



Policy Title: BF4022 - Access to and Use of Campus Property and Facilities

Subject Area: General

Responsible Official(s): Executive Vice President and Chief Operating and Financial Officer

Responsible Office(s): Conference Planning & Operations

Policy Statement

The University of Memphis (University) will adhere to the University of Memphis policy on Use of Campus Property and Facilities for non-credit activities by affiliated and non-affiliated groups and individuals. This policy applies to all use of property and facilities for purposes other than as assigned.

The University of Memphis campus, facilities and buildings are non-public forums. The purpose of this policy is to regulate and facilitate the use of the University of Memphis property, in a content and viewpoint neutral manner consistent with the University's educational purpose and mission.

This policy, and all campus policies developed in compliance with the policy, shall be implemented and construed to ensure no undue disruption of that mission, promote an educational atmosphere on campus; prevent commercial exploitation of students; preserve residential tranquility; and prevent use of campus property and facilities contrary to federal, state or local law, regulation, or the rules and policies of the University.

In establishing this policy, the University recognizes the importance to the educational process and environment for persons affiliated with the University including officially recognized student organizations and other groups to have reasonable access to, and use of, the educational facilities on the University campus, to hear various views. Simultaneously, University also makes it 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, the University 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 University mission.

Definitions

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

Affiliated Individuals – persons officially connected with the University 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 University, 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.

Procedures

Access to Facilities & Prioritized Users

The use of University of Memphis facilities is intended solely for uses consistent with the advancement and orderly administration of the University's educational mission for the benefit of students, staff, and affiliated entities.

1. Access to and use of campuses, facilities, and property of University is restricted to the University, University administration for official functions, normal educational activities, affiliated individuals/entities, and invited or sponsored guests of the University except as specifically provided by this policy, or when part or all of the campus, its buildings or facilities are open to the general public for a designated time and purpose.
2. University shall set forth the process, and requirements, pursuant to which designated campus properties and/or facilities may be accessed for other than official University use.
3. University shall designate certain facilities as available for rent to the general public at market rates, where the length/frequency of occupancy/use of campus facilities, or the nature of a particular building, facility or property or a particular purpose makes such

agreements appropriate. Such lease/rental agreements are not covered by this policy and will be executed subject to appropriate and University policies.

4. Access/Use of campus property or facilities, other than for those scheduled for official University, administrative and/or normal educational purposes, shall be through a process of application, review, and administrative approval as established by University consistent with this policy.
5. Application for use of campus facilities or property may be filed with the Office of Conference and Event Services(CES). For applications for conferences and/or special events, please contact CES to discuss pricing, space needs, and associated services. CES can be reached at (901) 678- 5000 or visit their [website](#).
6. University sets the priority to individuals or groups use of campus facilities and/or property, consistent with University mission(s). Highest priority shall always be given to administrative and educational uses.
7. Affiliated entities may apply to obtain permission for the repeated use of a campus facility or space to conduct regular meetings using campus facilities or property without requiring repeated application and approval for each occurrence of the event if the meetings are limited to members of the organization.
8. Faculty and/or affiliated entities may extend invitations to uncompensated, unaffiliated guest speakers for regular class sessions and/or meetings, without prior application where attendance at the class session or meeting will be limited to members of the class or affiliated entity and where no fee or compensation from state funds will be paid to the speaker and no conflict exists with existing University contracts.
9. University requires that access to or use of campus facilities or property by affiliated entities and affiliated individuals for an event other than a regular meeting of its membership that will include an invited guest speaker and/or be open to persons outside group membership be made through the procedures established pursuant to this policy. The sponsoring entity will be responsible for the conduct of both the speaker and non-affiliated guests at the event as well as for compliance with all laws, and University rules or policies while present on campus or using campus facilities or property. An application for such access or use of campus facilities or property must clearly set forth the identities of both the affiliated individual/entity filing/sponsoring the application as well as the non-affiliated entity being sponsored. The application will be subject to the same procedures and regulations applicable to all applications for use of campus facilities.
10. University may permit non-affiliated entities/individuals, conditioned on sponsorship by an affiliated entity or individual, to apply for use of, or access to, locations on campus specifically identified by University.
11. University shall identify one (1) or more areas or facilities on campus for which non-affiliated entities/individuals, may apply for use or access individually, without sponsorship from an affiliated individual/entity. Such applications shall be limited to those locations on campus specifically identified in institutional policy for access/use by unaffiliated individuals/entities. Such applications shall be subject to the same procedures and requirements.

