



**BOISE STATE UNIVERSITY**

University Policy 1100

## Use of University Space

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### **Effective Date**

August 2001

### **Last Revision Date**

November 04, 2020

### **Responsible Party**

Vice President for Student Affairs and Enrollment Management, (208) 426-2384

### **Scope and Audience**

This policy applies to all University-owned and/or University-controlled facilities and property and to all users of the facilities and property.

### **Additional Authority**

- U.S. Constitution Amendment I.
  - 20 U.S. Code § 1011a (Protection of Student Speech and Association Rights)
  - Idaho Code § 67-1613 (Capitol Mall and Other State Property and Facilities)
  - University Policy 1060 (Non-discrimination and Anti-harassment)
  - University Policy 1065 (Sexual Harassment, Sexual Misconduct, Dating Violence, Domestic Violence, and Stalking)
  - University Policy 2020 (Student Code of Conduct)
  - University Policy 9180 (University Sponsorship)
  - University Policy 10030 (Commercial Filming and Photography)
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## 1. Policy Purpose

To ensure the University recognizes and supports the rights of free expression and speech and remains a place for the broadest expression of views. The only limits on this expression are to avoid conflict with the normal uses of the campus, the rights of others, and the limitations of lawful conduct. The university has a significant interest in preserving its limited space and employee resources, and must accordingly to balance this interest with its recognition and support of free expression and Speech Activities attendant to the University learning environment and the robust expression of ideas.

## 2. Policy Statement

Boise State University is a state institution of higher education supportive of the right of free expression and Speech Activities by the University Community and others. The time, place, and manner of free expression activities may be regulated to prevent unreasonable interference or conflict with the educational, research, housing, or other legitimate functions of the University, including the normal use by others of Public Areas, or any other scheduled activities. The Vice President for Student Affairs and Enrollment Management, in consultation with University Event Services, is responsible for the administration and implementation of the regulations for the use of Public Areas.

## 3. Definitions

### 3.1 “B” Plaza

The area defined by the raised, circular, brick terrace surrounding the “B” installation south of the Administration Building.

### 3.2 Camping

The unauthorized use of Boise State property as a temporary or permanent place of dwelling, lodging or living accommodations. University housing is an authorized use of Boise State property as a temporary or permanent place of dwelling, lodging or living accommodation.

### 3.3 Central Quad

The area defined by Hemingway Center, the Liberal Arts Building, the Administration Building, the Mathematics Building, Riverfront Hall, and Memorial Plaza.

### **3.4 Disruptive Activity**

Activity, whether speech activity or not, which materially interferes with the normal use of a certain space, such as a classroom, office, laboratory, residence, or dining area. Activity that materially interferes with others' reserved use of Reservable Public Areas is disrupting.

### **3.5 Disruptive Noise**

Noise where the sound, rhythm, melody, or instrumentation is Plainly Audible to the listener at a distance of 50 feet or more from the speaker or from within a building containing a classroom, staff or faculty offices, or residences.

### **3.6 Interactive Learning Center Plaza**

The area defined by the Interactive Learning Center, the Multipurpose Building, the Education Building, Simplot Micron Academic Success Hub, and the Mathematics Building.

### **3.7 Intramural Fields or IM Fields**

Grass field: The area defined by the Appleton Tennis Complex on the north, the Kinesiology Annex on the East, Bronco Circle and the Student Union Patio on the south, and the Student Union Grass South on the west. Turf field: The turf playing field directly west of the Lincoln Parking Garage.

### **3.8 Memorial Plaza**

The area defined by Riverfront Hall, Friendship Bridge, Albertson's Library, and Central Quad.

### **3.9 Grass Areas**

Those Grass Areas of campus, available to the public and the University Community for Speech Activities. Some Grass Areas are reservable, as set forth below, and certain time, place, and manner restrictions may apply to these Reservable Grass Areas as well as to Grass Areas which are not reservable, as set out in this policy.

