3.1 Purpose & Application

The University permits the orderly use of rooms and spaces on its property, as provided in this chapter, to further the educational process. The University does not endorse any statement or activity that does not represent official University action. This chapter authorizes and regulates the reservation of University rooms and spaces; the identification of persons present on University property; and the use of alcoholic beverages on University property. Speech, assembly, and expression by students, faculty, and staff on University property is further protected and regulated in Chapter 2.

3.1.1 No person or organization may use a University facility for any purpose other than in the course of the regular mission of the University or the University of Texas System unless authorized by the Regents' Rules and Regulations. Any authorized use must be conducted in compliance with the provisions of the Regents' Rules and Regulations, the approved rules and regulations of the University, and applicable federal, state, and local laws and regulations.

3.2 General Definitions

In addition to the general definitions contained in Chapter 1.2, as used in this chapter, unless the context requires a different meaning:

a. "institutional representative" is any Regent, executive officer, administrative officer, attorney, peace officer, or security officer of the University or the University of Texas System.

b. "room or space" includes any room or space, indoors or outdoors, owned or controlled by the University;

c. “Student Activity Request Form” means the form used by a registered student organization to schedule an activity on the campus and is available at the Student Development Center;

d. "student organization" means a student group holding a valid registration approved by the Student Development Center;

e. "The Union" means the UTEP Union Buildings, Union Plaza, and surrounding grounds;
f. “EPNGCC” means the El Paso Natural Gas Conference Center;

g. S.D.C. " means the Student Development Center;

h. "Special Use Facilities” means facilities designated in accordance with Regents Rule 80106 and include the Sun Bowl Stadium, Don Haskins Center, Memorial Gym, Magoffin Auditorium, Music Recital Hall, Wise Family Theatre, the Union, and EPNGCC.

3.3 Reservation of a Room or Space on University Property

3.3.1 Permission to Use

Academic and administrative units, and registered student, faculty, and staff organizations may reserve the use of a room or space on University property for purposes permitted by the Regents' Rules and Regulations. Academic and administrative units of the University shall have priority in reserving the use of rooms and spaces, except that they shall not have priority in the use of weekday amplified sound areas defined in chapter 2.8. Academic or administrative units have equal access to scheduling the amplified sound areas.

3.3.1.1 An academic or administrative unit, or a registered organization with a reservation has the right to the reserved room or space for the time covered by the reservation. Any person or organization using or occupying the room or space without a reservation must yield control of the room or space in time to permit any organization with a reservation to begin using the room or space promptly at the beginning of its reserved time.

Reservations are not required, but are strongly encouraged. A person or organization planning to use a room or space without a reservation may find the facility locked or in use by another person or organization.

3.3.2 Application

3.3.2.1 All organizations wishing to reserve an outdoor space, including academic and administrative units, shall apply to the Dean on a form prescribed by the Dean.

3.3.2.2 Any registered student, faculty, and staff organizations, and academic and administrative units wishing to reserve a general purpose classroom shall apply to the Registrar on a form prescribed by the Registrar.

3.3.2.3 Reservations for rooms and spaces controlled by academic or administrative units other than the Registrar and the Dean shall be made through the unit that controls the room or space. These rooms and spaces controlled by other units include The Union and EPNGCC (see chapter 3.5 for specific policies for these facilities), Recreational Sports Facilities, Magoffin Auditorium, Don Haskins Center, Sun Bowl Stadium, Miner Village,
classrooms that are not general purpose classrooms, many conference rooms, reception areas, and the like, and other specialized rooms and spaces.

Some of these rooms and spaces are dedicated to special purposes and are subject to special rules. Academic and administrative units are encouraged to make the rules and procedures for reserving rooms and spaces, and a list of the rooms and spaces that may be reserved, readily available on a Web site or on a flyer or pamphlet conveniently available at the unit's office.

