MEMORANDUM
NUMBER 6-704

5 November 2015

THE CITADEL
The Military College of South Carolina
171 Moultrie Street
Charleston, SC 29409

USE OF CITADEL FACILITIES

1. PURPOSE

The purpose of this policy is to ensure the effective use and enjoyment of the facilities of The Citadel as an educational institution. In line with this policy, The Citadel and its facilities are deemed to be a "non-public forum," unless otherwise expressly stated herein, for purposes of expressive conduct under the First Amendment to the United States Constitution. This policy is applicable to all users and potential users of Citadel facilities.

2. REFERENCES

26 USC 501 (c) (3) and (4)
S.C. Constitution, Article X, Section 5

3. DEFINITIONS

A. Campus Affiliated Unit: An organization or entity that exists for the purpose of advancing The Citadel and that has been formally recognized as such by The Citadel. These units include, but are not necessarily limited to, The Citadel Foundation, The Citadel Brigadier Foundation, and The Citadel Alumni Association.

B. Campus Department: A school, department, division or office of The Citadel. Examples include: the School of Business, the Cadet Activities Department, the Biology Department, the Physical Plant, etc.

C. Commercial Sales, Solicitations, Advertising or Other Commercial Activity: Any activity whose purpose is to inform, induce or encourage individuals or groups to purchase, rent, lease, or use (or not purchase, rent, lease, or use) any goods or services.
D. **Coordinating Facility Official**: The individual or office designated in Annex A as having responsibility for reserving specified facilities.

E. **Costs**:

1. **Administrative Costs**: An assessment for utilities, cost of property, depreciation, and wear and tear.

2. **Custodial Costs**: An assessment for custodial services incurred as a result of use of a facility.

3. **Direct Costs**: An assessment for security, set-up, special services, technical equipment (other than normal custodial services), catering, parking, public safety and other costs directly associated with the event/meeting. These costs are based on actual expenses and billed accordingly.

4. **Full Costs**: The sum of 1, 2, and 3, above.

F. **For Profit Organization**: A corporation, partnership, or other entity or organization which has not received tax exempt certification under 26 USC Section 501 (c) of the Internal Revenue Code.

G. **Fronting**: Reservation or rental of a Citadel facility by a campus department, student organization, or campus affiliated unit for an individual or entity unaffiliated with The Citadel. “Fronting” is prohibited.

H. **Governmental Organization**: A federal, state, or local governmental agency, department, commission, board, division, instrumentality, or institution.

I. **Non-Profit Organization**: A corporation, partnership, or other business entity which has received tax exempt certification under 26 USC Section 501 (c), *et seq.* of the Internal Revenue Code.

J. **Sponsoring Organization**: A campus department which has agreed to sponsor a non-Citadel organization’s use of a Citadel facility because of its close affiliation with The Citadel and its mission.

K. **Student Organization**: A cadet or student organization that has received official recognition through the Department of Cadet Activities.

4. **POLICY**

A. **General**: All prior authority to authorize use of Citadel facilities is hereby revoked. All duly executed contracts in existence at the time this policy becomes effective will remain valid. However, upon publication of this policy, scheduling and negotiation authority to authorize use of Citadel facilities is centralized as described herein.
1. Any person or entity desiring to use a Citadel facility must obtain a permit from the Coordinating Facility Official responsible for the facility prior to any use of the facility. For purposes of this section, a fully completed Facility Use Request form, duly countersigned by the appropriate Coordinating Facility Official, and accompanied by a Facility Use Contract, shall constitute a permit for use of Citadel facilities. All contracts for use of Citadel facilities must be signed on behalf of The Citadel by the Vice President for Finance and Business (VPFB), or his/her designee.

2. College properties shall be used only in accordance with federal, state and local laws and shall not be used for the purpose of organizing or carrying out any unlawful activity.

3. College facilities are provided primarily for the support of the educational functions of the College and the activities necessary for the support of these functions. The Citadel does not normally make available its buildings and other facilities to individuals or outside organizations for private use. Permission to use College facilities may be granted only if the proposed use is consistent with institutional policies and mission and the individual or organization fully reimburses the college for all appropriate costs. College functions take precedence over any other activities in the use of College facilities.

