

## **Facility Use Policy**

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### **Purpose and Scope**

This document serves as a comprehensive policy designed to govern the use of West Chester University (WCU) facilities for other than regular academic and co-curricula activities. The Student Recreation Center, Sykes Student Union, and Athletic Scholarship Events which are governed by separate policies and rate structures are exempt from this policy. The intent of this policy is to:

1. Establish and communicate clear processes for non-regular facility usage and scheduling;
2. Optimize the use of campus facilities to generate revenues in support of the University's mission;
3. Minimize scheduling conflicts throughout the campus community;
4. Maintain and enforce consistent scheduling policies and priorities;
5. Maintain and enforce a standardized fee structure and contracting process for the use of facilities;
6. Increase the degree of campus awareness regarding campus events;
7. Provide a designated liaison to the local community for scheduling of programs and events.

### **Policy Statement**

The West Chester University Facility Use Policy is an administrative policy that provides information and protocol for use of WCU facilities by external groups and organizations outside the university.

### **Policy and Procedure Framework**

As a public institution of higher education, West Chester University (~~WCU~~) seeks to balance its mission of instruction, scholarship and co-curricula activities with its commitment of service to the broader community of which it is a part. WCU facilities exist for the primary purpose of education and use by faculty, staff, students, and

affiliated organizations and constituencies. However, when space availability allows, WCU is committed to making its facilities available to groups and organizations outside the University whose purpose is consistent with the University's mission and strategic plan. Such use also provides WCU with the opportunity to generate resources to advance its mission.

All campus facilities are the property of West Chester University. Specifically, there is no departmental or individual "ownership" of space. The configuration of space assignments may change from time-to-time as needs and opportunities change, and it is inevitable that departments may at times be required to accommodate changes that are less than desirable from their individual viewpoints or interests.

Priority for the use of a specific facility within the context of the purpose for which that facility was designed (gymnasium, classroom, offices, etc.), is assigned as follows:

1. University academic activities.
2. University-sponsored events including athletic events and student events
3. University co-sponsored activities:
  - a. Academic
  - b. Athletic
  - c. Student
4. Non-University/External constituents

Student groups are given the highest priority for the use of the Earl F. Sykes Student Union Building. At all times the University maintains the right to determine which activities are appropriate to be held on the campus.

Space is to be booked consistent with existing procedures for assigning space during the academic semesters. Space is reserved for courses through the scheduling and room assignment process managed by the Associate Registrar for Course and Event Management. All spaces (e.g., classrooms, gymnasias, offices, conference rooms, aquatic facilities) are held in reserve for academic activities until approximately six months prior to the fall semester and three months prior to the spring semester and summer. After that time, unscheduled space is available to reserve for non-academic activities. The 25live space management system is the official tool for scheduling all campus space. This system may be accessed on the WCU website at <http://www.wcupa.edu/registrar/spacemgt/roombooking.asp> or inquiries can be made to the Associate Registrar for Course and Event Management.

In the event that space must be reserved prior to the release dates noted above, a request to waive this restriction may be submitted to the Vice President for Administration and Finance and the Vice President for Advancement. These University officers will meet and make a recommendation to the President regarding the booking of that space in advance of the customary space release date. A

waiver to book space before the release dates should be based on the event's centrality to the University's mission, revenue generation potential, actual need for advance booking, and impact on the University's image or ability to serve the community.

All space bookings entered into the 25 live System must reflect actual events including detailed information about the function scheduled to occur in the space. In the absence of this information the Associate Registrar for Course and Event Management may remove the booking from the 25 live System. Blocking space to limit its availability to other users is prohibited.

## Definitions

**A. University Academic Activities** are those activities directly related to the instructional mission of the University such as credit bearing classes, programmatic activities resulting from academic course work, and faculty departmental meetings.

