COMMON AREA, ACADEMIC AND NON-ACADEMIC SPACE EVENT POLICY

(a) **General Statement of Policy.** Free and open association, discussion and debate are important aspects of the WMU educational environment, and should be actively protected and encouraged, even where positions advocated are controversial and unpopular. These policies have been formulated to provide for the greatest possible range of programs and activities for members of the University community, while at the same time both: (1) protecting individual safety; and (2) assuring an orderly and safe conduct of a particular event as well as the general functioning of the University.

(b) **Outdoor Common Spaces.** WMU will not restrict free expression in “areas generally available to students and the community,” defined as grassy areas, walkways or other similar common areas. This definition governs the phrase “areas generally available to students and the community” as it is used in this policy. These areas generally available to students and the community are designated public forums. All areas generally available to students and the community, including recognized student organizations (“RSO”), may be temporarily reserved for specific uses, as long as the use does not conflict with WMU programs and operations. Reservations must be made online at http://www.wmich.edu/studentcenter/reservation/. If possible, reservations should be made five (5) days prior to the event.

(c) **Use of Outdoor Common Spaces.** These common spaces shall be subject to the following:

(i) Persons wishing to engage in speech or expressive activities in areas generally available to students and the community are encouraged to inform the Department of Public Safety (“DPS”) of their intent to be present in such areas. WMU encourages such check-in as a means to provide for safety and for the equitable use of such areas. Those availing themselves of areas generally available to students and the community, whether they decide to check-in or not, may remain anonymous.

(ii) Persons using areas generally available to students and the community shall not touch, strike or physically impede the progress of passersby, except for incidental or accidental contact or contact initiated by a passerby, nor shall they force passersby to accept distributed materials.

(iii) Those using areas generally available to students and the community may solicit donations, through direct requests, sales of tickets, goods, or otherwise, on behalf of organizations that are registered with the Secretary of State as a nonprofit corporation or that are approved RSOs.

(iv) Those using areas generally available to students and the community shall not use amplification that creates a noise or diversion that disturbs or tends to disturb the orderly conduct of the campus or classes, or other lawful activities.
(v) Persons using areas generally available to students and the community are allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter. Individuals or groups distributing materials in these areas, other than material discarded or dropped in or around appropriate receptacles, shall make a reasonable effort to retrieve and remove such materials, prior to their departure from the areas that day.

(d) Academic and other Nonpublic Indoor Spaces. Some WMU rooms and spaces are dedicated to special purposes. The primary purpose of academic buildings is educational in nature. Academic buildings are not spaces intended for free and unrestricted public use; some of these rooms contain special equipment and may be subject to special rules. The Associate Registrar maintains a list of academic spaces subject to special rules.

(e) Use of Public Indoor Spaces. Some WMU rooms and spaces are designated for student use, such as meeting spaces. Use is allowed for such places and at such times as identified by WMU.

(i) Factors for Assessing Availability of Public Indoor Space. In determining whether a requested Public Indoor Space is available, the University will consider only the following content-neutral, objective criteria:

   a. whether the space has been designated as restricted to use for only teaching, research, administration, and/or other authorized campus activities;

   b. competing requests for the same space at the same time, based solely on a “first-come, first-served” standard; and

   c. the estimated number of anticipated attendees.

(ii) Prohibited Factors. Criteria that shall not be used in determining availability of requested Indoor Space include:

   a. any viewpoint(s) expected to be expressed at the event; or

   b. any reaction expected in response to the viewpoints expressed.

(f) Rules for Public Indoor Space Use. When available, eligible persons or groups may use Public Indoor Space for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or public interest, subject to these rules and regulations.
(i) All requests for use of Indoor Space, whether public or nonpublic, must be made online at http://www.wmich.edu/studentcenter/reservation/. All requests must be made at least ten (10) days prior to the event for which space is requested. This time limit is necessary, in part, so that the request may be coordinated with the Department of Public Safety and WMU’s Event Security Policy. Requests made less than 10 days prior to the date of use will be considered, where possible, where exigent circumstances, such as reacting to breaking current events, necessitates less advance notice. WMU shall grant access to the requested space, grant access to an alternative equivalent space, or specify in writing why access cannot be granted.

(ii) No prospective user will be denied access to facilities based on content of the speech to be undertaken during use. However, speech that is defamatory or obscene according to current legal standards, or that incites others as to create an immediate clear and present danger of the commission of unlawful acts or violations of WMU policy, is prohibited.

(iii) WMU rooms and meeting spaces may not be used for speech, expression, or assembly that disrupts or interferes with WMU’s educational mission, including teaching, research, administration, and other authorized campus activities, or with free and unimpeded flow of vehicular or pedestrian traffic. Continuous or repeated sound audible to those in contiguous or nearby classrooms, offices or other rooms (e.g., loud music) may be considered disruptive.

(iv) Tobacco and non-prescription drugs may not be consumed in Indoor Spaces. Alcohol may be consumed only if specifically requested and approved.

(v) No speech, expression or assembly may be conducted in a way that damages or defaces WMU property or the property of any person who has not authorized the speaker to deface his or her property. No electrical modifications, structures, or mechanical apparatus may be erected or installed without specific written approval.

(g) Other Policies Apply. Other policies may apply to the use of public and non-public indoor spaces, including but not limited to, the WMU Event Security Policy and Flyer/Poster Posting Guidelines, as well as WMU’s Student Code and RSO Handbook. In addition, information regarding special rules applicable to WMU buildings may be obtained from the applicable Building Coordinator.

(h) Prohibited Claims. Individuals and organizations may not in any way represent that their activities are endorsed, sponsored or sanctioned by WMU without the express written consent of the Vice President for Business and Finance or Vice President for Student Affairs.
(i) **No Indemnification or Redress.** Individuals, groups and organizations are solely responsible for their expressive and other activities on or off campus. Any individual, group or organization participating in or conducting activities not under the written auspices of WMU does so voluntarily and at its own risk, with no right to seek indemnification or other redress from WMU for the consequences of its actions.

(j) **Setup and Cleaning fees.** Individuals and RSOs may need to request or utilize nonstandard services when reserving a room, such as the use of audio/visual equipment, rental of other equipment, or any substantial deviation from standard room setup. WMU will charge a reasonable fee based upon any nonstandard service or setup, as well as reasonable cleaning fees. Requests for nonstandard services or setups must be submitted to the Student Activities and Leadership Programs ("SALP") Office at least five (5) business days in advance of the event. Unless waived, a nonrefundable deposit of 50% will be required at least one (1) business day before the services are provided.

(k) **Appeal.** A person or RSO that disagrees with a space reservation decision may appeal the decision, as follows:

(vi) Decisions must be appealed to the Vice President for Business and Finance and Vice President for Student Affairs by providing written notice to the Vice President for Business and Finance or Vice President for Student Affairs on or before the third (3rd) business day when WMU is in session after the date the person or RSO is notified of the decision being appealed. The notice of appeal must contain the person or RSO’s name and address, a brief description of the decision being appealed, the person or RSO’s reason for appealing, and the date the person or RSO received notification of the decision being appealed. When timely notice of appeal is received, the appealing party shall have an opportunity to meet with the Vice President for Business and Finance and Vice President for Student Affairs, or their representatives, prior to receiving a decision. The appealing party shall be notified of the date and time of the meeting at least one (1) business day in advance. The University will consider appeals promptly and issue a decision within two (2) business days from the meeting with the appealing party.