3.3.2.4 The Dean shall maintain, on a Web site or on a flyer or pamphlet conveniently available at the Dean's office, the procedures for reserving outdoor spaces, or for registered student organizations reserving general purpose classrooms, and any additional rules applicable to such reservations; and a list of general purpose classrooms.

3.3.3 Consideration of Application

3.3.3.1 The Dean shall approve a properly completed application to reserve an outdoor space, and shall facilitate a properly completed application to reserve a general purpose classroom, unless the Dean finds that:

a. the proposed use of the room or space would violate one or more of the general rules in chapters 2.2 and 2.3 of this Section of the Handbook.

b. another event or exhibit has been scheduled for the proposed time and location, or so near that there is a practical conflict;

c. the room or space requested is inadequate to accommodate the proposed use;

d. the proposed use of the room or space would violate reasonable and nondiscriminatory fire, health, or safety standards;

e. the proposed use of the room or space would constitute an immediate and actual danger to students, faculty, or staff, or to the peace or security of the University that available law enforcement officials could not control with reasonable effort;

f. the applicant is under a disciplinary penalty prohibiting reserving the use of a University room or space, or prohibiting the proposed use of the room or space; or

g. the applicant owes a monetary debt to the University, and the debt is considered delinquent by the crediting agency.
3.3.3.2 If the Dean does not approve an application under 3.3.1, upon request he or she shall give the applicant a written statement of the grounds for refusal within three weekdays.

3.4 Regulations Applicable to University Buildings and Grounds

3.4.1 Identification Required

Any person shall identify himself or herself when requested by an institutional representative while on any property or in any building owned or controlled by the University or the University of Texas System. A person identifies himself or herself by:

a. giving his or her name and complete address substantiated by a current driver's license, voter registration card, or other official documentation; and

b. stating truthfully whether he or she is a student or employee of the University or the University of Texas System.

3.4.1.1 An "institutional representative" is any Regent, executive officer, administrative officer, attorney, peace officer, or security officer of the University or the University of Texas System.

3.4.1.2 Any person who refuses to identify himself or herself in accordance with 3.4.1 (a), above, may be convicted of a misdemeanor punishable by a fine of not more than $200.

3.4.1.3 Any student, faculty member, or staff member who refuses to identify himself or herself in accordance with 3.4.1 (a), above, is subject to disciplinary action, including expulsion from the University, in the case of a student.

3.4.2 Use of Alcoholic Beverages

The use of alcoholic beverages is prohibited on property and in buildings and facilities owned or controlled by the University or the University of Texas System. However, the President may waive this prohibition with respect to any specific event sponsored by the University. Meetings or events sponsored by registered faculty, staff, or student organizations are not events sponsored by the University. The serving of alcoholic beverages at student-sponsored events is prohibited. State law relating to alcoholic beverages will be strictly enforced at all times on property owned or controlled by the University.

3.5 Use of the Union, Union Plaza, and El Paso Natural Gas Conference Center

The Union and EPNGCC provide cultural, educational, social, and recreational programs as well as related goods, services, and facilities for the University. The provisions of Chapter 2 and Chapter 3 provide guidance and direction for the use of The Union, Union Plaza and EPNGCC, and this chapter provides specific requirements for the scheduling and use of these facilities.
3.5.1 Scheduling of The Union, Union Plaza, and EPNGCC

The Union Scheduling Office is the central location for the scheduling of all meeting rooms, tables, displays, tripods, banners, posters, lounges and programs held in The Union Building, Union Plaza, surrounding grounds, and the EPNGCC. All requests related to the reservation and use of these facilities must be initiated through The Union Scheduling Office. Applications properly made for use of facilities shall be approved unless there are reasonable grounds to invoke the provisions of 3.3.3.1 above.

3.5.1.1 Scheduling for use of Union, Union Plaza and EPNGCC facilities is limited to registered student organizations, academic/administrative departments, and registered faculty/staff organizations, unless the request is in accordance with the Special Use Facilities provision as defined in the Regents' Rules and Regulations. No organization or group may use any University facilities as long as it owes a delinquent monetary debt to the University.