### **3.10 Major University Event**

An event or activity hosted by a Boise State department or unit as a core function of the University. Examples include Convocation, NCAA Athletic games, Homecoming Parade, programs designed for the recruitment, enrollment, and admission of students such as Bronco Day, and Commencement. Events hosted by student organizations or merely co-sponsored by a University department or unit are not Major University Events.

### 3.11 Plainly Audible

Sound for which the information content is communicated to the listener, including, but not limited to spoken speech, comprehension of whether a voice is raised or normal, comprehensive musical rhythms, melody, or instrumentation.

### 3.12 Public Areas

Those outdoor areas of campus, including Grass Areas, available to the public and the University Community for Speech Activities. Some Public Areas are reservable, as set forth below, and certain time, place, and manner restrictions may apply to these Reservable Public Areas as well as to areas which are not reservable, as set out in this policy. Public Areas do not include, the interiors of University Structures (unless otherwise designated), parking spaces, University-owned streets, the Intramural Field, or the “B” Plaza.

### 3.13 Reservable Grass Areas

Grass Areas, that for reasons of safety, maintenance, and high demand are reservable. All Grass Areas contained inside the boundaries of the Central Quad, Interactive Learning Center Plaza, and Memorial Plaza, in addition to those specifically defined below.

- “B” Plaza Grass Area East – The area defined by the Administration Building to the north, the east visitor parking lot to the east, University Drive to the south, and the “B” Plaza to the west.
- “B” Plaza Grass Area West – The area defined by the Administration Building to the north, the “B” Plaza to the east, University Drive to the south, and the west visitor parking lot to the west.
- Student Union Grass Area East – The area defined by the fireplace to the north, the Intramural Field and Appleton Tennis Complex to the east, the Student Union Patio to the south, and the west visitor parking lot to the west.
- Student Area Grass Area West – The triangle section of grass with the Intramural Field to the north, Bronco Circle to the east, and the Student Union Patio to the south and west.

### 3.14 Reservable Public Areas

Heavily trafficked Public Areas including the Central Quad, Interactive Learning Center Plaza, Memorial Plaza, the Student Union Patio, and Reservable Grass Areas, that for reasons of safety, maintenance, pedestrian and University vehicle access and ingress and egress, and high demand are reservable.

### **3.15 Speech Activities**

Demonstration, picketing, leafleting, petition circulation, distribution of written information, speech-making, oral presentation, and similar free expression-related activities. Fundraising, solicitation of donations, and commercial activities involving advertising, marketing, and sales are not considered Speech Activities. Major University Events are not considered Speech Activities.

### **3.16 Sponsoring Organization/Individual**

The individual or entity responsible for the activity including University-recognized student organizations.

### **3.17 Structures**

Includes the framework of, and the space enclosed by, any building, booth, tent, canopy, vehicle, trailer, fence, wall, or similar object or enclosure, including, but not limited to, the football stadium, the tennis complex and the amphitheater. The interiors of University Structures are generally not Public Areas which are freely available for unlimited Speech Activities; however, many rooms and spaces within Structures are reservable for Speech Activities.

### **3.18 Student Union Patio**

The area defined by Bronco Circle to the east, the Student Union Building to the south, Theater Lane to the west, and the grass Intramural Field to the north.

### **3.19 University Community**

All students, faculty, and staff of the University, including student, faculty, and staff organizations.

## **4. All Activities**

The following prohibitions apply to all activities in all areas of campus, whether in outdoor Public Areas, Reservable Public Areas, inside University Structures, or in parking lots. Activities:

- a. May not be conducted in a manner that violates federal, state or local law.
- b. May not be conducted in a manner that violates applicable fire and safety regulations.
- c. May not impede the normal flow of pedestrian or vehicular traffic, including ingress to and egress from University Structures, nor disrupt Major University Events.

- d. May not be conducted in a manner or at a place or time that disrupts the educational, research, service, housing and other legitimate functions of the University.
- e. May not be conducted in a manner that violates rules, regulations, and/or policies of the University and/or the State Board of Education, including, but not limited to, regulations set out below or other regulations that may be developed by the University.

