



University of Colorado Denver

Administrative Policy

Title:	Facilities Use by External Entities
Source:	Finance Office
Prepared by:	Controller
Approved by:	Associate Vice Chancellor for Finance and Administration
Effective Date:	
Replaces:	Use of Facilities and Equipment by Outside Parties or for Private Gain, January 14, 2008; Use of Campus Facilities, January 14, 2008.
Applies:	To all UC Denver Campuses

A. Introduction

1. Purpose

This policy is one policy within a suite of policies regarding campus space. The purpose of this policy is to set forth the policies and procedures regarding the appropriateness and priority of use of UC Denver space, equipment and services by External Entities. Furthermore, the policy specifies the process for requesting and obtaining approval for such use and the conditions and limitations of use.

2. References

- a. Auraria Higher Education Center [Campus Event Services](#)
- b. CRS 24-113-101 [Legislative Declaration – Government Competition](#)
- c. CRS 24-113-104 [Competition with Private Enterprise by Institutions of Higher Education - Rules](#)
- d. CRS 23-20-123 [Rents of Charges for Buildings and Facilities for Research](#)
- e. CRS 1-45-101 *et seq.*, [Colorado Fair Campaign Practices Act](#)
- f. UC Denver Policy [Use of Facilities by Non-University Groups -- Insurance Requirements](#).
- g. Laws of the Regents Article 14.B.3. [Campus Regulations Regarding Use](#)
- h. UC Denver Policy [Alcohol](#).
- i. [Matrices for Availability of Services to External Entities](#).
- j. UC Denver Policy [Signature Authority](#)

3. Applicability

This policy applies to all UC Denver-managed space, equipment, and services. Services include but are not limited to laboratories, consulting, libraries, Center for Lab Animal Care, Educational Support Services, Regulatory Compliance, Information

Technology, Police, Parking, Health and Safety, Facilities Operations, and administrative services. Clinical services are not included in the scope of this policy. Use of space on and services provided by the Auraria Campus is not governed by this policy.

B. Table of Contents	Page
A. Introduction	1
B. Table of Contents	2
C. Definitions	2
D. Guiding Policy Principles	3
1. Mission	3
2. Fee for Service	3
3. Priority	3
4. Conformance with Statutes and Policies Governing Unfair Competition	3
5. Rental Agreement	3
6. Alcoholic Beverages	3
7. Political Activities	3
E. Use of Facilities by an External Entity	4
F. Vendor Use of Facilities for the Purpose of Providing Benefits to UC Denver	5
G. Procedures	5
H. Accounting	5
I. Campus-Facilities-Related Policies	6

A. Definitions

1. Affiliated indicates that an External Entity has a formal relationship with UC Denver documented with an affiliation agreement.
2. Affiliation Agreement is a written agreement between UC Denver and an External Entity that formalizes a programmatic relationship of mutual benefit related to the mission of education, research, public service, and patient care. The agreement must be approved and signed by the UC Denver Chancellor.
3. Co-sponsoring Department – Is a UC Denver school, college or unit that certifies the usage of space by an external entity relates to the mission of the University. Co-sponsoring department is required to attend and manage the event and act as the official representative of Co-sponsoring Department. Affiliated organizations may not be a Co-sponsoring Department. Co-sponsoring implies a relationship with the external entity. This could include equal or prominent recognition on promotional materials and announcements, shared financial support of a program, audience participation which is predominately comprise of non-university employees, fees charged for participation and initiation of the program by the external entity.
4. External Entities are organizations, individuals, or groups of people that are not part of the University of Colorado. Examples include but are not limited to private citizens, private or public companies, nonprofit organizations, governmental entities, and independent student organizations.
5. Facilities mean any property, including buildings, grounds, and equipment controlled by UC Denver (e.g. auditoriums, lecture halls, classrooms, conference rooms, meeting rooms, offices, technology-enabled rooms, common areas, grounds, storage space, roadways, parking facilities, and related services).
6. Facilities Scheduler -The department that schedules and maintains a room or space for use.
7. Fee-For-Service is the charge to the External Entity for utilization of UC Denver’s facilities, space, and or services. Fee for service may include sales taxes when applicable.
8. Full Service means that all of the goods, services and space offered by a campus operation are available to an External Entity.