**B. University-Sponsored Events** are those activities directly related to the life of the campus community beyond the classroom; i.e., intercollegiate athletics, cultural, recreational, and student programming activities. Eligible programs under this category may be scheduled or sponsored by alumni, faculty, staff, administrative offices, student organizations/clubs, and affiliated organizations. University-sponsored events fall into two categories:

**1. University Events:** are those programs which are scheduled or sponsored by faculty, staff, administrative offices and departments that are planned primarily for members of the WCU community and/or the benefit of West Chester University. It is recognized that alumni, members of the community, and other guests may attend these programs. Examples of such events are: Alumni Weekend, Commencement, convocations, Family Day, Homecoming, intercollegiate competitions, Martin Luther King Day commemorations, Admissions Accepted Student Days and Open Houses, programs run exclusively by West Chester University employees (these programs must have an approved budget form signed by their dean or vice president), and Foundation and Advancement sponsored fund raising events. The President may classify other events as "Official University Events."

**2. Student Events:** these include Student Government Association (SGA) officially-recognized student clubs, organizations, programs, activities and services planned by and primarily for members of the WCU community. It is recognized that members of the community, guests and alumni may attend these programs. Examples of such events are student organizational meetings, workshops, conferences, shows, concerts, movies, and other social activities.

3. Community Events: these include programs which are scheduled or sponsored by faculty, staff, administrative offices and departments that are planned primarily for members of the public. Examples of such events are RECAP, Spring Health Conference and the Critical Theories Conference.

**C. University Co-Sponsored Events** are programs, conferences, camps, workshops, resource development activities, and/or meetings involving two entities – a University college, academic department, administrative unit, or student organization and an outside organization. The following criteria must be met in order for the event to be considered co-sponsored:

1. Support from a dean or vice president to ensure that the event is consistent with the University's educational mission.
2. A University Facility Use Agreement issued to the outside organization by the Office of Conference Services.
3. Receipt of a Certificate of Insurance provided by the external organization as outlined in the terms of the University Facility Use Agreement, in order to minimize institutional liability.
4. Receipt of a deposit as outlined in the terms of the contract. At the discretion of the Office of Conference Services, Registration fees collected by the Office may be used to fulfill the deposit requirement.

### **Resource Development Collaborations with External Groups**

West Chester University recognizes that external resources are increasingly important to the success of institutional operations. As a result, collaborations between a University administrative or academic department and an external group which are for the specific purpose of generating revenues to benefit the University or one of its programs will qualify as Co-sponsored Events. All use of facilities involving external groups as co-sponsors must be coordinated through the Conference Services Office. It is expected that at least 25 percent of the gross revenues generated by the activity will be distributed to WCU and/or the sponsoring department/unit to support the purpose for which the activity was held (e.g., scholarship, capital improvements, programs, research, and community outreach).

### **Athletic Events**

To ensure compliance with National Collegiate Athletic Association policies, athletic events that qualify as University Co-Sponsored Events must follow the published guidelines as indicated on the "Athletic Team Sponsored Event Agreement" form. Formal sign-off is required from all of the following: team head coach, facility coordinator, NCAA Compliance Officer and the Director of

Athletics. All events remain tentative until final approval is given by the Director of Conference Services.

**D. Non-University/External Events** are those programs and activities organized by individuals, organizations, or groups not part of the organizational structure of the University and who request to use University facilities for the benefit of their own program. Examples of Non-University/External Events include trade shows, fund raising events which do not benefit the University, Non-University performance events, and meetings sponsored by business, government and nonprofit organizations. In addition, this category includes private events such as weddings, bridal or birthday parties, family reunions, and similar events. NOTE: Only current University employees or alumni are eligible to conduct private events in Philips Memorial Building. Private events conducted in the Philips Memorial Building may be held only between mid-May and mid-August and from the day following the December commencement to the day preceding the start of the spring semester. University events always take precedence over non-University events. In all cases, a Facilities Use Agreement will be issued to the external group coordinator of the event.

**E. Town/Gown Events** are those programs sponsored by organizations which have a formal affiliation agreement with the University. These organizations have been identified by the University as being integral to the institution's relationship with the community. Only the WCU President can authorize Town/Gown status for an organization. Town/Gown status automatically terminates when the affiliation agreement between the University and the organizations expires. Organizations which are granted Town/Gown status will be charged at the University Rental Rate and will also be responsible for all support and administrative charges related to the events/ activities held on campus. In all cases, a Facilities Use Agreement will be issued to the external group coordinator of the event.