12. The application of this policy and all University policies are limited to one (1) time only events, short term, intermittent, and/or repeat use of campus facilities where access/use of facilities/property are permitted without an associated rental/lease or fee. Such uses shall be limited to circumstances where University does not actually, or effectively, cede occupancy or control of any University property. Approval for repeated or intermittent use of any facility or property pursuant to this policy may not exceed four (4) months in length and may only be renewed or repeated after review to determine that such use does not conflict with a University need, or another request for access/use of the facility/space by another eligible person/entity.
13. In all cases where an application for access or use of campus facilities or property is approved, such use will be subject to the execution of an appropriate written agreement regarding the conditions applicable to the approved access/use, which shall include, but not be limited to, the terms and conditions set forth in this policy.
14. University permits access to and use of facilities consistent with the requirements of T.C.A. §8-50-1001. University may require that meetings, or other gatherings, conducted pursuant to this statutory provision be subject to an application for use pursuant to this policy, for the sole purpose of ensuring that administrative, educational, and/or workplace functions are not interrupted. Institutional policy may permit repeated access, pursuant to this provision, without repeated application.

Geographic Locations & Buildings

1. University may establish specific buildings and/or other areas of campus that will be made available for use by affiliated entities/individuals and specify if certain buildings or areas of campus, are available for use by affiliated entities/individuals, but not for unaffiliated entities/individuals. Highest priority for use of University buildings, facilities, and/or property shall always be reserved for administrative and educational uses.
2. Where appropriate, University shall identify certain categories of events or uses of campus facilities or property that will be limited to specific facilities or locations appropriate for the nature of the activity, e.g., concerts, athletic events, theatrical presentations, etc.
3. University shall specify, where appropriate, dates, times, periods in an academic term, etc., when identified facilities shall not be available for use/access pursuant this policy.
4. University 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.
5. University shall identify specific facilities, e.g. athletic facilities, auditoriums, theater buildings, etc., if any, that are available for lease or rental at market rates. Such use shall be subject to application, approval, and an appropriate written lease or rental agreement, pursuant to University policy.

Application & Permitting Process

1. The policies and procedures related to the application for access/use of campus property/facilities shall include the following: 1. Application(s) for access to, or use of, campus facilities or property submitted in writing at least five (5) working days in advance of the proposed use (excluding weekends and holidays) to Director Conference and Event Services. Where an application for an event involving an outside speaker involves payment of a total fee and/or expenses in more than \$2,500.00 from University funds, the request must be submitted at least twenty (20) working days prior to the date of the proposed speaking engagement.
2. The President-COO/CFO, or designee, shall approve applications for registration filed less than five (5) working days, twenty (20) days in the case of a speaker paid from University funds, before the event, if it is determined that the use of property requested can be reasonably accommodated and that adequate cause exists for late filing of the application for registration. Approval of late applications shall be within the sole discretion of the President-COO/CFO, or designee. The decision of such official will be final.
3. Written notice of approval or disapproval of the application for use of campus property or facilities shall be provided. Such notice shall be provided to the applicant within a reasonable time from the date an application is submitted.
4. At a minimum, notices of approval/disapproval will be made available at the office of the designated campus official or other approved form of notice, e.g., electronic delivery. It shall be the responsibility of the applicant to obtain notice of the approval or denial of any application submitted pursuant to this policy.
5. Notices of disapproval shall include a statement of the basis for disapproval.
6. Any 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 University's mission and the nature of the facility or property requested and rendered in a content/viewpoint neutral manner.
7. The various considerations potentially leading to a denial of an application shall include, at minimum, the following:
 - a. The property or facilities have been previously reserved by another group, organization or individual with equal or higher priority,
 - b. Frequency of previous use during an academic period in comparison to that of a contemporaneous applicant,
 - c. Use of the property or facilities requested would be impractical due to scheduled usage prior to or following the requested use, or due other extenuating circumstances,
 - d. The applicant or sponsor of the activity has not provided accurate or complete information required on the application for registration,
 - e. The applicant or sponsor of the activity has been responsible for violation of institutional policy during a previously registered use of campus property or facilities,
 - f. The applicant has previously violated any conditions or assurances specified in a previous registration application,

