines Concerning Partisan Political Activities on Campus:**
1. RCTC shall not endorse a candidate for partisan political activity. Nor shall any individual affiliated with RCTC do so on behalf of RCTC.
 2. Political campus organizations shall have access to campus facilities as described in this Policy on the same basis as other recognized student groups. Political campus organizations shall be assessed fees in accordance with the fee schedule set forth in this Policy.
 3. Recognized student groups and individual members of RCTC community may participate in partisan political activity but shall disclaim doing so on behalf of RCTC by including the following statement at any event or in any publication: RCTC does not sponsor or endorse this **[event/publication]**.

C. Precinct Caucuses

1. RCTC shall make their facilities available for the holding of precinct caucuses and legislative district or county conventions as required by Minn. Stat. Ch. 202A.
2. RCTC will not schedule any event after 6:00 p.m. on the day of a major political party precinct caucus without the permission of the Board of Trustees of Minnesota State.
3. Pursuant to Minn. Stat. § 202A.192, RCTC may only charge a facility use fee in conjunction with “the holding of precinct caucuses and legislative district or county conventions” for “an amount that does not exceed the lowest amount charged to any public or private group.”

Part 8. Movies/Gaming:

All users at RCTC facilities must comply with all federal, state, and local laws. Because the purchase of music, film, or video games does not provide for the right to play or show the music, film, or video game as part of public performance, any organization wishing to do so must obtain a public performance license agreement.

Part 9. Commercial Activities and Charitable Contributions

Except as expressly allowed pursuant to this Policy or another RCTC policy or agreement, non-affiliated organizations are prohibited from engaging in commercial activities on campus.

Charitable contributions and other fundraising activities by foundations or recognized student organizations are covered by Minnesota State’s Fundraising Policy 5.15.

Date of Implementation: Immediate

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