## Procedures

### Fees

#### Administrative Fee

The purpose of the Administrative Fee is to provide some funding for the various administrative and fiscal services that support the operation of non-regular campus events. In cases where the facilities policy permits the waiver of administrative fees, departments and units benefiting from such waivers acknowledge that the University is providing free administrative services to support their event.

#### 1. Administrative Fee for University Academic, University Sponsored and University Co-sponsored Events:

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For events that are not granted a resource development exemption, the administrative fee for events where a registration fee is charged will be ten percent of the gross revenue received or a minimum \$200, whichever is greater. If a program that charges a registration fee is cancelled or operates at a loss, the account of the sponsoring University unit as indicated on the approved budget form will be charged for all direct expenses already processed as well as an administrative fee. This fee will equal ten percent of the projected gross revenue or \$200, whichever is greater.

**2. Administrative Fee for Non-University/External Events:**

A fee of ten percent of gross revenues or a minimum of \$200 of invoiced fees including all waived amounts, whichever is greater, will be charged for all events requiring contracts and services provided by the Office of Conference Services. A sliding scale (below) on contracts over \$15,000 will be in effect. The purpose of the fee is to cover the administrative and logistical arrangements in support of the contract.

**Administrative Fee Structure**

\*\*Dollar amounts represent total invoiced amounts including waived amounts\*\*

<b>Event Revenue</b>	<b>Fee Rate</b>	<b>Event Revenue</b>	<b>Fee Rate</b>
Up to \$15,000	10%	\$90,001-105,000	5.5%
\$15,001-30,000	9.5%	\$105,001-120,000	5.0%
\$30,001-45,000	9.0%	\$120,001-135,000	4.5%
\$45,001-60,000	8.5%	\$135,001-150,000	4.0%
\$60,001-75,000	8.0%	\$150,001-165,000	3.5%
\$75,001-90,000	7.5%	\$165,001-180,000	3.0%
\$55,000-65,000	7.0%	\$180,001-195,000	2.5%
\$65,001-75,000	6.5%	\$195,001 and above	2.0%
\$75,001-90,000	6.0%		

**A. Support Service Fees**

Support Service Fees fund a variety of activities necessary to successful event operations such as custodial support, grounds, public safety, logistical services, media services, telecommunications/technology, piano tuning, and physical plant (i.e., electricians, carpenters, plumbers). The determination of the level of service(s) needed will be made by the Director of Conference Services in conjunction with other department heads providing services (e.g., Custodial Services, Public Safety, telecommunications). These services will be included as part of the estimated fees to the User on the Facility Use Agreement.

It is the responsibility of the support service areas to submit their charge-backs to the Office of Conference Services within two weeks of the event. Failure to post these charges within this time will jeopardize the reimbursement of those expenses to the University unit providing the service. In addition to the preceding charges, the following fees will be assessed for Non-University-related groups:

1. Site Supervisor: a supervisor fee will be assessed to external groups. The purpose of the site supervisor is to serve as a liaison to the external organization during the rental period. The site supervisor is responsible for verifying proper usage, reporting damages, and responding to emergency situations.
2. Certificate Fees: a certificate fee will be charged to University-related non-credit courses when Continuing Education Units/Credits are earned when no other services are involved.

#### **A. Cancellation Fees**

The following cancellation fees will be applied to all Facility Use Agreements:

1. Up to 180 days prior to the first day of the event as specified on the first page of the Facilities Use Agreement, a refund of the deposit will be made less ten percent of the total estimated fees for the event, which will not exceed the deposit amount, plus any direct costs incurred by the University in preparation for the event.
2. 31-179 days prior to the first day of the event as specified on the first page of the Facilities Use Agreement, a refund of the deposit will be made less 25 percent of the total estimated fees for the event, which will not exceed the deposit amount, plus any direct costs incurred by the University in preparation for the event.
3. 1-30 days prior to the first day of the event as specified on the first page of the Facilities Use Agreement, a refund of the deposit will be made less 50 percent of the total estimated fees for the event, plus any direct costs incurred by the University in preparation for the event.

4. Users canceling on the day of the event will be subject to 100 percent forfeiture of all deposit monies paid and any cost incurred.