- g. The facility or property requested has not been designated as available for use for the time/date,
 - h. 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,
 - i. 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,
 - j. 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,
 - k. The activity conflicts with existing contractual obligations of the University,
 - l. The activity presents a clear and present danger for physical harm, coercion, intimidation, or other invasion of lawful rights of University's officials, staff, faculty members, or students, the damage or destruction, or seizure and subversion, of University's 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,
 - m. A determination that the requested use would be contrary to local, state, or federal law, regulation, or the policies or regulations of the University.
8. The office(s)/official(s) responsible for receiving and processing applications for use of campus facilities or property pursuant to this policy shall maintain a copy of this policy for inspection by groups, organizations, and individuals interested in the use of campus property and/or facilities and shall provide a copy upon request.

General Conditions for Use of Property or Facilities

University policies and conditions governing activities conducted pursuant to approved applications for access to or use of campus facilities or property shall be limited to those that reflect reasonable regulations in light of University's mission and the nature of the facility or property requested. Policies will be enforced uniformly to all uses of campus facilities and/or property in a content/viewpoint neutral manner. Violation of, or failure to comply with, the requirements set forth in this policy may result in the immediate revocation of previously granted approval for access/use of campus facilities or property. University policies, include, the following:

1. Limitations as to the number of persons who may attend in accordance with appropriate building and fire codes and safety standards applicable to particular facility and/or property at issue,
2. Compliance with regulations, policies or rules for the conduct of assemblies, meetings and demonstrations as a condition for use/access to campus facilities and/or property,

3. Sound amplification equipment may be used only when prior approval has been requested and approved by the appropriate official taking into account the University's mission and the nature of the facility or property requested, location, time of day. Sound amplification is not permitted in the unassigned areas.
4. Conditions applicable to the use of University equipment in connection with the use of campus property and/or facilities shall be specified and the required approvals as well as whether any additional agreements, leases or costs shall be associated with such use.
5. All groups, organizations and individuals, by making application for registration of an activity and by subsequent use after approval by University, agree to indemnify the University and hold it harmless from any and all liabilities arising out of such use of the property and/or facilities of University, including, but not limited to, personal injury, property damage, court costs and attorney's fees.
6. All persons operating motor vehicles in conjunction with an approved use/access of campus facilities and/or property shall be subject to University rules, regulations, policies and procedures regarding traffic and parking.
7. Users of facilities or property and/or their sponsor(s) are responsible for all activities associated with the event.
8. 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.
9. Access to, or use of, campus facilities and/or property shall not be permitted overnight unless specifically requested and approved by University. Such use shall be limited to the specific time and location set forth in the notice of approval/ registration document.
10. All persons on the campus of University in conjunction with an approved application for use/access, shall provide adequate identification upon request to appropriate officials and security personnel of the University. 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.
11. University shall have the right to terminate the use of campus facilities or property by any group, organization or individual which violates any provision of the University policy, local, state, or federal law or regulation.

