

POL 07.25.01
UNC Pembroke Facilities Use Policy for External Groups

Authority: Board of Trustees

History:

- **First Issued:** January 1, 2009
- **Revised:** March 2011
- **Last Revised:** November 18, 2016

Related Policies:

- [North Carolina General Statute §66-58 – Sale of merchandise or services by governmental units \(Umstead Act\)](#)
- [North Carolina Department of Justice – Advisory Opinion, November 26, 2002](#)

Additional References:

- [Sodexo Catering Information](#)
- [Facilities Reservations System](#)
- [Appendix 1 - UNC Pembroke Facilities, Facility Manager, Capacity, and Rental Fees](#)
- [Appendix 2 - Facilities Use Policy Event Setup Fees](#)
- [Appendix 3 - Facilities Use Policy Holiday Schedule](#)

Contact Information: Office of Student Affairs, 910.521.6226; University Center and Programs, 910.521.6584.

1. PURPOSE

1.1 This policy is to govern the use of facilities at The University of North Carolina at Pembroke (UNCP) campus or those facilities under the operating authority of the university. The purpose is to identify categories of groups to be considered for facilities usage, set priorities for facilities usage, define scheduling procedures, and establish charges associated with event management and facility usage. Activities shall in no way violate the purposes, property, policies, procedures, or regulations of the university or federal and state laws. All organizations are expected to follow the rules and regulations governing the particular facility or grounds being used.

2. SCOPE

2.1 This policy applies to external groups and individuals. This policy imposes limits on the use of university facilities so that these facilities can fulfill their primary mission to serve the university in the areas of teaching, research, and extension.

2.2 The Board of Trustees has delegated to the chancellor the authority to appoint all facility use fees as described herein and as listed in Appendices 1 and 2.

3. DEFINITIONS

3.1 External Groups. Groups other than recognized student and/or campus organizations which are legally separate from the university, even though some of the members or participants may be university personnel, alumni, or students. An external group may be an individual.

3.2 Affiliated Group. Any group established by the chancellor or established by virtue of an explicit delegation of the chancellor's authority to a particular administrator, faculty member, staff member, or to the student body, the faculty, or the staff. These include officially recognized student organizations, departments, divisions, programs, committees, and the Alumni Association.

3.3 Sponsored External Group. An external group sponsored by an affiliated group except with respect to rates charged for the use of university facilities and any additional set-up fees or labor costs, a sponsored external group shall enjoy the rights and obligations of an affiliated group under this policy. For the purposes of this policy, an affiliated group is considered to "sponsor" an external group only if the following conditions are met:

3.3.1 The affiliated group, and not merely a member of an affiliated group, determines to invite the external group to use the facilities for purposes:

3.3.1.a. consistent with the mission of the university; and

3.3.1.b. consistent with the goals and objectives of the affiliated group.

3.3.2 The affiliated group has substantial participation in and responsibility, including financial responsibility, for planning and executing the planned event or activity, and is not merely lending its endorsement to the external group. (See item 3.7)

3.4 Non-University Function. Any event, function, or activity that is not a university sponsored function.

3.5 University Function. An activity performed by the university or university group.

3.6 University Facility. Any outdoor space, building, or structure that is owned by the university or operated under university authority. This regulation does not apply to the scheduling of general use academic space (primarily classroom space) for UNCP academic purposes. This function is handled through the Office of Academic Affairs.

3.7 "Fronting" by University Groups: UNCP faculty, staff, students, and student organizations may not reserve any facility on behalf of or for the use of an external group. UNCP faculty, staff, students, and student organizations also may not reserve publicly available facilities on behalf of or for the use of an external group so the external group can use the facility at a reduced rate. This conduct constitutes "fronting" and is prohibited. The facility manager may deny or rescind permission to use that facility if it is determined that the use is not primarily for the benefit of the faculty, staff, student, or student group making the reservation. The facility manager may apply the appropriate rate for use of the facility if it is determined that fronting has occurred. The university shall not be held liable or responsible for financial or other damages incurred by an

individual or organization whose permission to use a facility is denied, rescinded, or modified (including a rate change) pursuant to this fronting policy.