4. All persons on Citadel property are required to abide by Citadel policies and regulations and shall identify themselves upon request to Citadel officials or appropriate Citadel employees acting in the performance of their duties. Violation of such policies or regulations may subject a person to possible legal penalties; if the person is a student, faculty or staff member of The Citadel, that person may also be subject to College discipline.

5. Public expression in the form of freedom of speech and advocacy may be exercised in College facilities at such times and places and in such a manner as to assure orderly conduct, the least possible interference with College responsibilities as an educational institution, protection of the rights of individuals in the use of College facilities, and reasonable protection of persons against practices that would make them involuntary audiences.

6. In the spirit of open discussion and freedom of expression, the College will not discourage any group from using designated College facilities or services to render an opinion as long as the College determines the time, place, and mode of presentation of the views in question. In the absence of exigent circumstances, The Citadel designates the north steps before the western front entrance to Bond Hall as the designated public forum for Special Events for purposes of expression of opinion under the First Amendment. The College will not attempt to control the viewpoint of the speaker. Annex B will be used to request a Special Event permit. Special Event permits should be requested thirty (30) day in advance, but may be approved with less notice.
under extenuating circumstances. The approval authority for Special Event permits is the Senior Vice President for Operations and Administration (SVPOA).

7. The name, insignia, seal, logo or other College or departmental indicia may only be used by College and non-university groups or organizations with prior approval of the appropriate College authority.

B. Process:

1. Facilities available for use are identified at Annex A. Persons or entities wishing to use any Citadel facilities must complete a Facility Reservation Request (Annex B) and submit it at least thirty (30) days in advance to the Coordinating Facility Official for the requested facility.

2. The Coordinating Facility Official has responsibility for ensuring that the requested space is suitable for the event, and that the proposed use complies with this policy. The Coordinating Official will confer with the Vice President for Finance and Business and the Office of General Counsel, as appropriate, to develop terms for a contract to lease the desired facilities to the tenant. The Coordinating Facility Official will communicate those terms to and negotiate with the proposed user of the facility.

3. Upon completion of negotiations, the Coordinating Facility Official will secure the user’s signature on a draft contract, and deliver that draft contract to the Vice President for Finance and Business, or his/her designee, for execution. Facilities are not reserved until representatives of both The Citadel and the requesting individual or organization have executed a contract.

C. Scheduling:

1. Priority for use of facility use shall be as follows:
   a. Academic classes or academic research activities
   b. Non-academic Citadel events with fees
   c. Non-academic Citadel events without fees
   d. External events

2. Any scheduled use shall have priority over any unscheduled use.

D. Hold Harmless Agreement and Insurance Requirements:

1. All non-Citadel users, including candidates and political parties and organizations, must execute a hold harmless/indemnification agreement in favor of The Citadel, its directors, officers, agents and employees.
2. Commercial users, including candidates and political parties and organizations, must procure and maintain general liability insurance, both for themselves and for any agents acting on their behalf, in the amount of not less than one million ($1,000,000) per occurrence and five million ($5,000,000) dollars aggregate, which insurance shall name The Citadel, its governing board, officers, agents, employees, servants and assigns, as additional insureds. Non-commercial users may be required to procure and maintain general liability insurance, at the discretion of The Citadel. Users must provide proof of insurance no later than one (1) week after execution of the rental contract or five (5) days prior to the commencement date of the lease, whichever is sooner.

3. Only the President or his designee can reduce or waive the insurance requirement. Statements of self-insurance from other governmental agencies may be accepted in lieu of the insurance or hold harmless requirements.

E. Fees:

1. For-profit organizations will be responsible for custodial and direct costs, any and all costs for damage caused during their use of Citadel facilities, and full administrative costs for overhead, including utilities and maintenance of Citadel facilities.

2. Governmental agencies and non-profit organizations will be responsible for custodial and direct costs, and any and all costs for damage caused during their use of Citadel facilities. These organizations will be eligible for a reduced administrative cost, at the discretion of the Office of the President.

3. Campus departments and recognized student organizations will be responsible for custodial and direct costs, as well as any and all costs for damage caused during their use of Citadel facilities.

