

NEOMED OPERATIONAL POLICY	Policy No: 3349-OP-209
OPERATIONAL POLICY TITLE: Use of Space	EFFECTIVE DATE: January 1, 2021
RESPONSIBLE DEPARTMENTS: Provost, Campus Operations, NEOMED Police Department	Approval Authority: The Sr. Vice President for Operations and Finance and the Provost

(A) PURPOSE

This policy establishes rules for the use of space on the University campus. These spaces are dedicated and maintained primarily for use by the University community for purposes consistent with the institution’s mission and related to teaching, learning, studying, along with research, academic, administrative, and student life activities. These are spaces where our community primarily learns, teaches, works, and lives, and this policy is meant to ensure that those core activities can take place productively and safely.

(B) SCOPE

This policy governs the use of both indoor and outdoor space on the Rootstown campus. Generally, University spaces may be used by the University community and the public in accordance with this policy, including for purposes of free expression, as set forth in this policy. This policy does not apply to the University’s official use of space for University programs and events.

Particular spaces such as research laboratories, study spaces, etc., may be subject to additional rules for particular locations and/or during certain times, which are too numerous to state in this policy but are typically noted on campus.

(C) DEFINITIONS

- (1) “Disruption” refers to conduct that results in, or imminently threatens, the following:
 - (a) Substantial and material interference with the ability of students, faculty, and staff to engage in university activities and operations, including teaching, learning, studying, research, academic, student life, administrative, and other supporting activities;

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- (b) Substantial hindering or impeding of pedestrian or vehicular traffic, including by blocking building doors or exits within rooms, building, or on the campus grounds; and
- (c) Substantial and material interference with an authorized event or activity conducted in university spaces, including expressive activities permitted under this policy.
- (d) Disruption includes behaviors that are not protected speech under the First Amendment, such as actual or imminent threat of violence, physical harm to individuals, or violation of a statute, regulation, ordinance, or legal requirement, and damage to University or other personal property.
- (e) Disruption is more than mere inconvenience.

(D) POLICY STATEMENT

- (1) Priority of Use
 - (a) Priority of the use of any space on campus will be given to events or activities that relate to the University’s mission and related teaching, learning, studying, research, academic, administrative and student life activities. Nothing in this policy is meant to conflict with or modify the provisions set forth in the Academic Space Scheduling policy (3349-AC-206).
- (2) Authority to Regulate the Use of Campus Space
 - (a) The University has the authority to regulate the use of campus space for expressive purposes based on the time, place and manner of the activities being conducted as long as the regulations are content and viewpoint neutral. The provisions of this policy must be applied consistently, regardless of the content, and may not be enforced more

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generously for popular expressive purposes and more restrictively for disfavored, unpopular expressive purposes.

- (3) Use of Indoor Space
 - (a) Scheduling Use of Indoor Space
 - (i) Users wishing to secure reserved use of an indoor space should do so through the online room scheduling system. Determinations regarding reservations cannot be based on the content of expression associated with the activity. A user who has reserved an indoor space is entitled to exclusive use of that space during the reservation time. Unscheduled or conflicting uses of space during a reservation time may not be permitted, and individuals whose use conflicts with a scheduled use may be required to leave that area.
 - (ii) Larger events that require rental of space located in the NEW Center must be coordinated and arranged for by contacting the NEW Center scheduling office directly.
 - (b) Areas with restricted access are available for use only by appropriate University employees and students, invited guests, and others having business in those spaces and are not available for general community or public use. These include, but are not limited to, ordinary office suites and internal conference rooms, laboratories and related research and administrative space, and student apartments.
- (4) Use of Outdoor Space
 - (a) Outdoor space is generally available for use without advance reservation, with exception of the courtyard located in the center of campus.
- (5) Guidelines for Use of Any Space

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- (a) Activities conducted within indoor or outdoor spaces must adhere to the following guidelines:
 - (i) Use of sound amplification devices such as microphones, speakers or bullhorns requires advanced permission. Approval of the use of such devices will be based on the space at issue and time of use. Permission may be revoked if it causes a Disruption.
 - (ii) Literature, petitions, leaflets and the like may be distributed so long as doing so is consistent with other provisions of this policy and does not cause a Disruption.
 - (iii) Users must take care not to damage property or leave trash or other items in the space. Abuse of this guidelines may result in clean-up or damage fees being assess to users.
 - (iv) Use for commercial activities must be conducted in the NEW Center in accordance with standard rental terms and conditions.
- (b) Demonstrations, protests or similar forms of public expression are permitted in a scheduled space reserved in advanced. Demonstration that do not conflict with existing reservations may spontaneously occur, so long as they do not create a Disruption and are held in a location where attendees can safely assemble (i.e., not a laboratory, personal office, hallway).
- (6) Prohibited activities
 - (a) Blocking areas including roads, sidewalks, doors, door activators, elevators or otherwise impeding ingress and egress of people on campus is prohibited.

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- (b) Use of tobacco or alcoholic beverages is prohibited in university space, unless otherwise specifically sanctioned by the University and lawfully provided.
- (c) Erecting tents or other structures requiring stakes, poles or similar equipment is prohibited without the prior written consent from the Director of Campus Operations, who will assess the potential for damage to underground utilities or campus property.
- (d) Affixing signs, posters, banners or the like to trees, bushes, light poles, building structures, permanent signs or similar items is prohibited. Materials may be posted in areas that are dedicated to such communication or expression on campus (e.g., kiosks, information boards, monitors).
- (e) Overnight camping or overnight sleeping is prohibited without prior written consent from the Director of Campus Operations, in consultation with the Chief of Police.

(7) Enforcement

- (a) Determinations as to whether an activity causes a disruption will be made by the Provost, in consultation with the Chief of Police and Director of Campus Operations.
- (b) Any person who violates this policy may be ordered to leave the property or space and may be subject to discipline and/or arrest and prosecution when the violation constitutes a crime.
- (c) In extraordinary circumstances, the Director of Campus Operations, in consultation with the Provost, may grant exceptions to this policy. Decisions to grant or deny exceptions may not be based on the expressive content, message, or viewpoints of the proposed activity occurring in the space.