

## Electronic Web Calendar

Registered Student Organizations can now post their events and meetings on the Salisbury University Web Calendar!

1. Go to [www.salisbury.edu/calendar](http://www.salisbury.edu/calendar).
2. Follow the directions listed at the top of the page and select calendar number 14 from the scroll bar. Calendar number 14 is the Student Calendar.
3. Once you are on calendar 14, choose the statement “Add Event” and click on that.
4. On the form you must complete the required fields of Date, Title, name and email.
5. It is preferred that you also include a start and end time. If you are unsure as to the end time of an event, please include at least the start time.
6. The only times you would use the Repeat option would be if this event was a weekly occurrence, or if the event were happening each day for a series of days. In that event, you would choose the appropriate option from the repeat scroll bar, and then enter a “Repeat Until” date (this date would be the last date of the event).
7. Under the Description it is very important that you “sell” your event. Tell the Who, What, When, Where and Why. Be especially sure to tell where because otherwise people won’t know where to go for your event.
8. Under “Your Name”, please put the name of the student responsible for the event, and the group sponsoring the event. Under “Your Email”, put the email address you, or the contact person checks most often.
9. Finally, submit the event. Your event will not appear on the calendar until it has been approved. Events will be approved once a week on Fridays. Be sure to get your event posted at least 2 weeks in advance.

## **Facilities Policy: Fronting**

University facilities may only be reserved by University departments, administrative units and currently registered student organizations. Sponsoring groups who reserve space for the purpose of allowing non-university vendors or groups to advertise, sell items, or hold meetings will be responsible for “fronting.”

“Fronting” is defined as permitting a non-university individual/organization to use University space/facilities and services under the guise that the activity is a University sponsored program.

One or more of the following characteristics will be considered when determining whether or not “fronting” is occurring:

- The attendance of the group must be primarily campus related individuals;
- (1) Presenter’s fees are paid for by University organizations/departments;
- (2) The primary advertising is directed toward university organizations and
- (3) All planning and/or production must be handled by University sponsoring group.
- (4) All scheduled events must be within the scope of the University Mission.
- (5) The University is prohibited by law to support anything of a religious and/or bipartisan nature.

Non-university individuals/organizations are required to schedule the University space through conference Services and pay for the use of space and services in accordance with current policy and fee schedule.

## Kiosk Policy

To ensure that Registered Student Organizations have the greatest use of the kiosks, and that the kiosks are maintained in an orderly fashion, the following policy must be followed. Failure to comply with these guidelines may cause the removal of the kiosks.

There are two kiosks located on campus, one, in front of the library and the other across from the southwest corner of Devilbiss Hall. Each kiosk is six sided with each side partitioned in the following manner:

- One side for the Student Organization for Activity Planning (SOAP)
- One for Registered Greek Organizations
- Two sides for Registered Student Organizations
- One for general Announcements\*
- One for the Student Government Association

Each kiosk is maintained by the SGA. Thus, in order to post anything on the kiosks approximately six copies of the advertisement must be turned into the Vice President of Public Relations at the SGA office housed in Office of Student Activities. For the best publicity, the advertisements are suggested to be turned in one week prior to your event. The SGA will then post the advertisement on the kiosk. Any flyers that did not go through the SGA and are not posted by the SGA, will be removed and recycled.

Legitimate items are posted on the kiosks no less than two times a week. Sweeps for illegitimate items are made daily. In the event that rain is forecast to occur, posters will not be placed on the kiosks the day before. As often occurs in Salisbury, when it rains for an extended period of time, no items are placed on the kiosks. After the rain, items will be placed on the kiosks and copies of those destroyed by ware will be replaced.

At any time, the Vice President of Public Relations may be contacted with questions, complaints, or suggestions regarding this policy and its implementation either via the telephone at the SGA's number or through e-mail at [sgapofpr@salisbury.edu](mailto:sgapofpr@salisbury.edu) .

\*General Announcements are defined as anything sponsored by Salisbury University that does not fall under one of the other categories (ex. Advertising for the Multi-cultural Festival or book Buy-back.) Rental or Job announcements may also be placed under this category, as are other items of interest to the students as determined by the Vice-President of Public Relations. Off campus advertisers are only permitted to advertise via kiosks with written proof of student benefit by doing so, and granted permission from  $\frac{3}{4}$  of the passing vote made by SGA's Executive Board.