4. Custodial and direct costs are billed at actual cost to The Citadel, as are costs incurred as a result of damages caused by use of Citadel facilities. Administrative costs are established annually by the Coordinating Facility Official responsible for each facility, in consultation with the President, the Vice President for Finance and Business, and the Associate Vice President for Facilities, Engineering and Safety. Administrative fee schedules are available through the Coordinating Facility Official. Only the President or his designee can reduce or waive the administrative costs required by this section.

F. Sales and Solicitations: All commercial sales, solicitations, advertising or other commercial activity at Citadel facilities is strictly prohibited without prior authorization from The Citadel. Persons or entities wishing to use any Citadel facilities for sales and solicitation must fill out the form at Annex C.
G. Bulletin Boards and Other Postings: The Citadel prohibits posting of bills, advertisements or other materials on any College property other than in designated areas. Rules and Regulations for obtaining authorization for commercial sales and solicitation on The Citadel campus are published in Memorandum 2-13, dated 18 August 2009 – Bulletin Boards and Posting on The Citadel Campus.

H. Political Activities: Political campus organizations shall have access to selected College facilities on the same basis as all other campus organizations — in keeping with the rights of all members of the campus community to express political views. All political organizations are to be assessed the usual costs for the use of the facilities. A policy of nonpartisanship and neutrality will govern The Citadel at all times in its relationship with elected officials or persons campaigning for public office. The following guidelines will be followed:

1. Off-campus groups requesting rental of College properties, including those co-sponsored by on-campus organizations for political activities, are required to include the following statement in all publicity: "This event (or publication) does not reflect an opinion or endorsement by The Citadel."

2. Citadel campus mail and e-mail will not be used to distribute political materials in any form. This applies to both members and nonmembers of the Citadel community.

3. Political campaign signs and handbills of candidates for public office, or for ballot initiatives or questions, are subject to the campus posting policy (Memorandum 2-13 dated 18 August 2009). Campus residents may only display political campaign signs and handbills of candidates inside their residences.

4. The Citadel will not sponsor or support political candidates, ballot initiatives or questions.

5. Candidates for public office and campaign organizations, regardless of their affiliation or non-affiliation with The Citadel, may rent campus grounds and facilities for campaign events. They will be treated as non-Citadel users and charged the full rental and related use fees applicable to the grounds or facilities they wish to use.

6. Candidates and campaign organizations may film, video tape, or shoot still photos on The Citadel campus subject to Memorandum 4 dated 11 September 2008 – Photography, Filming and Videography on Campus, but may not express or imply an endorsement by The Citadel.

I. Catering: For the purpose of reducing the risk of liability and maintaining quality, food safety and control, all food sold and provided on campus must be supplied by The Citadel's foodservice contractor. Exceptions may be made only upon approval by the President or his designee.
J. Alcohol:

1. Individuals or groups who wish to consume alcohol at any event must complete and submit a Registration for Events with Alcohol form (Annex D), and submit it at least fourteen (14) days in advance of the requested use. All registrations must be approved by both the Coordinating Facility Official and the Office of the President.

2. All alcoholic beverage service must be provided by The Citadel, through its foodservice contractor. Organizations will be charged at current rates, and service will be in accordance with South Carolina law.

3. Citadel Public Safety must be notified of the date and time of all events at which alcohol service is to be provided. Citadel Public Safety will determine and provide the appropriate level of security coverage, and the leasing individual or organization will be responsible for all costs associated with that coverage.

4. All events with alcoholic beverage service must be substantially food related and include the availability of alternate beverages.

5. Drunkenness, vandalistic, or disruptive behavior associated with service of alcoholic beverages is not an acceptable norm of conduct on The Citadel campus and can result in termination of the facility use contract as well as denial of future use privileges. The Citadel reserves the right, without penalty, to refuse service of alcoholic beverages to an individual or to discontinue service at a function if, in its opinion, it is in the best interest of The Citadel.

6. Any member of the Citadel community found to be in violation of The Citadel alcohol policy shall be subject to disciplinary actions by the appropriate Citadel office.

7. Any exceptions to these guidelines must be made by the President.

K. Security: There will be no Department of Public Safety charges to the user when security needs can be met through the use of assigned duty personnel. If an event requires security in addition to assigned duty personnel, the costs will be met by the user and billed accordingly. The security needs for events are at the Department of Public Safety’s discretion.