Certain Facilities, Fees, and Costs

University has a system of required fees or charges for specific costs and/or services (e.g., maintenance, janitorial, utilities, parking and/or security) related to the nature and uses of particular facilities and/or locations on campus as well as the anticipated event size or attendance for any use of campus facilities and/or property. Where such fees or costs are established, the fee/cost schedule, facilities and/or event/crowd size to which they apply shall be applied to all similar uses on a content/viewpoint neutral basis. Payment of such fees/costs may be required in advance of an event, if required, shall be stated clearly in the University policy.

Insurance/Indemnity

1. University requires that individuals/entities using University facilities pursuant to this policy indemnify the University and shall further set forth the circumstances and uses where the University requires:
 - a. Adequate bond or other security for damage to the property or facilities;
 - b. Personal injury and property damage insurance coverage;
 - c. A performance bond or insurance guaranteeing or insuring performance of its obligations under the contract; and/or
 - d. Other types of insurance in such amounts as are designated by University.
2. University shall identify specific facilities, uses, or events for which bond, security, and/or liability insurance will be required. University shall 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.

Distribution of Leaflets, Literature, Pamphlets, Etc. - Commercial Use/Solicitation Prohibited

1. University may establish locations where the sale or distribution of literature associated with an approved application for access or use of campus property or facilities may be allowed.
2. Literature and/or advertisements may only be sold or distributed in conjunction with an approved application for use of campus facilities. Requests to distribute or sell literature shall be included with the underlying application to use campus facilities and/or property, using the same form utilized for use of campus facilities or property. Such applications shall be evaluated by the same standards established under this policy for the associated use/access of campus facilities and/or property.

Any group, organization or individual desiring to distribute literature must submit a written application for registration of the proposed distribution at least fourteen (14) days in advance (excluding weekends and holidays) to the Assistant Vice President for Auxiliary Services Operations, 371 Administration Building, Memphis, TN 38152. The request shall be made on a [Request for Authorization to Distribute Literature](#) form. Written notice of approval or disapproval of the proposed distribution shall be made available to the applicant within seven (7) days (excluding weekends and holidays) from the time an application for registration is submitted to the Assistant Vice President for Auxiliary Services Operations. Notice of disapproval of the proposed distribution shall include the grounds for disapproval (see below for listing). Notices will not be mailed or delivered; it shall be the responsibility of the applicant to inquire at the office of Auxiliary Services (371 Administration Building, Memphis, TN 38152) as to the decision concerning the distribution, the time and location in which the distribution is authorized.

Any group, organization or individual whose Request for Authorization to Distribute Literature by Non-Student Organizations is denied shall have the right to appeal that denial to the Chief Financial Officer or designee. Notice of appeal shall be made in writing during normal business hours of the University no later than five (5) days (excluding weekends and holidays) prior to the time of the proposed distribution. The decision of the Chief Financial Officer or designee shall be made at least four (4) days before the time of the proposed distribution and shall be the final decision.

3. University shall not permit such activity within:
 - a. Classroom, library or other academic buildings or facilities;
 - b. Administrative and employee offices and work areas or restrooms; or
 - c. Student residence halls, dormitories or apartment buildings.
4. University may permit the distribution or sale of literature, non-commercial solicitations, or advertising in designated locations within the lobbies or other general use areas of the above buildings or other campus facilities designated for the placement of literature for distribution or sale.
5. Any literature which is distributed or sold and any advertisement shall comply with all applicable local, state, and, federal laws and regulations, as well as the rules and policies of University.
6. No obscene literature or material, as defined by law, shall be distributed on any property owned or used by University.
7. Campus property and facilities may not be used by any non-affiliated entity/individual for the conduct of profit-making activities except when engaged in a business relationship, pursuant to a contract, with University and/or when a rental or lease agreement is in place specifically for such temporary purpose.