In the event the deposit is not sufficient to cover the cancellation fees as referenced above in items 3 and 4, the University shall invoice the User in an amount equal to the difference between the deposit monies and the cancellation fees. Such difference shall be paid to the University within ten days of the date of cancellation. The University reserves the right, at its sole discretion, to waive any of the above referenced fees.

### **III. Waivers**

Requests for facility use waivers by non-profit organizations shall be submitted in writing to the Director of Conference Services. The Director will then submit his/her recommendation to the appropriate Vice President who will consult with the President to determine if the request should be granted or denied. In the case of waiver requests related to academic units, the Director of Conference Services will forward the request and recommendation to the dean(s) who will offer a recommendation to the Provost.

The Vice Presidents will consider the following criteria to determine if a waiver is warranted:

1. Provides for an educational public forum
2. Provides visibility for prospective students
3. Provides professional development opportunities for faculty and/or staff
4. Provides internship opportunities for students
5. Provides opportunities to generate income for WCU
6. Provides opportunities to cultivates prospective donors
7. Provides reciprocal waivers to the University

In the event a waiver is approved, costs associated with the waiver must be assumed by the department, dean or Vice President approving the request or the President's Office. Upon approval of the waiver, a University account number must be provided to the Director of Conference services for the chargeable expense.

All groups receiving a waiver will still be charged for support services. Groups will also be charged the pro-rated administrative fee as indicated in the table on page 5 on the total invoiced amount (this includes the waived rental amounts). For auditing purposes a memorandum of record will be sent from the Vice President to the Director of Conference Services indicating approval of a fee waiver, justification for the waiver, and a University account number that will pay for the waived amount upon the conclusion of the event. If a waiver is granted for the Earl F. Sykes Student Union Building, support and staffing for event set-up and tear down will be charged.

#### **IV. Insurance Requirements**

The University recognizes the exposure to losses through liability that may result from the use of its facilities by external groups. With this in mind, the following classification of events will be required to submit a certificate of insurance:

1. University co-sponsored events
2. External events
3. Town/Gown programs

The external organization shall purchase and maintain, at its expense, the following types of insurance:

- A. Workers' Compensation Insurance sufficient to cover all employees of the organization.
- B. Comprehensive Commercial General Liability insurance, property damage insurance, and automobile liability insurance in such amounts as the University shall deem sufficient but no less than \$1,000,000 each occurrence for bodily injury and property damage, and property damage and \$2,000,000 general aggregate. Policy/ies shall be on an occurrence basis only.
- C. If the User hosts Vendors, the Vendor must have Comprehensive Commercial General Liability Insurance in such amounts as the University shall deem sufficient but no less than \$1,000,000 and \$2,000,000 general aggregate. Policy/ies shall be on an occurrence basis only.
- D. If the User hosts children age 18 years or younger on campus, the User must provide separate Abuse and Molestation Insurance in the amount of \$1,000,000 each occurrence and \$1,000,000 general aggregate, unless this coverage is specifically included in the comprehensive commercial general liability insurance policy. Evidence of specific inclusion shall be required. If coverage for abuse and molestation is not specifically included in the commercial general liability coverage, a separate policy or rider shall be required as evidence of said insurance. Policy/ies shall be on an occurrence basis only. Initial here \_\_\_\_\_

#### **V. Requirements when Minors are involved**

1. Criminal Record Checks and Child Abuse clearances. When programs are serving children ages 18 years of age or younger, the User shall provide certification (Rider C) as evidence that **all** adult employees and adult volunteers of the User who have direct programmatic interaction with minors during the program shall have satisfactorily completed the following: a Federal Criminal History Record Information Check, a Pennsylvania State Criminal History Record (Act 34) and a PA Department of Public Welfare Child Abuse History Clearance Check (Act 151) within 5 years.