3.5.1.2 All requests to schedule banquet or meeting rooms, tables, tripods, banner space, or any other activity involving the Union or EPNGCC must be made through The Union Scheduling Office. Registered organizations requesting only a table or meeting room may go directly to the Union Director's office. Registered student organizations wishing to schedule a facility for other uses must first obtain an approved Student Activity Request Form from the Student Development Center. No food may be brought into the Union, Union Plaza or EPNGCC for a scheduled function unless prior approval has been obtained from the Vice President for Business Affairs or their designee.

3.5.1.3 An officer or authorized representative of a registered student organization must apply in person to schedule the use of the Union, Union Plaza, or the EPNGCC. All other users, including requests under Special Use provisions, may apply by telephone, mail, email, or in person.

3.5.1.4 Reservation or scheduling for rooms, technical services, reception food, and beverage service must be made at least twenty-four hours in advance. Meal service, served or buffet, requires scheduling 1 week in advance. Cancellation of reservations for facilities, technical services, or food and beverages services with less than 24 hours notice may incur additional costs to the scheduling entity and/or limitations on the scheduling of future use of facilities.

3.5.2 Regulations of the Use of The Union or EPNGCC Facilities

Use of tables, tripods, banners, and the posting of signs in the Union, Union Plaza, or EPNGCC are subject to the provisions of Chapter 2 of this Handbook, as well as the additional requirements of this chapter. The use of tripods, posting of posters/signs, or installation of banners for Student Government Association elections is also governed by the Student Election Code.
3.5.2.1 Tables

Tables, as defined and regulated by Chapter 2.6 above, but including booths, displays, furniture, enclosures, or any other structure temporarily used for distribution of literature, for displaying signs or posters, for raising funds or soliciting, or for other similar activities, may be reserved in locations designated for that purpose in the Union and EPNGCC, subject to space availability. Reservations are subject to the following:

a. tables must be reserved at least twenty-four hours in advance;

b. the area surrounding the table must be cleaned by the organization following the activity;

c. an official member of the sponsoring organization must supervise the table for the duration of the activity;

d. table locations are as designated by the Union or EPNGCC, and may not be moved once a location has been assigned;

e. tables and activities associated with a table must not impede the normal flow of traffic inside or on the grounds of the Union and EPNGCC;

f. fund raising activities conducted at tables by student organizations must be approved by completing the Student Activity Request Form available in the Student Development Center.

g. notice of cancellation of reserved table space of less than 24 hours or violations of the above regulations may result in penalties limiting future reservations of tables by the organization.

3.5.2.2 Lounges

1. Building Lounge areas in the Union may be reserved for the following activities:

   a. the opening address of an officially recognized campus event of prolonged duration;

   b. University-sponsored festivals, receptions, pep rallies, and awards presentations;

   c. a debate or forum of timely concern; and

   d. professional-quality live musical entertainment or cultural events sponsored by the Office of Special Events, the Student Development Center, the Union, or other appropriate University department.
2. Permissible sound amplification levels in any reserved lounge shall be established by the Union and must be maintained by the sponsoring organization to avoid unnecessary interruption of other events in the Union.

3.5.2.3 Tripods

1. Only tripods provided by the Union building and the EPNGCC may be used by registered University organizations and University departments to announce scheduled events, subject to the following:

   a. tripods must be reserved at least twenty-four hours prior to the time requested;

   b. tripods will be placed in designated areas only and should not interfere with the normal flow of traffic;

   c. tripods will be removed from the area after the approved time has expired;

2. Notice of cancellation of tripod reservations of less than 24 hours or violations of the above regulations may result in limitation of future reservations of tripod space by the responsible organization or individual.

