

Access to and Use of Campus Property and Facilities

I. Purpose

Dyersburg State Community College (DSCC) regulates the access to and use of its campus property and facilities for the following reasons:

- to ensure compliance with the institution's mission and educational purpose
- to promote an educational atmosphere on campus
- to prevent commercial exploitation of students
- to prevent the use of campus property and facilities contrary to federal, state or local laws and regulations
- to prevent the use of campus property and facilities contrary to rules and policies of the Tennessee Board of Regents (TBR) and DSCC.

II. Scope

This policy applies to all DSCC affiliated and non-affiliated entities and individuals.

III. Policy

DSCC recognizes that granting reasonable access to and use of campus facilities to persons affiliated with the institution, including officially recognized student organizations and other groups, bears great importance to the educational process and environment. Simultaneously, DSCC also makes clear that its facilities are not open public forums, but are instead intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and affiliated entities. As such, DSCC does not ordinarily make its buildings or other facilities available to outside individuals or outside groups. Exceptions may be made only if the proposed use is consistent with this policy and institutional policy and mission.

Access to Facilities: Access to and use of DSCC campuses, facilities, and properties are restricted to the institution, institutional administration for official functions, normal educational activities, affiliated individuals/entities, and invited or sponsored guests of the College except as specifically provided by this policy, or when part or all of a campus, its buildings, or facilities are open to the general public for a designated time and purpose.

Use of Facilities by Affiliated Entities and Affiliated Individuals

1. Affiliated student groups or student organizations who wish to use campus property or facilities for activities or events must submit an oral or written request to the Executive Secretary II of the Vice President of Academic Affairs and Student Success, the Office of the Dean of the Jimmy Naifeh Center, or the Office of the Director of the Henry County Center at least two weeks prior to the event.

2. Nonaffiliated groups requesting to use the DSCC campus and/or facilities should schedule the event at least two weeks, if possible, in advance if the nonaffiliated group is a vendor with DSCC. If not a current vendor, then it is four weeks in advance, if possible. All request will go through the Office of the Vice President of Academic Affairs and Student Success, the Office of the Dean of the Jimmy Naifeh Center, or the Office of the Director of the Henry County Center. Upon approval, a Facilities Agreement available in the Vice President of Academic Affairs and Student Success office and in the Center offices will be completed and submitted to the Director of Administrative Services/Purchasing for review and routing for signatures.
3. Written permission may be in the form of an email message. Written disapproval of a request will include a statement regarding the basis for disapproval. Written approval or disapproval of a request will be provided to the applicant within a reasonable time, usually within 10 business days. Denial of a request to access or use campus facilities and/or property shall be based solely on factors related to reasonable regulations in light of the institution's mission and the nature of the facility or property requested and rendered in a content/viewpoint neutral manner.
4. Use of facilities is limited to one-time only events as well as short term, intermittent, and/or repeat use of campus facilities where access/use of facilities/property are permitted without an associated rental/lease of fee. Such uses shall be limited to circumstances where DSCC does not actually, or effectively, cede occupancy or control of any DSCC property. The President may, at his or her discretion, give permission to affiliated or nonaffiliated entities for the repeated use of facilities in cases where the meetings are limited to members of the organization. Approval for repeated or intermittent use of any facility or property pursuant to this policy may not exceed six months in length and may only be renewed or repeated after review to determine that such use does not conflict with an institutional need or another request for access/use of the facility/space by another eligible person/entity

Unassigned Areas: Any affiliated or nonaffiliated entity or individual wishing to assemble, demonstrate, distribute literature, or engage in similar public activity on the DSCC campus or one of DSCC's centers must submit an oral or written request to the Office of the Vice President of Academic Affairs and Student Success or the Center Dean or Directors' offices at least two weeks, if possible, in advance if the nonaffiliated group is a vendor with DSCC. If not a current vendor, then it is four weeks in advance, if possible. The Vice President of Academic Affairs and Student Success, Center Dean or Director, or his/her designee will review the request. Approval or denial of the request will be in writing and may take the form of an email message. Disapproval of the request to use the unassigned areas will include a statement regarding the basis for the disapproval. Upon written approval, the requesting individual or entity must adhere to the following guidelines in addition to the applicable conditions listed in Section B:

1. The activity must be held in the following unassigned areas, unless otherwise specified:
 - Dyersburg Campus – Martha Donner Outdoor Classroom
 - Jimmy Naifeh Center at Tipton County – East patio
2. Participants in the activity must remain in the unassigned area.
3. The activity may not take place in a classroom, library, or other academic building or facility.
4. The activity may not take place in an administrative area, employee office, or work area.
5. Any literature distributed on campus must comply with all applicable local, state, and federal laws and regulations, as well as rules and policies of TBR and DSCC.
6. No obscene literature or material, as defined by law, shall be distributed on campus.
7. The activity may not block the flow of pedestrian or vehicular traffic.