4. TERMS AND CONDITIONS FOR THE USE OF UNIVERSITY FACILITIES

4.1 Applications for facility use must be submitted at least sixty (60) days prior to the date of requested use and not more than ninety (90) days in advance. The Division of Student Affairs FRS administrator will confirm that the client meets all required criteria for facility usage and consult with the facility manager to confirm availability of the facility. The vice chancellor for student affairs and/or general counsel has final approval of all facility requests.

4.2 All external groups, including Office for Regional Initiatives sponsored groups using university facilities shall provide a Certificate of General Liability Insurance listing the university as an “additional insured.”

4.2.1. Any exceptions must be approved by the university’s general counsel.

4.2.2. Coverage will not be less than:

4.2.2.a. bodily injury \$500,000 each person, \$1,000,000 each occurrence; and

4.2.2.b. \$500,000 property damage each occurrence.

4.2.3. All agreements with external groups will include a section requiring that the university be indemnified and held harmless from all liability, loss, damage, costs, and all other claims for expenses asserted against the university that may arise during or resulting from approved use.

4.3 Considerations of application are restricted to:

4.3.a. groups involved in academic programs and/or programs promoting the understanding of the arts and sciences and/or economic development;

4.3.b. local, state, and federal governmental agencies;

4.3.c. organizations established by and/or financially supported by governmental entities;

4.3.d. private organizations providing programs that are consistent with the educational, research, and public service missions of the university and that are co-sponsored by the university; and

4.3.e. nonprofit organizations whose purpose is of a charitable nature. A letter of exemption from the IRS with an employer identification number must be attached to the application when submitted.

4.4 Under no circumstances will university facilities be used for personal gain or commercial use.

4.5 University programs will take precedence and no external group program will conflict with any campus function.

4.6 The rights to all concessions are reserved by the university and the group or individual will not be permitted to sell any soft drinks, confections, tobacco, or food for consumption on the premises. If souvenirs, records, programs, etc. are sold, the external group must obtain permission in writing from the university and the university will receive 15% of all gross sales.

4.7 External groups who plan to include vendors as part of the event must receive written permission to do so and must provide a list of participating vendors at least ten (10) days prior to the event.

4.8 The chancellor, vice chancellor for student affairs, vice chancellor for finance and administration, facilities manager, or other delegated university official(s) shall have free access at all times to all space occupied by the external group.

4.9 The external group shall not sell more tickets or seat more spectators than provided by the facility. (Appendix 1)

4.10 All equipment, materials, props, etc., brought to the facility shall be removed immediately after the program unless prior arrangement has been made in writing. All above equipment, etc., not removed at the scheduled time will be removed by employees of UNCP at the expense of the external group.

4.11 The university reserves the right to deny use of its facilities to any applicant when in the judgment of a university official such use is not in the best interest of the university.

4.12 The individual representing the organization or group whose signature appears on the contract must be present for the entire event(s) and is financially liable for all costs associated with the signed contract.

4.13 Each facility may have additional requirements, terms, conditions, and specific costs associated with the use of those facilities.

4.14 External groups may not use university phone numbers as a contact number for any event without expressed written authorization from The University of North Carolina at Pembroke.

4.15 External groups requiring audio/visual equipment must contact the UNCP Division of Information Technology (DoIT) to make appropriate arrangements for the use of such equipment. Charges may be assessed for rental of equipment as well as labor costs for the set-up and break-down of equipment. A damage deposit may be required.

4.16 External groups may not appropriate or make use of the university's name or any of the university's trade or service marks or property in violation of copyright laws in their advertising materials. Use of such material must be requested and prior written authorization must be given before any use of such material regardless of the mode of transmission.

4.17 All university visitors must abide by the rules, regulations, and policies of the university as well as all federal, state, and local laws.

4.18 The use of alcohol is prohibited.

4.19 Sodexo Dining Services, as per university contract, has the exclusive privilege of first right of refusal to perform food service on or from the premises of UNCP. Therefore, if food items are to be served at an event, [Sodexo](#) must be asked to cater it. Sodexo requires fourteen (14) days notice for planning and preparation. Should a client receive written documentation from Sodexo that states they cannot cater the event, external caterers may be allowed.