# Liability

## Potential Liability for Law Suits

Questions are asked frequently relating to the risk of lawsuits, with their potential exposure to claims against insurance policies or personal funds, as they apply in the context of University employment or University-related activities. This memo is an effort to explain the process and possible outcomes of such claims.

State governments and their employees historically enjoyed immunity from suit. That means that they could not be sued even if they had engaged in non-criminal misconduct. Modern society did not tolerate this system, however, and every state has passed laws exposing it to suit under some circumstances. The State of Maryland's law is called the Maryland Tort Claims Act ("MTCA"). The most common claims made against universities and their employees are "torts" and are covered by the MTCA. These claims include auto accidents, slip-and-fall injuries, injuries to character, such as from defamation or invasions of privacy, professional malpractice, and some environmental injuries, such as the emerging sick-building claims.

With respect to individual State employees, the MTCA expressly maintains their immunity from suit as long as the employee is alleged to have engaged in negligent conduct. Thus, for the typical tort claim, such as for car accident or fall on campus, a claim against a State employee cannot be sustained. These suits must be filed against the State itself, and not the employee. (Most lawyers do not understand this law as well as they should and the employee almost always is a named party to the suit. The dismissal of the employee is usually accomplished before trial).

There is an important exception to the MTCA, however, that could lead to a proper claim against an individual State employee, for which he/she would be personally responsible. If the claim alleges that the employee engaged in malicious or grossly negligent conduct, as opposed to negligent or careless conduct, the immunity from suit that was reiterated in the Act does not apply and the claim can continue against the individual. Malicious acts are those that are done intentionally, vindictively, or with the purpose of causing harm.

Grossly negligent acts are those that are done with an unusual amount of disregard for the consequences of the conduct. For example, running a red light and causing an accident typically would be negligent conduct. Running a red light on purpose would be malicious conduct. Tort claims immunity would protect the negligent employee but not the malicious or grossly negligent employee.

Tort claim protection applies to all University employees, regardless of classification, including student employees. It also applies to volunteers who are participating in a formal program that benefits the State. The conduct that is the subject of the claim must be done "with in the scope of the public duties" of the employee, or be part of the service being provided by the volunteer. For example, if a food service worker negligently prepared food that caused illness, the worker would be immune from suit because part of the job is to prepare food. If a

maintenance worker did so while on University time, the worker would not be immune because preparing food is not within the scope of maintenance duties.

For the most part, students who commit tortuous acts in their role as a student, as opposed to the student-employee, are not covered by any State or University insurance or laws. They would have to rely on their own financial resources, including automobile or homeowners insurance policies, if available. An exception applies to some students who are enrolled in courses with a clinical component. The State Treasurer's Office has purchased insurance that covers the negligence of students who are doing clinical work in the health sciences. For students doing clinical work in other disciplines, the affiliation agreement between the University and the agency typically should require the agency to cover any problems that arise.

For the most part, the MTCA will cover the kinds of claims that are made against University employees and student workers. There are other matters, however, those that fall outside the Act and are handled differently. These fall under the category of "constitutional torts" and the MTCA does not apply. In short, some kinds of discrimination cases and cases alleging a violation of the constitutional right to "due process" are constitutional torts. Depending on exactly what kind of claim is being made, immunity for the University and for State personnel may or may not exist.

## **Meetings, Rallies & Assemblies**

### **Facilities Scheduling Guidelines**

Persons/organizations must request the use of and secure approval for the use of facilities/grounds of the University to conduct any meeting, assembly, or rally, etc.

Approval for such use will only be granted if the organization is able to demonstrate that reasonable precaution will be exercised to insure that there is no administrative/support function necessary to that mission.

Organizations conducting such assemblies must clearly identify the organization and its affiliates in order for the audience to make accurate judgments on the content presented. Furthermore, the rights of the University community must be protected as regards undue interference with the flow of traffic and the avoidance of intimidation in securing audience.

The Director of the University Center will only approve assemblies in specified facilities/areas of the University. Facilities will be provided on an as available basis with the sponsoring organization assuming incurred costs, such as security, custodial, etc.

The conduct of meetings, assemblies and rallies is subject to all applicable regulations established by the University relative to the use of its facilities/ grounds. Additionally, organizations requesting use of space may be requested to post a bond against damages or expenses that might be incurred.

