

NOTICE OF PROPOSED REGULATION AMENDMENT

Date: November 3, 2020

REGULATION TITLE:

Use of University Space

REGULATION NO.:

2.004

SUMMARY: The proposed regulation amendment re-writes Regulation 2.004 in its entirety and provides justification for regulating the use of University space, identifies to whom this Regulation applies, and identifies the University business unit responsible for implementing this Regulation and the affiliated policies.

AUTHORITY: BOG Regulation 1.001

COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED REGULATION AMENDMENT IS: Stephanie M. Fisher, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED REGULATION AMENDMENT: Curtis Reynolds, Vice President for Business Affairs.

THE FULL TEXT OF THE PROPOSED REGULATION AMENDMENT IS ATTACHED TO THIS NOTICE.

REGULATIONS OF THE
UNIVERSITY OF FLORIDA

2.004 Use of University Space

(1) The University of Florida is committed to promoting the free exchange of ideas on its campus while ensuring the safety of its students, faculty, staff and guests. The University's buildings, grounds and facilities (its "Space) are valuable resources and should be used to promote the University's mission of excellence in education, research, and service, the University's administrative functions and the students' campus-life activities. Accordingly, the University may limit access to or use of its Space to ensure the safe and effective operation of the University.

(2) Faculty, staff, students, and parties not affiliated with the University shall follow the University of Florida policies concerning access to and use of University Space.

(3) The Vice President of Business Affairs shall be responsible for implementing this Regulation and affiliated policies.

Authority: BOG Regulation 2.004.

History: New 9-29-75, Amended 9-15-83, Formerly 6C1-2.04, Amended 7-27-98, 6-24-99, Formerly 6C1-2.004, Amended 4-1-16, 3-17-17, _____.

~~REGULATIONS OF THE
UNIVERSITY OF FLORIDA~~

~~2.004 Use of University Facilities; Definitions; Priorities in Use; General Restrictions on Use.~~

~~(1) For the purposes of University of Florida Regulations 2.004 through 2.020, the following definitions shall apply:~~

~~(a) “University campus” or “campus” shall include those lands located in the City of Gainesville, Florida, occupied or controlled by the University of Florida, and bounded generally by 13th Street on the east, University Avenue on the north, 34th Street on the west and Archer Road on the south, along with any other educational or residential facilities occupied or controlled by the University within Alachua County, Florida.~~

~~(b) “University facilities” shall include all buildings and other facilities, including all athletic facilities and recreational fields, on the University campus.~~

~~(c) “Instructional space” shall include all University facilities used primarily for the conduct of scheduled classes, laboratories, seminars and other uses related to the academic process.~~

~~(d) A “public function” is an event that is held in University facilities and is open to attendance by all members of the University community and/or to the general public either with or without charge for admission.~~

~~(e) A “private function” is defined as one held in University facilities and is open to attendance only by members and invited guests of the sponsoring group, organization or person. A private function must be held in a defined and/or controlled access space, one able to confine and control entry and exit of guests, whether indoors or outdoors, to be considered a private~~

function.

~~(f) —“University groups and organizations” are defined as officially constituted colleges, schools, divisions, departments, agencies and other corporate organizational units which are a part of or operate on behalf of the University, including but not limited to, direct support organizations, foundations and alumni organizations officially recognized by the University, and student organizations, honor societies, fraternities and sororities officially registered or recognized by the University.~~

~~(g) —“University persons” are defined as students and all employees of the University, including Academic Personnel (AP): Technical, Executive, Administrative and Managerial Support (TEAMS); University Support Personnel System (USPS), Law Enforcement Officer (LEO) and Other Personnel Services (OPS) personnel, including graduate assistants.~~

~~(h) —“University related groups and organizations” are defined as those that although not officially recognized or registered by or affiliated with the University or otherwise failing to meet the definition in paragraph (f) immediately above, are related to the University because of the promotion of the interests of the University community, the academic professions and other related interests of the faculty, staff or students, or which perform other service to the University and its community, such as credit unions, academic professional associations, professional fraternities/sororities, employee organizations, charitable community organizations, other public educational institutions, and the like.~~

~~(i) —“Non-university persons, groups and organizations” are defined as persons, groups or organizations which do not meet the definitions of persons, groups or organizations as defined in paragraphs (f), (g) and (h) immediately above, including candidates for election to public office and organizations supporting such candidates, and those groups and organizations which exist primarily for the purpose of carrying on commercial activity for profit, or which~~

~~otherwise exist primarily for private individual gain or benefit.~~

~~(2) — The following priorities will be observed by authorities responsible for scheduling University facilities:~~

~~(a) — University groups and organizations;~~

~~(b) — University persons;~~

~~(c) — University related groups and organizations; and~~

~~(d) — Non-university groups, organizations and persons.~~

~~(3) — Scheduling of University facilities shall give priority to University programs and functions. No person, group, or organization shall be excluded from this policy because they have collective bargaining as one of their objectives.~~

~~(4) — Requests for scheduling events in University facilities, except for instructional space, should be directed to the authority controlling the facility. Scheduling of instructional space is governed under the provisions of University of Florida Regulation 2.008.~~

~~(5) — A condition for the use of University facilities may be that the sponsoring person, organization, or group obtain adequate insurance coverage and/or that adequate security can be provided by the University Police Department. The costs of such insurance or security shall be borne by the sponsoring person, organization, or group.~~

~~(6) — Persons, groups, or organizations utilizing University facilities are responsible for providing programmatic access to individuals with disabilities, i.e. deaf, deaf blind, hard of hearing, and visually impaired. All costs associated with providing programmatic access are the responsibility of the sponsoring person, group, or organization.~~

~~(7) — University facilities that are otherwise available for such use under University regulations will not be made available for commercial purposes unless approved in advance by the Vice President for Business Affairs who shall review the request in light of the University's~~

~~contractual and other legal requirements, the relationship of the activity to the University's mission, and the benefit of the activity to the University and the State of Florida.~~

~~(8) — A University employee may use his or her office or other University facilities or services in conducting outside activities, such as private practice or consulting, only if approved pursuant to subsection (7) above.~~

~~Authority: BOG Regulation 1.001.~~

~~History: New 9-29-75, Amended 9-15-83, Formerly 6C1-2.04, Amended 7-27-98, 6-24-99, Formerly 6C1-2.004, Amended 4-1-16, 3-17-17.~~