

## **NC State University's Policy on Use of Facilities**

<http://policies.ncsu.edu/regulation/reg-07-25-11>

### **1. Purpose and Scope**

This regulation governs the use of facilities located on the University's campuses or under the University's operating authority. It applies to University and non-University groups and individuals. This regulation imposes limits on the use of University facilities so that these facilities can fulfill their primary missions of teaching, research, and extension.

Permission to use a University facility is a form of "license." In contrast, a "lease" of university realty requires a separate approval through the NC State Real Estate Office. In general, a lease will be necessary for long-term use of a facility in which the user has continuous, exclusive use and may secure or restrict its use or access by others including the University. Any proposed use that lasts longer than one week should be referred to Legal or Real Estate to determine if it is a use license or a lease.

This regulation does not apply to scheduling of "general use academic space" (primarily classrooms) for NC State academic purposes. That function is handled by the office of Registration and Records and has priority over all other uses.

### **2. Definitions**

2.1 University Group: an administrative or academic unit within the University, staffed by State employees acting within the scope of their employment.

2.2 Student Group: a group that has been accepted by Student Organization Resource Center as a "registered student group" under the rules of that office. The rules and a list of currently registered groups are available at Student Development Website.

2.3 Non-University Groups: groups other than Student Groups that are legally separate entities from the University, even though some of the members or participants may be University personnel, alumni, or students. "Non-University Group" may be an individual.

2.4 University Function: an activity performed by the University or a University Group.

2.5 Non-University Function: any event, function, or activity that is not a University Function.

2.6 University Facility: any outdoor space, building, or structure that is owned by the University or operated under University authority, except for the Brickyard, walkways, and other outdoor spaces that are not dedicated to particular uses. However, the Brickyard, walkways, and other outdoor spaces remain subject to the "Solicitation, Assemblies, and Public Addresses" regulation.

2.7 Classroom: any space routinely used for instruction of credit-bearing courses; not the McKimmon Center or other Extension facilities.

### **3. Authority to Schedule Use of Facilities**

3.1 Authority to schedule the use of a University facility consistent with this regulation is vested in the Dean or Vice Chancellor with administrative responsibility for the facility. Authority to schedule athletic facilities is vested in the Athletic Director. Authority to schedule McKimmon Center facilities is vested in the Vice Chancellor for Extension and Engagement. This authority may be further delegated to other University administrators.

3.2 When more than one Dean or Vice Chancellor has responsibility for a facility, they must agree on a procedure for scheduling the use of that facility.

3.3 When a Standard Use Agreement or other approved contract or agreement is used, the agreement may be signed only by an administrator with signatory authority delegated by the Chancellor. A list of administrators with signatory authority may be found at the Delegations of Signature Authority for Contracts document.

### **4. Terms and Conditions for the Use of University Facilities**

#### **4.1 Priorities for Scheduling**

4.1.1 Consistent with the University's mission, academic classes, research, and extension activities will have the highest priority for facilities use. (See reference in section 1 above to scheduling by the office of Registration and Records.) However, units funded from sources other than state appropriations may set their own priorities for non-classroom space. The University unit that is primarily assigned to the facility has priority over other groups and functions.

4.1.2 Other University Groups and University Functions will have next highest priority in the scheduling and assignment of facilities.

4.1.3 Student Groups and Centennial Campus affiliates will have the next highest priority.

4.1.4 Non-University Groups will have the lowest priority.

4.1.5 Once scheduled, groups and functions will generally not be rescheduled or moved. However, the University reserves the right to move any group to another facility or reschedule that event to accommodate the needs of groups assigned a higher use priority by this policy.

#### **4.2 Requirements for the Use of Facilities**

4.2.1 Academic classes, research, extension activities, and the activities of faculty and staff groups are central to the mission of the University. Use of University facilities must not interfere with these activities.

4.2.2 Scheduling of use must conform to First Amendment requirements. For public forums (areas consistently open to public speech and assembly by tradition or by administrative approval), administrators may place reasonable time, place, and manner restrictions on public speech and assembly if they are not based on the content of speech (except that unlawful speech is prohibited) or the viewpoint of participants. For areas not traditionally open for public speech or assembly, administrators may also limit use so that it is consistent with University purpose(s) of the facility.

4.2.3 A fee for use of the facility may be charged, where allowed by State law and where there is a written use agreement per section 4.3 below.

4.2.4 At the discretion of the administrator responsible for the facility, groups may be required to provide assurance of financial responsibility and insurance where functions appear to carry some risk of damage to property, injury to persons, or substantial costs. The Office of Insurance and Risk Management may assist in this regard.

4.2.5 Use of University facilities must comply with the Administrative Regulation on "Solicitation, Addresses, and Public Assemblies," including written permission from Student Organization Resource Center before facilities may be used for solicitation, addresses, or public assemblies.

4.3 Written use agreements are required if the University is imposing a fee for use of the facility, if the proposed use of the facility involves charges, fees, or sales to participants, or if the proposed use creates a potential for damage to the facility or injury to participants. The "Standard Use Agreement" should be used without change unless modifications or a different agreement have been pre-approved by General Counsel or Contract Management.

4.4 Use of University Facilities by Non-University Groups or for Non-University Functions.

4.4.1 Groups that use University facilities for Non-University Functions must be responsible for all clean-up, security, and repair costs arising from the use.

4.4.2 Written use agreements are required for all Non-University Functions.

4.4.3 A University Group or Student Group must apply for and sponsor any use by Non-University Groups in classroom, laboratory, or office space.

4.5 Administrators may issue other rules for the use of facilities under their administrative control. Such rules must be consistent in all respects with this policy, and must be made available to prospective users on a University website and in hard copy form in the administrator's office. All rules are subject to the Chancellor's administrative regulations and the

policies of the NCSU Board of Trustees and the UNC Board of Governors.