

WAC 172-137-040 Conditions of use. Use of university facilities by employees, students, university-affiliated groups, nonaffiliated groups, and community members is subject to the following restrictions:

(1) **Restriction of access.** The president of Eastern Washington University may restrict access to university facilities and may establish rules of conduct for persons while on university facilities, as prescribed under WAC 172-122-210.

(2) **No disruption to normal activities.** University facilities may not be used in ways which obstruct or disrupt university operations, the freedom of movement, or any other lawful activities. No activity may obstruct entrances, exits, staircases, doorways, hallways, or the safe and efficient flow of people and vehicles. The use of university facilities and any first amendment activities engaged in within university facilities must not substantially and materially interfere with university activities or otherwise prevent the university from fulfilling and achieving its primary purpose of educating students. Activities must not substantially and materially infringe on the rights and privileges of university employees, students, or university-affiliated groups.

(3) **Sound amplification.** The use of electronic sound amplification is only permitted in facilities designated by the VP-BF or designee. Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of university affairs. Use of sound amplification equipment must comply with all local ordinances.

(4) **Overnight use.**

(a) No person may use university facilities to camp, except as provided in subsection (b) of this section. "Camp" means to remain overnight, to erect a tent or other shelter, or to use sleeping equipment, a vehicle, or a trailer camper, for the purpose of or in such ways as will permit remaining overnight. Violators are subject to arrest and criminal prosecution under applicable state, county and city laws.

(b) Exceptions:

(i) The use and occupancy of university housing in accordance with housing rules;

(ii) The use of facilities by a university employee or agent who remains overnight to fulfill the responsibilities of his or her position;

(iii) The use of facilities by a university student who remains overnight to fulfill the responsibilities of his or her course of study;

(iv) The use of facilities where overnight stays are specifically permitted in identified locations for attendees at special events designated by the university, such as during home football games, commencement, and special weekends.

(5) **Accessibility.** The university will not make its facilities or services available to organizations which do not assure the university that they will comply with the terms of the Americans with Disabilities Act and the Rehabilitation Act of 1973 while using university facilities. Users must not impose restrictions nor alter facilities in a manner which would violate the Americans with Disabilities Act or Rehabilitation Act.

(6) **Harassment.** EWU is committed to providing an educational and work environment in accordance with federal law. As such, EWU prohibits its individuals and groups who are using its facilities from engaging

in harassment while using university facilities. Harassment is defined as conduct by any means that is sufficiently severe, pervasive, or persistent, and objectively offensive so as to threaten an individual or limit the individual's ability to work, study, participate in, or benefit from the university's programs or activities.

(7) **Prohibited items and authority to inspect.** Within the limits of applicable laws, Eastern Washington University is committed to establishing and maintaining safe conditions for persons attending events in university facilities. Accordingly, some events have restrictions on items that may be brought into the event (i.e., beverage containers, noisemakers). Individuals possessing such items will not be admitted to, or will be removed from, university facilities until the items have been properly removed, discarded, or stored. All persons entering events at university facilities shall be subject to having all containers, bags, backpacks, coolers, or similar items visually inspected. Persons who refuse the visual inspection and refuse to dispose of the item shall be denied entry.

(8) **Cleanup and repairs.** All facilities must be left in their original condition and may be subject to inspection by a university representative after the activity. Reasonable charges may be assessed against an individual or group for the costs of cleaning up the condition of the property beyond reasonable wear and tear or for the repair of damaged property. If a nonaffiliated group or outside community member is sponsored by a university-affiliated group or department, the sponsoring group is responsible for the costs of repairs if the nonaffiliated group or outside community member fails to pay the costs.

(9) **Violations and trespass.** Individuals who violate the university's regulations and/or who violate university contract terms for use of facilities may be advised of the specific nature of the violation and, if continued, individuals may be requested to leave university property or be refused future use of university facilities.

Under WAC 172-122-200, the university president, or designee, may prohibit access to university facilities, give notice against trespass, and/or order any person or group to leave university facilities.

Failure to comply with a request to leave university property could subject the individuals to arrest and criminal prosecution under the provisions of WAC 172-122-200 and other applicable state, county, and city laws.

(10) **Safety and liability.**

(a) Users must comply with all applicable university policies, procedures, rules and regulations; local, state and federal laws; and fire, health and safety regulations, to include any special regulations specified for the event by the university and/or government authorities.

(b) Users assume full responsibility for any loss, damage or claims arising out of use of a university facility.

(c) University facilities may not be used in ways that create safety hazards or pose unreasonable safety risks to students, employees, or invitees.

(d) University facilities may not be used in any manner that creates a hazard or results in damage to university facilities.

(e) Users shall complete a risk assessment as required or directed by the event planning office. Depending on the nature of the proposed event, the requestor may be required to provide its own liability insurance coverage at an amount determined by the VP-BF/designee

naming Eastern Washington University as additionally insured for any events held in a university facility.

(f) University facilities may not be used in furtherance of or in connection with illegal activity.

[Statutory Authority: RCW 28B.35.120(12) and 42.56.070. WSR 18-11-065, § 172-137-040, filed 5/15/18, effective 6/15/18. Statutory Authority: RCW 28B.35.120(12). WSR 12-04-065, § 172-137-040, filed 1/30/12, effective 3/1/12.]