## **Reserving a Car or Van**

### **Vehicle Request Policy**

Reservations for vehicles can be made over the phone only if the request is accompanied by a work order number given by the department in question. Requests made by student organizations must be made by the advisor and accompanied by a work order number and a valid account code (Motor pool will check on the availability of vehicles, but will not schedule them for individual students). Reservations can also be made through the normal work order requests without calling in advance.

The traveling party is expected to pick up the vehicle at the time the work order states. The vehicle will only be released if the work order has been received by the Motor Pool before or at the time of departure. If the traveling party is over an hour late and no notification of their change in plans has been received, the vehicle will be cancelled. If no notification is given and another party was forced to drive their own vehicle then the late party will reimburse the other's travel cost.

The driver of the vehicle must be registered with Motor Pool. (Motor Pool must have a driving record on file with no more than 5 points against the driver.)

Please make sure to write ending mileage in the logbooks and fill in the accompany chart COMPLETELY!

**Questions? Please Call: Motor Pool @ 3-6211**

### **Note: Motor Pool Van Change**

- Due to the Department of Transportation's safety concerns regarding 15-passenger vans, Motor has removed one bench seat from each 15-passenger van. This reduces the amount of passengers to 11, which also includes the person driving. Please keep this in mind when scheduling vans.

## **Petitions and Gathering Signatures**

### **Gathering Signatures for petitions and the free distribution/Sale of the written materials**

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This policy applies to the gathering of signatures for petitions and the sale of and free distribution of written materials on the campus by both affiliated and non-affiliated organizations and individuals. The purpose of this policy is to insure that, while First Amendment Rights are secure, the rights of the University, its students and employees are also protected regarding privacy and to insure that undue interference with the education mission of the University is avoided.

Written Materials may be sold/distributed or signatures for petitions gathered by either organizations or individuals, regardless of their affiliation with the University, in areas that constitute a “Public Forum” so long as the guidelines listed below are respected: Persons who violate these guidelines will be asked to cease such activity. Persons who do not terminate activities that interfere with the normal conduct of the education process at the University will be subject to removal and the judicial process.

1. The right of the University to pursue its educational mission must not be abridged.
2. The rights of students and employees to carry on their normal campus pursuits may not be unduly interrupted.
3. Persons distributing or selling written materials or those gathering petitions may not force or intimidate people into accepting materials or signing petitions.
4. The normal and usual flow of traffic on the campus may not be impeded. In particular, passage through lobbies, hallways, or corridors may not be impeded nor may entry or egress from any room, office, or building.
5. Materials that are obscene or that advocate imminent violence or other unlawful acts or the use of any unlawful substances may neither be distributed or sold nor may petitions be circulated for these causes.
6. All materials to be distributed/sold (or petitions) must clearly indicate sponsorship, purpose and all organizational affiliations (local, regional, or national) so that the recipient, purchaser, or signatory of the material/ petition can fairly judge the material within the context of authorship, purpose and organizational affiliations.

## Procedure

1. Persons/organizations who intend to distribute/sell written materials or gather signatures for petitions on campus must register their intent (date, time, place) to do so with the Facilities Reservations Manager by completing a Facilities Reservations Form. Be advised that this requirement is not intended, nor should it be interpreted, as censorship or prior restraint.
  - Written materials will not be reviewed for content except to determine that there is no violation of the law. These file copies will indicate that the University's requirement to disclose sponsorship, affiliations and purpose has been accomplished. Additionally, file copies will allow the University to maintain a record of materials distributed on campus for educational purposes.
2. The Facilities Reservations Manager will notify the Office of Public Safety that the distribution has been registered along with other University offices as may be appropriate and necessary.
3. Areas that are defined as the "Public Forum" are as follows:
4. The distribution/sale of written materials or gathering of petitions is specifically prohibited in the below-listed areas as the University regards such activity to be an undue interference with the educational mission of the institution and/or rights of students and employees:
5. Written materials may be left at the University Center's Information Desk for display and distribution; however, no printed materials other than Salisbury University publications can be left in the newsstands.
6. Persons/organizations may provide a display rack to display their publications (prior approval of the rack must be obtained from the Assistant Director of the University Center). In addition, the written material displayed in the rack must be consistent with the aesthetic integrity of the building. The University Center reserves the right to limit the number of display racks in the building.