## 5. Specific Activities

### 5.1 Tables, Displays, Exhibits

Activities that involve the use of tables, chair, booths, or displays or exhibits that must be set up on the ground, are allowed only within reserved rooms or spaces inside University Structures, or within Reservable Public Areas, including Reservable Grass Areas, addressed in Section 11, below.

### 5.2 Posts, Stakes, and Flags

Activities that involved the use of posts that must be installed into the ground are not permitted because they may damage the grounds. Activities that involve the use of stakes or flags must be installed into the ground are allowed only within Reservable Grass Areas, addressed in Section 11, below.

### 5.3 Credit Card and Third-Party Solicitations

- a. Signed applications for credit cards, or other third-party signed contracts for credit or for the purchase or sale of goods or services, cannot be collected.
- b. Gifts in exchange for completion of third-party banking or commercial contracts or credit card applications cannot be distributed or promised.
- c. Vendors that solicit credit cards or require a third-party banking or commercial contract must provide and display credit card and/or debt education materials – this may include information provided by the University. The annual fees, interest rates and computation methods must be displayed.

- d. Companies collaborating with University-recognized student organizations or University-affiliated groups for compensation must compensate that group with a flat fee, not per application.

#### **5.4 Commercial Activities**

The University generally reserves the right to regulate commercial activity on campus in order to maintain a safe and healthy educational environment. Conducting any commercial activities for the profit of any person or business is permitted on the campus only as outlined below.

- a. The University has exclusive food service and beverage contracts with designated vendors. Any commercial activity for food or beverages, including advertising, marketing, or sales, by  
b. any other vendor or entity, is not permitted on campus unless the University's exclusive vendor has granted permission.
- c. The University operates a bookstore for the sale of educational materials and Boise State licensed merchandise. Any commercial activity, including advertising, marketing, or sales, which competes with the Bronco Shop, is not permitted on campus unless the Bronco Shop has granted permission.
- d. Any commercial activity, including advertising, marketing, or sales, for services which compete with the educational, housing, recreational, or event venue functions of the university, is not permitted on campus unless the university has granted permission.
- e. The University regularly contracts with vendors for advertising, media rights, and sponsorships through University Sponsorships. Any planned commercial activity, including advertising, marketing, or sales, by any vendor or entity must be coordinated through University Event Services and/or the Office of Trademark Licensing and Enforcement.

#### **5.5 Fundraising**

Fundraising and solicitation for donations are permitted in Public Areas so long as they do not constitute Disruptive Activity. Such activity constitutes Disruptive Activity inside University Structures and is therefore not permitted inside University Structures, except within reserved rooms or spaces. If a University-recognized student organization is planning a fundraising activity, a Fundraiser Request Form must be filled out, submitted, and approved by the Student Involvement and Leadership Center. Forms are available online at [involvement.boisestate.edu](http://involvement.boisestate.edu). Fundraising undertaken as an official function of the University is not regulated by this policy but by University Policy 11010 (Gift Solicitation and Management).

## 5.6 Picketing

So long as it does not constitute Disruptive Activity, picketing is allowed in Public Areas. Picketing inside University Structures constitutes Disruptive Activity and is therefore not permitted, except within reserved rooms or spaces.

## 5.7 Posting of Signs and Banners

- a. Outdoors, kiosks are provided for the purpose of promoting activities and services of University-recognized student organizations and University departments. In order to protect the personal property of the University Community and the physical assets of the University, all other outdoor posting is not permitted, including, but not limited to, posting on vehicle windshields or trees, or affixing materials to light posts or to the exterior of any other University Structure.
- b. Inside University Structures, bulletin boards are provided both for University-recognized student organizations and University departments and for the public. The University may post notices regarding University business or display advertising by the holders of media rights and sponsorships, or other exclusive contracts. All other indoor posting is not permitted, including, but not limited to, posting on walls, doors, whiteboards, or inside bathroom stalls.
- c. University personnel may remove materials posted in violation of this policy. The cost of such removal along with the cost of any damage to University facilities or grounds will be the responsibility of the Sponsoring Organization/Individual responsible for the violation.