3.5.2.4 Posting of Signs

1. Signs, as defined and regulated by Chapter 2.5 and including posters, billboards, decals, notices, plaques, pictures, photographs, pamphlets, and flyers may be posted only in designated areas, and provided the posting:

   a. is of a size appropriate to the surface available for posting in that designated location;

   b. is for the purpose of permissible solicitation or advertising;

   c. does not contain material that is obscene, libelous, or that is directed to inciting or producing imminent lawless action and is likely to incite or produce such action;

   d. is not placed on glass, painted, or tile surfaces or posted on the outside of the buildings or their surrounding walls and planters;

   e. has been date-stamped by the Union Director’s Office;

   f. includes an English translation, if the sign is in a foreign language;
g. remains posted no longer than two weeks and must be removed when the two-week period has expired. However, signs and posters for University-sponsored programs of prolonged or recurring duration may remain longer than the two-week period at the discretion of the Union Director's Office.

3.5.2.5 Banners

Banners, as defined and regulated by Chapter 2.5.4 but including signs hung from a structure, or between two buildings, structures, or poles, may be hung only on reserved railings or space specifically designated for that purpose in the Union, Union Plaza, or EPNGCC.

1. Only advertisement of University or student organization-sponsored events will be approved for use of banner railing space in the Union, Union Plaza, and the EPNGCC. Major University events such as homecoming, special events, or University-wide programs will be given priority for use of banner railing space. All other organizations or departments may apply for use of banner railing space on a space availability basis. Banners may be placed on the external railing along University Avenue or in front of the Union only for University-sponsored programs or student government association elections. Display of banners is subject to the following:

   a. banners in a foreign language, must have an English translation accompanying the banner;

   b. the name of the sponsoring organization must be on the banner;

   c. requests for reservation of banner space must be made at least 48 hours in advance, and banners may be placed only on designated areas, as determined by the Union Director's Office;

   d. banners must be removed by the sponsoring organization after the approval time has expired;

   e. Notice of cancellation of reserved banner space of less than 24 hours or failure to remove banners in a timely manner may result in penalties limiting future reservations of banner space by the organization.

3.5.3 Requirements for Use of the Union Plaza

3.5.3.1 The Union Plaza may be reserved for the following activities:
3.5.3.2 In addition to the regulations found in 3.5.2 governing placement of signs, banners, and tables, the following rules are applicable to use of the Union Plaza:

a. only one amplified sound activity at a time will be scheduled in the Union Plaza, but other simultaneous activities, such as use of tables, will be permitted;

b. no amplified sound events will be permitted in the Union Plaza when the Elkins, Wiggins, or Barry rooms of The Union have been previously scheduled. Conversely, those rooms will not be scheduled if an amplified sound activity is scheduled for the Union Plaza;

c. use of the Union Plaza must not interfere with the free and unimpeded flow of traffic in the Union Plaza or traffic exiting or entering the Union Building;

d. reserved use of the Union Plaza must be scheduled at least twenty-four hours in advance;

e. Less than 24 hours' notice of cancellation of reserved Plaza space, or violations of the above regulations may result in limitation of future reservations of Plaza space by the responsible organization or individual.

3.5.3.3 The Dean may limit the number or frequency of reservations for each person or organization to ensure reasonable access for all persons and organizations.

3.5.3.4 All activities scheduled in advance through the Union Scheduling Office have priority for time and location. Students, faculty, or staff may bring their own tables to set up in the Union Plaza; however, they must be placed in designated locations that will not interfere with activities scheduled through the Union Scheduling Office. A listing of these locations is available in the Union Scheduling Office.