8. Participants may not make physical contact with others.
9. Participants must leave the area free of debris and litter.
10. Sound amplification is not permitted.
11. No DSCC equipment is to be used during the activity.
12. The activity must not interfere with scheduled DSCC-sponsored activities.
13. All DSCC and TBR policies and procedures and local, state, and federal laws must be obeyed.
14. Activities may not take place during final exam week in any semester.
15. Activities may not take place before 9:00 a.m. or after 6:00 p.m. Activities may not take place on Saturdays, Sundays, or when DSCC is closed.
16. Activities are limited to a total of four per month for any individual or entity requesting usage. DSCC will consider additional requests for activities.
17. Children under the age of 18 are not permitted to participate in the activity without being accompanied by an adult.
18. DSCC is not responsible for equipment used by the participants in the activity.

Student Center Commons Area: Located within the Student Center Commons area is a Cyber Café and the immediate surrounding area is reserved for café occupancy. Events scheduled to take place within the Student Center Commons area should not intrude on the café seating area or disrupt café patrons.

Denial of the Use of Facilities: Denial of a request to access/use campus facilities and/or property shall be based solely on factors related to reasonable regulations in light of the institution's mission and the nature of the facility or property requested and rendered in a content/viewpoint neutral manner. DSCC may deny affiliated or nonaffiliated entities or individuals the use of college facilities, including unassigned areas. Such reasons may include, but are not limited to, the following:

1. The property or facilities have been previously reserved by another group, organization, or individual with equal or higher priority.
2. Frequency of previous use during an academic period in comparison to that of a contemporaneous applicant.
3. Use of the property or facilities requested would be impractical due to scheduled usage prior to or following the requested use, or due to other extenuating circumstances.
4. The applicant or sponsor of the activity has not provided accurate or complete information required on the application for registration.
5. The applicant or sponsor of the activity has been responsible for violation of DSCC or TBR policy during a previously registered use of campus property or facility.
6. The applicant has previously violated conditions or assurances specified in a previous registration application.
7. The facility or property requested has not been designated as available for use for the time/date.
8. The anticipated size or attendance for the event will exceed building/fire codes, established safety standards, and/or the physical or other limitations for the facility or property requested.
9. The activity is of such nature or duration that it cannot reasonably be accommodated in the particular facility or area for which application is made.
10. A determination that the size and/or location of the requested use would cause substantial disruption or interference with the normal activities of the institution, the educational use of other facilities or services on campus, or the flow of vehicular or pedestrian traffic.
11. The activity conflicts with existing contractual obligations of the institution.

12. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of the institution's officials, faculty members, or students, the damage or destruction, or seizure and subversion, of the institutions or school's buildings, other property, or for other campus disorder of a violent or destructive nature. In determining the existence of a clear and present danger, the responsible official may consider all relevant factors.
13. A determination that the requested use would be contrary to local, state, or federal law, regulation, or the policies or regulations of DSCC or TBR.
14. DSCC does not allow use of the facility for beauty pageants and weddings.

General Conditions for Use of Property or Facilities: Once an affiliated or nonaffiliated individual or entity has permission to use college property or facilities, including unassigned areas, the requirements outlined in this section, as well as all other requirements put forth in this policy, must be met.

1. Building, fire codes, and safety standards applicable to particular facilities and/or property must be met.
2. All TBR and DSCC rules and/or policies must be followed.
3. Buildings, facilities, and/or property not specifically identified as available for use are specifically unavailable for use other than for normal administrative or educational purposes.
4. Sound amplification equipment may be used only when prior approval has been requested and approved by the appropriate official, taking into account DSCC's mission, the nature of the facility or property requested, location, and time of day. Sound amplification is not permitted in the unassigned areas.
5. Internet guest access may be available when prior approval has been requested and approved by the appropriate official taking into account DSCC's mission.
6. Any rental of DSCC equipment must follow the appropriate DSCC policy and procedure. DSCC equipment is not permitted to be used in the unassigned areas unless the event is DSCC sponsored.
7. All individuals and/or entities, by making application for registration of an activity and by subsequent use after approval, agree to indemnify DSCC and hold it harmless from any and all liabilities arising out of such use of DSCC's property and/or facilities, including, but not limited to, personal injury, property damage, court costs, and attorney's fees. Additionally, DSCC may require:
 - adequate bond or other security for damage to the property or facilities
 - personal injury and property damage insurance coverage
 - a performance bond or insurance guaranteeing or insuring performance of its obligations under the contract
 - other types of insurance in such amounts designated by DSCC.
8. DSCC reserves the right to identify specific facilities, uses, or events for which bond, security, and/or liability insurance will be required. In setting its policy, DSCC may consider the nature and uses of particular facilities and/or locations on campus and the anticipated event size or attendance for any use of campus facilities and/or property. Proof of compliance with this provision may be required in advance of an event. This provision shall be applied and enforced in a content/viewpoint neutral manner.
9. All persons operating motor vehicles in conjunction with an approved use/access of campus facilities and/or property shall be subject to TBR and DSCC rules, regulations, policies, and procedures regarding traffic and parking.
10. Users of facilities or property and/or their sponsor(s) are responsible for all activities associated with the event.