## 5.8 Passing of Petitions

The passing of petitions is allowed in Public Areas, so long as it does not constitute Disruptive Activity.

## 5.9 Distribution of Literature

So long as it does not constitute Disruptive Activity, pamphlets, signs, notices, brochures, banners, handouts, flyers, and other free-expression materials may be freely distributed in Public Areas.

### **5.10 Oral Presentation**

So long as it does not constitute a Disruptive Noise or violate the University's anti-harassment policies, speech-making, demonstrations, and other forms of oral presentation are allowed in all areas of the University. Sound amplification, including use of equipment designed or used for sound production, reproduction, or amplification, which creates Disruptive Noise is not permitted on campus. Sound amplification used for Major University Events, such as NCAA Sporting events or performances by the music department, is not considered Disruptive Noise because those are core functions of the University.

## **6. Times of Use**

During the hours after 10:30 p.m. and before 7:00 a.m., the University will not provide equipment, such as tables and chairs, or arrange for crowd control measures or security. Speech Activities are permitted during such hours so long as they do not constitute Disruptive Activities.

## **7. Camping**

Camping is not allowed on University property.

## **8. "B" Plaza**

The "B" Plaza serves as a welcoming centerpiece for visitors and a bold photo backdrop for University groups and members of the campus community. The space historically served as a parking lot and was converted for these purposes. Since reserved use of the "B" Plaza would prohibit others from using it for its intended purposes as a starting point for visitors and a photo opportunity, the "B" Plaza is not reservable, except for Major University Events. The Grass Areas immediately adjacent to the "B" Plaza ("B" Plaza Grass East and "B" Plaza Grass West) are available for reservations like other Reservable Public Areas. The University may establish perimeters separating competing users of the B Plaza. Users shall observe such perimeters.

## **9. Intramural Fields**

The IM Fields serve as playing fields for University club and intramural sports. The Intramural Fields are reservable through the Department of Campus Recreation. Reservations are prioritized in the following order: Major University Events, University club sports, University intramural sports, Department of Kinesiology, sport and non-sport based University-recognized student organizations, other University departments, outside users. Non-reserved use of the IM Fields are permitted if the use does not conflict with a Major University Event or others' reserved use and is in all other respects in compliance with this policy.

## 10. Grass Areas

Activities in Grass Areas are further subject to the regulations and limitations outlined below.

### 10.1 Tables, Displays, Exhibits

The use of tents, tables, chair, booths, or displays or exhibits that must be set up on the ground is prohibited in Grass Areas other than Reservable Grass Areas, addressed in Section 11, below.

### 10.2 Stakes, Flags

The use of stakes or flags that must be installed into the ground is prohibited in Grass Areas other than Reservable Grass Areas, addressed in Section 11, below.

### 10.3 Reservable Grass Areas

- a. For information on activities in Reservable Public Areas, including Reservable Grass Areas, see Section 11, below.
- b. Speech Activities are permitted in Reservable Grass Areas without a reservation if they do not conflict with a Major University Event or others' reserved use and are in all other respects in compliance with this policy.

## 11. Reservable Public Areas

Activities in Reservable Public Areas are further subject to the regulation and limitations outlined below.

### 11.1 Reservations

Space in Reservable Public Areas is reserved through University Event Services. Reservation requests are handled on a "first come, first served" basis, provided, however that Major University Events may be given priority; and further, provided that reasonably comparable space be provided to anyone with a reservation who is displaced by a Major University Event. University Event Services additionally coordinates:

- a. The use of and payment for special equipment, such as risers, tables, recreational equipment;
- b. The authorization to place tents, tables, chairs, or displays upon the grass and to place stakes or flags into the ground, to ensure that it is done in a manner that will not damage the grounds or interfere with scheduled maintenance;

- c. The payment of reservation fees;
- d. The verification of insurance, if applicable; and
- e. Necessary security.