3.5.4 Special Use Facilities

The Don Haskins Center, Sun Bowl Stadium, Memorial Gym, Magoffin Auditorium, Music Recital Hall, Wise Family Theatre, the Union and EPNGCC have been designated as special use facilities and may be made available to non-University groups under the following provisions:
a. Designation as a special use facility shall not constitute the facility as a public facility open to use by non-University persons, groups, associations, or corporations on a first-come, first-served basis;

b. Priority in the reservation and use of the facility shall be given to activities and events sponsored by the University that are in furtherance of and related to the educational, cultural, recreational, and athletic programs of the University;

c. As a lower priority, the facility may be made available to non-University individuals, groups, associations, or corporations without the necessity of joint sponsorship by the University. Non-University groups shall be charged for the use of the facility that will, at a minimum, insure recovery of that part of the operating cost of the facility attributable directly or indirectly to such non-University use. If the non-University user charges those attending an event any admission or registration fee, or accepts donations from those in attendance, the University shall require the user to make a complete account of all funds collected and of the actual cost of the event. If the funds collected exceed the actual cost of the event, the non-University user shall be required to remit such excess funds to the University as an additional charge for the use of the facility; and

d. Subject to all constitutional and statutory provisions relating to the use of state property or funds for religious or political purposes, the facility may be made available for religious or political conferences or conventions. Religious organizations applying for use of the facility must submit written evidence from the Internal Revenue Service that the organization has been granted an exemption from taxation under Section 501(c) (3) of the Internal Revenue Code. Political organizations applying for use of the facility must present written evidence that the organization had candidates for either state, district, or local offices listed on the ballot at the last general election. A religious or political organization shall be permitted to use the facility only one time during a calendar year.

3.5.5 Facility Use Charges

Facility use charges will be in determined in accordance with the following regulations.

3.5.5.1 Use fees for buildings or facilities designated as Special Use Facilities are available from the Director of each respective facility. Use fees are established in accordance with Regents Rule 80106 and ensure recovery of all direct and indirect costs attributable to non-University use.

3.5.5.2 The use of Union facilities or EPNGCC during regular operating hours shall be free of charge to registered student/faculty/staff organizations and academic/administrative departments when no special arrangements or accommodations are necessary. A charge will be assessed for after hours use or for requests for special arrangements or technical services. A charge will be assessed to all outside groups or organizations using The Union or EPNGCC as a special use facility.
3.5.6 Policy Concerning Alcoholic Beverages in The Union or EPNGCC

Subject to the provisions of 3.4.2 above, alcoholic beverages may be catered at non-student sponsored receptions and served meals in any meeting room or food service area in The Union or EPNGC designated for that purpose, provided food is served. All alcoholic beverages and all food items served in The Union or EPNGCC must be purchased through the Food Services. The serving of alcoholic beverages at student-sponsored functions is prohibited.

3.5.7 Procedures For Requesting Alcoholic Beverage Service

a. All requests for alcoholic beverage service in the Union Building or EPNGCC are initiated through the UTEP Food Services. Requests for alcoholic beverage service at other locations on campus are initiated through the President’s Office. Student Organizations are not permitted to serve or consume alcoholic beverages at their sponsored event.

b. All alcoholic beverage service requests must be made at least two weeks in advance.

c. Food Services reserves the right to sell food items directly to consumers in addition to those items purchased by the sponsoring organization.

d. No one under the legal alcoholic consumption age will be served an alcoholic beverage.

3.6 Appeal of Facility Use Decisions

3.6.1 Procedures for Appeal

a. An organization aggrieved by a decision under this chapter is entitled to appeal to the Vice President for Student Affairs by giving written notice to the Dean on or before the fifth weekday after the day the decision is announced. The notice may be informal, but shall contain the organization’s name and mailing address, a concise description of the decision complained of, the organization's reasons for disagreeing with the decision, and the date the decision was announced.

b. When timely notice of appeal is received, the Dean shall prepare and send to the Vice President for Student Affairs a copy of the written statement of the reason given for the Dean's decision.
The Vice President shall provide the organization with an opportunity for a hearing, and the organization shall be notified at least one weekday before the date of the hearing.

3.6.2 Further Review by Petition

The Dean or the organization may petition in writing through the Vice President for Student Affairs to the President of the University to review the decision being appealed. The President may establish an ad hoc committee to review the appeal and make recommendations or decide the matter directly. The President reviews appeals solely at his/her discretion and the decision of the President is final.