Solicitation and fund-raising activities for purely commercial purposes is prohibited. Solicitation and fund-raising activities other than for purely commercial purposes may be conducted on property owned and used by the University only by affiliated entities/individuals, or charitable organizations holding such activities with the sponsorship of University or the State of Tennessee, or by non-affiliated entities/individuals subject to the specified registration requirements and procedures as set forth below:

- a. Any group, organization or individual desiring to solicit funds must submit a written application for registration of the proposed solicitation at least fourteen (14) days in advance (excluding weekends and holidays) to the Assistant Vice President for Auxiliary Services Operations. The President-COO/CFO of the University or designee, however, may approve applications filed at a later time upon determination that the request can be reasonably accommodated and that adequate cause exists for late filing of the application. Approval of late applications shall be within the sole discretion of the President-COO/CFO of the

University or designee, and such decision shall be final. Applications shall be submitted on the [Request for Authorization to Solicit Funds by Non-Student Organizations](#).

- b. Written notice of approval or disapproval of the proposed solicitation shall be made available to the applicant group, organization or individual within seven (7) days (excluding weekends and holidays) from the time an application is submitted to the Assistant Vice President for Auxiliary Services Operations. Notice of disapproval of a proposed use shall include the grounds for disapproval (see list below). Notices will not be mailed or delivered; it shall be the responsibility of the applicant to inquire at the office of the Assistant Vice President for Auxiliary Services Operations. and the time and location at which the solicitation is authorized.

Except as is otherwise permitted by this procedure, solicitation for purely commercial purposes is prohibited on all property owned or used by the University of Memphis provided that solicitations by the University and solicitations by vendors incidental to the vendor providing services on behalf of the University pursuant to a contract are permissible.

Solicitations shall only be permitted in those areas designated by the University pursuant to the following conditions:

No solicitations shall be conducted within:

- i. Classrooms, libraries, or other academic buildings or facilities;
- ii. Administrative and employee offices and work area or restrooms;
- iii. University parking facilities; or
- iv. Student residence halls, dormitories or apartment buildings, unless otherwise permitted under the Residence Life rules and regulations.

However, University may permit solicitations in designated locations within the lobbies or other general use areas of the above buildings or other campus facilities designated for solicitations.

Any group, organization or individual whose timely Request for Authorization to Solicit Funds by Non-Student Organizations application is denied for reasons shall have the right to appeal that denial to the Chief Financial Officer or designee. Notice of appeal shall be made in writing during normal business hours of the University no later than five (5) days (excluding weekends and holidays) prior to the time of the proposed solicitation. The decision of the Chief Financial Officer or his or her designee shall be made at least four (4) days before the time of the solicitation and shall be the final decision.

Miscellaneous

1. Bulletin Boards/Posting

- a. University may establish bulletin boards or approved areas for posting for specific uses and/or entities,
- b. University may identify individual boards/areas and specify or limit the authorized uses and/or entities for such boards/areas as well as the types of materials which may be posted on a board or area, the maximum size and duration of any notice, and any other special conditions on use,
- c. Such limits shall be conspicuously posted on each board or posting area, and shall control the use of the board when posted,
- d. University requires prior approval for the use of any or all bulletin boards or posting areas on campus, and if required, the name of the official authorized to approve use of the board shall be posted on the board. Use of a board may be denied on the basis of one or more of the following:
 - i. The person or group is not authorized to use the board in question;
 - ii. The material is not the type authorized for the board in question, or fails to meet any special conditions as posted on the board;
 - iii. The material is obscene or otherwise violates any federal or state law or regulation of University; or
 - iv. There is insufficient space available for the material on the board in question due to the previous posting of other materials,
- e. Areas not specifically identified and/or authorized for posting are not available for such purpose for any individual or entity, whether affiliated or unaffiliated,
- f. Exceptions to this policy can be made upon approval of the Chief Financial Officer.

2. Posting of Signs/Banners

The placement of signs, banners, posters, and other materials on campus is limited to University departments and activities, registered campus organizations and others as approved pursuant to these guidelines.

The University retains the right to control and approve the time, manner, and place for all signs, banners, posters, and other materials.