4.20 If special parking needs or requests are indicated, please contact university police at 910-521-6235.

5. PROCEDURES

5.1 Applications for the use of any university facility must be made through the Facilities Reservation System (FRS) and approved by the FRS Administrator in consultation with the appropriate facilities manager ([Appendix 1](#)).

5.2 FRS can be accessed as follows:

5.2.a. create an account on UNCP's [online reservation site](#);

5.2.b. click on 'Create An Account' and complete the User Information section;

5.2.c. once the account request has been submitted, the FRS administrator will review and approve account;

5.2.d. once the account has been approved, the requestor will have FRS access to submit facility requests to the FRS Administrator, and, if deemed necessary, to the vice chancellor for student affairs and/or university counsel for final review and approval; and

5.2.e. the requestor will be notified by the Facility Manager of the status of the request within three (3) business days.

6. USAGE FEES

6.1 The actual cost of use by an external group must be borne by that group or individual rather than paid by student fees or other university (state) funds. Rental fees will be charged to external groups or individuals to cover the direct as well as indirect costs of operating the facilities and services supporting the rental activity.

6.2 Specific costs for space, equipment rental, and other costs associated with facilities use can be provided by the appropriate facility manager.

6.3 All events must be staffed with appropriate security. All necessary UNCP security costs will be assumed by the external organization or group. Charges for security varies dependent upon number of officers required for event coverage. The facilities manager must consult with UNCP Police and Public Safety to determine the security requirements of the event. Security will be assigned based on maximum capacity of the facility (indoor and/or outdoor) and high risk. The requestor is required to meet with UNCP Police and Public Safety Department to arrange security coverage before facility requests will be approved. Charges will be assessed accordingly.

6.4 With the exception of the Givens Performing Arts Center, which requires a nonrefundable facility use deposit of 50% or more of the total estimated charges, all facilities are subject to payment in full ten (10) days prior to the event according to the schedule of fees for each facility ([Appendix 1](#)). Fees are subject to change without notice.

6.5 At the discretion of the facility manager, a damage deposit and/or breakage deposit may also be required before the facility is used.

6.6 The facility manager is responsible for preparing a usage invoice to include rental, setup, personnel, security, and audio-visual fees.

6.7 Items left after an event will be stored by the university at a daily rate of \$100.

7. EVENT SETUP FEES

7.1 Event setup fees pertain to all external requests for university setups for events or activities that require specific manpower/assistance from the Facilities Operations Department.

7.2 All requests for event support should be made through the [Facilities Reservation System](#) and requires the approval of the appropriate facility manager and vice chancellor for student affairs or university counsel.

7.3 Requests for services should be received in the Facilities Operations Department office a minimum of one week prior to the event.

7.4 All information must be completed through [FRS](#).

7.5 External setup fees will be charged to cover Facilities Operations' labor cost.

7.6 Events requiring services outside the normal 8:00 a.m. – 5:00 p.m. Monday-Friday time period will be charged 1.5 times the basic rate.

7.7 Facilities Operations has established rate fees and will assume the responsibility for labor inefficiencies associated with event setups. ([Appendix 2](#))

7.8 Exceptions to this include: actual trade labor hours will be charged for events requiring monitoring services during an event such as electrical support for sound systems or housekeeping services.

7.9 A \$50 minimum will be charged for each setup.

7.10 All payments are to be deposited into 180860-14190.

8. HOLIDAYS

8.1 Increased rates for holiday rentals will apply for any facility usage during holidays. Rates are available from the facility managers. (Appendix 3)

8.2 All holidays falling on a Monday or Friday will include Saturday and Sunday as part of that holiday. Example: If Independence Day (July 4th) falls on a Monday, the Saturday and Sunday prior to Independence Day will be considered part of the holiday weekend and pricing for facilities and staff will be billed at the holiday rate.

9. APPLICABLE FORMS

9.1 Appendix 1 - UNC Pembroke Facilities, Facility Manager, Capacity, and Rental Fees

9.2 Appendix 2 - Facilities Use Event Setup Fees

9.3 Appendix 3 - Facilities Use Policy Holiday Schedule