### **11.2 Responsibilities of Sponsoring Organization/Individuals**

- a. Dismantling and removing on a daily basis any table, chairs, displays/exhibits, or any other material used for the activity not belonging to Boise State; or
- b. Protecting any items left overnight; and
- c. Ensuring all trash is discarded in proper receptacle.

### **11.3 Reservation Confirmations**

To ensure that reservations are available to as many Sponsoring Organizations/Individuals as possible, reservations are generally not confirmed more than six months in advance, nor are reservations guaranteed “first come, first served” priority after the first 15 reservations per semester and/or after five (5) reservations in a single week for one Sponsoring Organization/Individual.

### **11.4 Reservation Availability**

Reservations are not available between the hours of 10:30 p.m. and 7:00 a.m.

### **11.5 Guidelines for Reserving Space in Public Areas**

Details and guidelines for reserving space in Public Areas are posted on the Student Union’s [University Event Services webpage](#).

### **11.6 Speech Activities**

Speech Activities are permitted in Reservable Public Areas without a reservation if they do not conflict with a Major University Event or others’ reserved use and are in all other respects in compliance with this policy.

## 12. Structures

Many University Structures contain spaces or rooms which can be reserved for uses including, but not limited to, Speech Activities. A list of available Structures with reservable space can be found on the Student Union's [University Event Services webpage](#).

## 13. Parking Spaces

University parking spaces, including those in parking lots, parking garages, and those adjacent to University buildings are provided for vehicle parking. Parking spaces on campus are not Public Areas which are freely available for unlimited Speech Activities. Parking spaces are reservable through University Event Services for events, pending availability (see the [Event Parking Guidelines](#) on the Transportation and Parking website).

## 14. University-Owned Streets

University-owned streets, including those that run through campus and adjacent to campus are provided for vehicle ingress and egress. University-owned streets are not Public Areas which are freely available for unlimited Speech Activities. University-owned streets are reservable through Transportation and Parking Services for events, such as parades and demonstrations, pending availability (see the Transportation and Parking Services website).

## 15. Sponsored Use of University Space

- a. University departments and University-recognized student organizations are eligible to sponsor third-party use of University space for events that support the University's mission and strategic goals.
- b. Prior to reserving University event space for this purpose, the University department or organization must submit a University-Sponsored Event Proposal. University-Sponsored Event Proposals require dean or executive director level approval when the majority of intended guests or participants (51% or more) are not clearly affiliated to the University.
- c. Approval by the sponsoring VP and the Vice President for Student Affairs and Enrollment Management is also required when the majority of intended guests do not have a clear affiliation to the University and significant University resources will be encumbered as a result of the University-sponsored event.

## 16. Severability

If one or more provisions of this policy are declared inoperative or are otherwise voided, the remaining provisions shall remain in full force.

## 17. Violations Enforcement

- a. This policy is enforced by the Department of Public Safety, facility managers, University Event Services, Transportation and Parking Services, and the Office of the Vice President for Student Affairs and Enrollment Management.
- b. Violations of this policy may result in rescheduling, redirection, relocation, fines, cleanup costs, security costs, exclusion from campus, or denial of future requests for permission to use University property for activities that require such permission, imposed upon the violating party.
- c. Failure to enforce this policy in one instance does not waive Boise State's right to enforce it in any other instance.

## 18. Related Information

Transportation and Parking Event Parking Guidelines  
<https://www.boisestate.edu/publicsafety-transportation/>

University Event Services  
<https://www.boisestate.edu/studentunion/student-union-events/>

University Policy 9080 (University Sponsorships)

University Policy 11010 (Gift Solicitation and Management)

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## Revision History

February 2001; March 2004; August 2010; September 2012; July 2016; December 2019; November 04, 2020