Signs, banners, posters, and other materials may only be used to provide general information, promote and advertise an on-campus activity or event, advertise student elections and candidates, or serve as a temporary direction or location of an activity or event on campus.

Commercial advertising signs and solicitation are limited to approved activities on

campus or services related to University contracts with vendors, i.e. food service and bookstore. Subject to these guidelines, businesses and outside vendors participating in approved activities on campus may display names and services on banners and signs within the activity area only.

Advertising or publicity cannot be misleading in purpose or content. While the names of commercial sponsors or brand names may appear on signage and other materials, they must be secondary and not be the main theme or purpose of the signage or other materials.

All materials must clearly identify the group, organizations, or person responsible for producing and posting the materials.

Approved signs, publicity materials, and other non-commercial literature may be posted only on bulletin boards.

Materials may not be posted on interior walls and doors, overhangs, exterior doors and walls, building columns, fences, utility poles, benches, newspaper and other distribution racks, waste receptacles, signs, signposts, trees, shrubbery, or on automobiles. Exceptions are permitted only for posting on departments and activities entrance doors informational notices concerning hours or operation, special events, cancellations and similar information.

Paint or chalk may not be used on sidewalks or buildings.

The posting of materials in the residence halls is permitted only with the advance approval of the Office of Residence Life and in accordance with these guidelines.

The posting of materials in the University Center is permitted only with the advance approval of the University Center Director's Office and in accordance with those guidelines.

Materials encouraging the consumption of alcohol or use of tobacco products is prohibited.

Information on the posting of advertisements by students and/or organizations may be obtained from the Office of Judicial Affairs.

Banners may be displayed over the west entrance of the University Center by registered campus organizations. Permission is granted on a first-come, first-served basis. Information, scheduling, and procedures may be obtained at the Information Desk in the University Center.

Display of banners inside or outside of residence halls is permitted only with the

approval of the Office of Residence Life.

Display of banners on the outside of other University buildings is generally not permitted. Exceptions may be approved by Physical Plant.

The University has the capability of installing a banner across Central Avenue. There are specific restrictions as to the design and construction as well as additional cost for installation and removal. Contact Physical Plant for coordination and approval.

The hanging (attachment) of all banners should be coordinated with Physical Plant.

Outdoor signs and posting of materials are restricted to University placed a-frame board signs and approved signs with single wooden stakes or wire legs that can be pushed into the ground. Digging holes for sign posted is prohibited.

Building signs (permanent and temporary) are limited to building name, numbers and building related information as approved by Physical Plant and Campus Planning and Design.

Street signs are the responsibility of Physical Plant in cooperation with Campus Planning and Design.

Parking signs are the responsibility of Parking Services in cooperation with Campus Planning and Design and Physical Plant.

Removal of Signs and Banners

All materials must be removed by the sponsor/hosting department or activities with 24 hours following the event advertised.

Departments and appropriate officials are responsible for monitoring and removing unauthorized materials from bulletin boards under their control and from interior walls and doors within their areas.

Physical Plant personnel in the performance of building and grounds cleaning and maintenance are authorized to remove signs, banners, posters, and other materials that are posted in violation of this procedure.

Violations

Non-University employees violating this procedure are subject to trespass warning or arrest by Police Services.

University employees violating this procedure are subject to appropriate discipline.

The cost of removal, damages, and repairs caused by the posting or removal of signs, banners, posters, and other materials is the responsibility of the individual, department, activities, group, or organization that post the same.

3. Food/Catering Policies

- a. University has a food/catering policy to be utilized in conjunction with approved use of campus facilities and/or property.
- b. University shall specify the facilities/property where such policy shall apply.
- c. For cost information related to food/catering policies. Please contact the Office of the Assistant Vice President for Auxiliary Services Operations or student@memphis.edu.

Related Documents, Policies and Forms

[Authorization to Distribute Literature by Non-Student Organizations \(Request For\)](#)

[Authorization to Solicit Funds by Non-Resident Organizations \(Request For\)](#)

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