5. COMPLIANCE

Failure to comply with these policies may result in cancellation of the event and/or disqualification from use of facilities in the future.
6. NOTES

A. Dates of Official Enactment and Amendments:

Approved by the Senior Vice President for Operations and Administration on 5 November 2015.

B. Responsible Department:

Project Management Office

C. Responsible Official:

Director, Project Management Office

D. Cross References:

Memorandum 2-13, Bulletin Boards and Posting on The Citadel Campus, dated 18 August 2009

Memorandum 2-110, Protection of Minors, dated 2 March 2015

Memorandum 2-1, Policy on Contracting Authority for the College, dated 18 February 2009

Memorandum 7-110, Political Activities on Campus, dated 25 September 2015

Memorandum 7-1, Photography, Filming and Videography on Campus, dated 13 August 2010

Human Resources, Solicitation and Distribution

7. RESCISSION


8. REVIEW

Review this policy on an annual basis.

FOR THE PRESIDENT:  

//Signed, TGP, 5 November 2015//

OFFICIAL
THOMAS G. PHILIPKOSKY
Colonel, USAF, Retired
Senior Vice President for Operations and Administration
Attachments:
Annex A, Facility and Coordinating Facility Official Chart
Annex B, Facility Reservation Request Form
Annex C, Sales and Solicitation Form
Annex D, Registration for Events With Alcohol
Annex A

Citadel Facilities Available for Use by Individuals and Groups Not Affiliated With The Citadel

Set forth below is a list of facilities owned, leased or under the authority of The Citadel that may be used by individuals and groups that are not affiliated with The Citadel in accordance with the Use of Citadel Facilities policy. Please note that each facility has its own rules and regulations, rental costs, and other requirements. To obtain these details, you must contact the Coordinating Facility Official for the facility noted below.

<table>
<thead>
<tr>
<th>Facility</th>
<th>Coordinating Facility Official</th>
<th>Telephone</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Citadel Beach House</td>
<td>Director of Event Management</td>
<td>(843) 953-0467</td>
<td><a href="mailto:Abringar@citadel.edu">Abringar@citadel.edu</a></td>
</tr>
<tr>
<td>Holliday Alumni Center</td>
<td>Director of Alumni Affairs</td>
<td>(843) 953-7696</td>
<td><a href="mailto:Thomas.mcalister@citadel.edu">Thomas.mcalister@citadel.edu</a></td>
</tr>
<tr>
<td>Johnson Hagood Stadium, Altman Athletic Center, Pearson Club Lounge, McAllister Field House, College Park, WLI Soccer Field, Maybank Triplets Athletic Complex, Inouye Marksmanship Hall, O. Perry Earle, Jr. Tennis Center, football practice field, wrestling practice area, Seignious Hall weight training room</td>
<td>Department of Athletics</td>
<td>(843) 953-6703</td>
<td><a href="mailto:Danielle.dillahey@citadel.edu">Danielle.dillahey@citadel.edu</a></td>
</tr>
<tr>
<td>Summerall Chapel</td>
<td>Chaplain</td>
<td>(843) 953-6572</td>
<td><a href="mailto:cstarks@citadel.edu">cstarks@citadel.edu</a></td>
</tr>
<tr>
<td>Buyer Auditorium, Mark Clark Hall Reception Room, MCH Room 228, MCH Room 230</td>
<td>Department of Cadet Activities</td>
<td>(843) 953-7775</td>
<td><a href="mailto:bryan.dukes@citadel.edu">bryan.dukes@citadel.edu</a></td>
</tr>
<tr>
<td>Classrooms</td>
<td>Provost</td>
<td>(843) 953-5007</td>
<td><a href="mailto:carla.demille@citadel.edu">carla.demille@citadel.edu</a></td>
</tr>
<tr>
<td>Summerall Field, Boat House and all other outdoor areas on campus</td>
<td>Associate Vice President for Facilities, Engineering and Safety</td>
<td>(843) 953-5304</td>
<td><a href="mailto:ddavis13@citadel.edu">ddavis13@citadel.edu</a></td>
</tr>
<tr>
<td>Riverview Room, Bond 514, Executive Conference Room</td>
<td>Office of the President</td>
<td>(843) 953-5012</td>
<td><a href="mailto:jane.clegg@citadel.edu">jane.clegg@citadel.edu</a></td>
</tr>
<tr>
<td>Deas Hall</td>
<td>Deas Hall Manager</td>
<td>(843) 953-7946</td>
<td><a href="mailto:henry.bouton@citadel.edu">henry.bouton@citadel.edu</a></td>
</tr>
</tbody>
</table>
## Facility Reservation Request