11. Use of the requested facility and/or property shall be limited to the declared purpose in the application for use/access to campus facilities and/or property.
12. Access to, or use of, campus facilities shall not be permitted overnight unless specifically requested and approved pursuant to the requirements of this policy and/or other applicable DSCC policies. Such use shall be limited to the specific time and location set forth in the notice of approval/registration document.
13. All persons on campus in conjunction with an approved application for use/access shall provide adequate identification upon request to appropriate officials and security personnel of the institution. Persons or groups who refuse to provide such identification may be subject to immediate removal from campus and/or disciplinary action. In appropriate circumstances, such persons may become subject to arrest and/or prosecution, and students will be subject to disciplinary sanctions.
14. DSCC property and facilities may not be used by any nonaffiliated entity/individual for the conduct of profit-making activities except when engaged in a business relationship, pursuant to a contract, with DSCC and/or when a rental or lease agreement is in place specifically for such temporary purpose.
15. DSCC shall have the right to terminate the use of campus facilities or property by any group, organization, or individual which violates any provision of TBR or DSCC policy as well as local, state, or federal laws or regulations.
16. DSCC regulations governing the conduct of assemblies, meetings, and demonstrations of affiliated groups, organizations, and individuals shall apply to assemblies, meetings, and demonstrations of nonaffiliated groups, organizations, and individuals.
17. Groups and organizations, affiliated or nonaffiliated, utilizing DSCC facilities may not make temporary or permanent alterations to campus facilities and/or equipment without prior approval from DSCC. If unapproved alterations are made, the group or organization shall restore the facilities and/or equipment to its original state.
18. Groups and/or organizations, affiliated or nonaffiliated, utilizing DSCC facilities must have a supervision of the vendor that signed the contract. Users of facilities and/or property and/or their sponsor(s) are responsible for all activities associated with the event. Use of the requested campus facility and/or property shall be limited to the declared purpose of the application for use/access.
19. Fees for nonprofit activities by nonaffiliated groups, organizations, or individuals may be reduced or waived by the President, or designee, dependent upon the nature and extent of the proposed use. Performance bonds or other insurance guaranteeing performance of contract obligations may be required, particularly for profit making activities.

Literature Distribution or Sale:

1. Any proposed distribution or sale of literature by an affiliated or nonaffiliated group, organization, or individual is subject to the specified registration requirements and DSCC procedures. Literature and/or advertisements may only be sold or distributed in conjunction with an approved agreement as established under this policy for the associated use/access of campus facilities and/or property.
2. Any literature which is, or which is proposed to be, distributed or sold shall comply with all applicable federal, state, and local laws and regulations, and with all TBR and DSCC regulations and policies. No obscene material, as defined by law, may be distributed.
3. DSCC shall have the right to terminate the distribution or sale of literature by any group, organization, or individual, which violates the provisions of TBR Policy No. 1:03:03:50, or federal, state, or local law.

IV. Compliance

All affiliated and nonaffiliated entities and individuals using Dyersburg State Community College property and/or facilities must comply with this policy. Violation of, or failure to comply with, the requirements set forth in this policy or other DSCC policies may result in the immediate revocation of previously granted approval for access/use of campus facilities or property and student disciplinary sanctions, if appropriate.

V. Definitions

Affiliated Entities: an officially registered student, student group or student organization.

Affiliated Individuals: persons officially connected with the institution including students, faculty, and staff.

Non-affiliated Entities: any person, group, or organization which is not an affiliated entity or individual.

Non-affiliated Individual: any person who is not an affiliated individual.

Student: a person who is currently registered for a credit course or courses, non-credit course or program at the institution, including any such person during any period which follows the end of an academic period which the student has completed until the last day for registration for the next succeeding regular academic period.

Normal Educational Activities: Activities that occur outside of the classroom to enhance and continue student learning and project completion. They include, but are not limited to, the following: small group study sessions (whether organized by students, tutors, Supplemental Instructors or teachers), review sessions, open labs, student-teacher conferences and students working together on class projects.

VI. Revision History

Policy written August 2012; approved by Administrative Council on 10/26/12. Policy revised October 2016; approved by Administrative Council on October 28, 2016. Policy revised and approved by Administrative Council on September 28, 2023.