

CHAPTER 13

USE OF UNIVERSITY-OWNED FACILITIES

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§20-13-1 Purpose. The University of Hawaii is a multi-campus system of post-secondary education conducting education, research, and public service programs for the State, the nation and the world community. The responsibility of the board of regents to operate and maintain an effective and efficient university system dedicated to these pursuits requires

This does not mean that the university endorses the philosophy or views of the organizations or individuals conducting or participating in those activities.

[Eff. AUG 26 1982] (Auth: HRS §§304-2, 304-4) (Imp: HRS §§304-2, 304-4)

§20-13-4 Use by university-affiliated organizations. Registered student, faculty, or staff organizations and other university-affiliated organizations may use an institution's buildings or grounds or both in compliance with reasonable and nondiscriminatory institutional policies that shall specify the procedures under which those organizations may reserve the institution's buildings or grounds, or both, for their use. [Eff. AUG 26 1982] (Auth: HRS §§304-2, 304-4) (Imp: HRS §§304-2, 304-4)

§20-13-5 Use by organizations without university affiliation. (a) The university, as a public institution, is not in competition with other institutions or commercial enterprises in the rental of facilities. There are circumstances, however, in which the nature of the activity is particularly appropriate to a campus facility. In these cases, the university may enter into rental agreements with organizations without university affiliation. Use of university grounds and physical facilities by such organizations shall be subject to this chapter.

(b) Organizations without university affiliation which intend to operate charitable, civic, community, cultural, or educational activities on a not-for-profit basis and whose activities are appropriate for designated university owned facilities may use the designated facilities where the use does not infringe upon, delay, or conflict with the normal operation of the university's campuses.

(c) The availability of the institution's facilities for functions other than the institution's own activities shall be strictly subject to the needs and the convenience of the institution, which is always to have priority in the scheduling of facilities. In the event of conflicting demands for use of the institution's facilities by organizations without university affiliation, scheduling priority shall be given to those activities which further university purposes.

(d) Organizations without university affiliation authorized to use university-owned or operated facilities shall be required to:

- (1) Observe established university and campus rules and policies.
- (2) Indemnify, defend, and hold harmless the university and the State of Hawaii from any liability arising out of the actions of the organization or its agents incidental to the use of the facilities by the organization.
- (3) Reimburse the university for any damage (beyond normal wear and tear) to the facilities resulting from their use.
- (4) Compensate the university according to the terms provided in the agreement for use of university owned facilities.
- (5) Provide evidence of appropriate and adequate insurance protection covering property damage, personal injury, or death arising out of the use of university owned facilities. The president or a designee may waive this requirement upon an adequate showing of responsibility by the organization.
 [Eff. AUG 26 1982] (Auth: HRS §§304-2, 304-4)
 (Imp: HRS §§304-2, 304-4)

§20-13-6 Speech and assembly. (a) The president or a designee shall designate one or more appropriate public forum areas on campus where individuals may

assemble and engage in public speech activities.

(b) Individuals utilizing a designated public forum area on campus must comply with university and campus rules and policies.

(c) When a location other than a designated public forum area is utilized for public speech activities, the practices and procedures governing the time, place, and manner of such activities to be established shall be observed. [Eff. AUG 26 1982] (Auth: HRS §§304-2, 304-4) (Imp: HRS §§304-2, 304-4)

§20-13-7 Solicitation. (a) No solicitation shall be conducted in any building, structure, facility, or on any grounds, sidewalks, or streets on the campus of any institution.

(b) The following activities shall not be deemed solicitations prohibited by this section:

- (1) Sale or offer for sale of any newspaper, magazine, or other publications by means of a vending machine in an area designated by the institution, or the sale or offer for sale of such materials by individuals which is conducted in compliance with the practices and

procedures governing the time, place, and manner of such activities to be established.

- (2) Sale or offer for sale of any food or drink items by means of a vending machine operated by the institution or its subcontractor in an area designated by the institution.
- (3) The operation by the institution or its subcontractor of any bookstore, specialty store, laundry, cafeteria, bank, barber shop, or other service facility maintained for the convenience of the students, faculty or staff.

institution.

§20-13-9 Severability. If any provision of this rule, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are severable.