**Volunteers** are exempt from the federal criminal history record information check (not the other two checks) if:

1. The position is unpaid
2. The volunteer has been a resident of PA during the entire previous 10-year period
3. The volunteer swears or affirms in writing they are not disqualified from service nor have been convicted of an offense listed below in any state, territory or possession of the United States.
  - a. criminal homicide
  - b. aggravated assault
  - c. stalking
  - d. kidnapping
  - e. unlawful restraint
  - f. rape
  - g. statutory sexual assault
  - h. involuntary deviate sexual intercourse
  - i. sexual assault
  - j. aggravated indecent assault
  - k. indecent assault
  - l. indecent exposure
  - m. incest
  - n. concealing death of child
  - o. endangering welfare of children
  - p. dealing in infant children
  - q. A felony offense relating to prostitution
  - r. obscene and other sexual materials and performances
  - s. corruption of minors
  - t. sexual abuse of children
  - u. attempt, solicitation or conspiracy to commit any of the above.

Certification of completed checks shall be returned to the Office of Conference Services no later than 30 days prior to the start date listed within this facility use agreement. Failure to produce the required certificate is grounds for the University to unilaterally terminate the facility use agreement.

2 Training. When programs are serving children ages 18 years of age or younger, the User shall provide certification ( as evidence that the User has completed the necessary training.

3. Authorized Adults or Program Staff Code of Conduct. When programs are serving children ages 18 years of age or younger, the User shall provide certification as evidence that the User has read the Authorized Adults or Program Staff Code of Conduct. Violations of any of code should be reported immediately to the University liaison.

4. Supervision Ratio. The Department of Public Welfare recommends that the supervision ratio for young school age children be 1 adult for every 12 children. For older school age children, the recommended supervision ratio is 1 adult for every 15 children. When children are of mixed ages, the age of the youngest group of the child determines the expected supervision ratio.

## **VI. Reservation Procedures**

The scheduling of University credit classes has priority over all other uses of campus space. Dates that remain open after the Academic calendar is completed may be requested by University Academic, University Sponsored, University Co-Sponsored, and Non-University/External groups on a first-come first-served basis. Under no circumstances will external requests supersede any previously scheduled academic programs. However, in cases where courses are scheduled outside the regular scheduling process, requests to move or cancel rentals involving external constituents or co-sponsored programs will not be made unless suitable alternate space exists for the contracted event or activity.

Reservation procedures are dependent upon the type of activity and the requester. All reservations are made in consultation with interested campus office(s) i.e.: Space Management and Calendar, Sykes Student Union, Athletics Office and/or the Office of Conference Services. No events are official until they are included on the University's electronic space scheduling calendar.

## **VII. Responsibilities:**

The Director of Conference Services oversees the rental of all campus facilities for non-regular uses. It is the responsibility of the Director of Conference Services to

determine and recommend whether activities for which facilities are requested are University mission-related and appropriate for the institution. This decision process may include consultation with the managers of other campus facilities and/or the Associate Registrar for Course and Event Management, as well as other internal constituents and the Cabinet as needed. The Director will base decisions on the following:

1. The purpose for which the space is requested
2. The relationship of the organizer/sponsor and the proposed activity to the University
3. The relationship of the participants to the University
4. The sponsoring group's financial condition

**In addition, the Director will:**

**A. Act as liaison between the group and the University by:**

- Arranging all support services
- Scheduling site supervisors
- Representing WCU in arranging rental space for events in facilities owned by University Student Housing, LLC, auxiliary housing, and food services
- Contracting with hotels for room blocks for internal groups only
- Issuing contracts and verifying insurance certificates
- Ensuring deposits and final payments are received
- Following-up with clients

**B. Assume the Financial Responsibility of:**

- Establishing yearly rental rates
- Collecting money
- Invoicing
- Depositing funds
- Transferring funds to appropriate areas
- Monitoring budgets
- Seeing that all expenses get paid in a timely manner
- Tracking income
- Being informed of updated fiscal policies/procedures for all of the above

**C. Perform Marketing Tasks such as:**

- Being a liaison between University and community contacts to promote space
- Being a liaison with the Alumni Office to promote alumni returning to campus to use the facilities

**Reviewed by:**

John Rhein, Director of Cultural and Community Affairs

**Policy Owner:** Mary Beth Kurimay, Director of Conference Services

**Approved by:**



John Villella, Ed.D.

Vice President of University Affairs & Chief of Staff

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