<table>
<thead>
<tr>
<th>Name</th>
<th>Facility</th>
<th>Phone</th>
<th>Date</th>
<th>Start Time</th>
<th>End Time</th>
<th># of attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email</td>
<td>Date</td>
<td>Date</td>
<td>Date</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department</td>
<td>Date</td>
<td>Date</td>
<td>Date</td>
<td></td>
<td></td>
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<tr>
<td>Date of Request</td>
<td>Date</td>
<td>Date</td>
<td>Date</td>
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</tr>
</tbody>
</table>

### Event
- **Description**
  - Athletic Event
  - Business Meeting
  - Wedding
  - Reception
  - Special Event / Other

### Alcohol: Will alcohol be served?
- Yes
- No
  - (If yes, complete Annex D)

### Catering: Will food be served?
- Yes
- No
  - (If yes, complete Annex E)

### Special Requests

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I certify that I have read the entire Facility Use Policy as well as any other requirements for the particular facility I am reserving and assume responsibility for my organization while using the facility.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Approved</th>
<th>Disapproved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Printed Name</td>
<td>SVPOA/VPFB</td>
<td>Date</td>
</tr>
</tbody>
</table>

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Memo 6-704, Annex B
Annex C

For form, go to: http://www.citadel.edu/root/sales-and-solicitations-form
Annex C

Start Time (*)

End Time (*)

Location (*)

Sponsoring Citadel Organization (*)

Sale Item or Service (Check All That Apply) (*)
- T-shirts
- Memorabilia
- Food
- Service
- Books (include title, author, and # of copies in the description below)

Sale Item or Service Description (*)

Target Audience (Check All That Apply) (*)
- Corps of Cadets
- Faculty and Staff
- CGC Students
- General Public

Special Requests

Please Review (*)
- I certify that I have read the Sales and Solicitations section of the Facility Use Policy and assume responsibility for my organization while selling goods or services on the campus of The Citadel

Please type the numbers below before hitting submit.

9 7 7 5

Refresh

Submit Form | Reset Form
Annex D

For form, go to: http://www.citadel.edu/ROOT/events-with-alcohol-form
Annex D

**Event Description (*)**

<table>
<thead>
<tr>
<th>Attendee Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corps of Cadets (Under 21)</td>
</tr>
<tr>
<td>Corps of Cadets (Over 21)</td>
</tr>
<tr>
<td>Children</td>
</tr>
<tr>
<td>GC Students</td>
</tr>
<tr>
<td>Faculty / Staff</td>
</tr>
<tr>
<td>General Public (Invited)</td>
</tr>
<tr>
<td>General Public (Ticketed)</td>
</tr>
</tbody>
</table>

**Beverage Type (Check All That Apply) (*)**

- Beer / Wine
- Liquor

Events must be registered with the host facility and approved by Public Safety. This form does not ensure availability or registration of the area you intend to reserve. Reservation of the space must be done separately. All events where alcohol is served are subject to having security present as required by Citadel Public Safety at the expense of the reserving group. All requests for Public Safety services must be made **fourteen (14) days in advance**. All alcohol sales and service will be administered by ARAMARK and will end no later than 12:00 am. The original of this form should be retained by the Coordinating Facility Official.

**Please Review (*)**

I am the contact person for the group sponsoring the above-referenced event. I have read the Facility Use Policy, including Section 4.K. Alcohol. I certify that the event will comply with these policies and I assume responsibility for my organization while conducting the event.

**Contact Name (*)**

**Phone Number (*)**

**Email Address (*)**

Please type the numbers below before hitting submit.

[1 2 4 7] Refresh

[Submit Form] [Reset Form]