9. Limited Service means that there are restrictions on the goods, services and space offered by a campus operation to an External Entity.
10. Political Activity is any activity related to campaigns involving the nomination, retention or election of any person to any public office or involving an initiative or referred measure.
11. Private Gain is monetary or nonmonetary remuneration that is a benefit to an individual or outside entity rather than to UC Denver.
12. Space means any area within any building or grounds controlled by UC Denver.

B. Guiding Policy Principles

1. Mission
Facilities and services available at UC Denver exist for the purpose of supporting the campus mission of education, research, public service, and patient care. The use of UC Denver facilities or services for personal or private gain is not consistent with the UC Denver mission or priorities and will not be allowed. The use of UC Denver facilities or services by External Entities may be provided on a limited basis subject to the criteria specified in this policy. External use will always be secondary to the primary campus mission and in conformance with Federal, State and University statutes, rules and regulations. Use of facilities or services may be denied if the contemplated use is in conflict with the campus mission.
2. Fee for Service
A rental fee for use of UC Denver facilities shall be charged to all External Entities (see Exhibit B). Co-sponsorship of an activity by a UC Denver department does not change the obligation of an External Entity to pay a rental fee for use of UC Denver facilities except as specifically provided for by written contract. The Finance Office will set rates for the reimbursement for the use of facilities that includes a mandatory cleaning fee and applicable sales taxes. Revenues derived as a result of a contract (rental agreement) will defray UC Denver's facilities costs. The Finance Office will determine the appropriate cost center to be reimbursed. The rental fee does not include setup, parking, catering, and such; these costs remain the responsibility of the co-sponsoring department.
3. Priority
External entities use of facilities or services will not be given priority over real or potential UC Denver needs, or be allowed to interfere with UC Denver functions or activities.
4. Conformance with Statutes and Policies Governing Unfair Competition
External entities use of facilities or services must conform to statutes concerning State government competition with private enterprise. UC Denver shall not, unless specifically authorized by statute, provide to External Entities other than students, faculty, staff, and invited guests, access to University facilities that are available from private enterprise, unless the provision of the goods, service, or facility offers a valuable educational or research experience for students, faculty or staff and fulfills the mission of UC Denver.
5. Rental Agreement
Any External entity wishing to use facilities governed by this policy shall enter into a contract (see Exhibit A).
6. Alcoholic Beverages. No alcoholic beverages are allowed at any time on University premises except at an approved event. Alcohol use is governed by UC Denver Administrative Policy [Alcohol](#) and the CU Administrative Policy Statement [Alcohol Purchase & Provision](#) and related procedural statements.

7. Political Activities

Certain areas of UC Denver’s campus may be considered a “public forum” for purposes of political speech. Accordingly, UC Denver may allow Political Activity subject to time, place, administrative, and facility limitations. In all instances, the mission of the University must receive priority over use for Political Activity. Those areas considered a “public forum” shall be designated by the Chancellor and may be changed from time to time.

Colorado state law precludes the expenditure of UC Denver resources for the purpose of endorsing a particular candidate, referred measure, or ballot initiative. Therefore, if UC Denver facilities are used for Political Activity, the political group or candidate must reimburse UC Denver for all expenses associated with the use of UC Denver’s facilities, including indirect overhead expense. A contract specifically written for this purpose is required and shall be reviewed and approved in advance of the political event by the Office of University Counsel.

C. Use of Facilities by an External Entity

1. One Time Use of Facilities

Subject to the principles set forth in D above, External Entities may schedule rooms at UC Denver provided that all campus commitments for space have been met and that a UC Denver department is a co-sponsor for the event, as defined above. University property may not be used for commercial, personal or private financial gain or for commercial advertising, nor may University property be used for fundraising that is unrelated to the University. Normally space may not be reserved by an External Entity for an event to which admission will be charged unless it can be shown that the activity supports the mission of the University (e.g. educational or research enhancement with the involvement of faculty and or students). If the external individual or entity fails to pay for any charges associated with this event (e.g. room rental, environmental services, maintenance, audio-visual, security, parking costs or the cost of repairing any damages that occur during the event) the Co-sponsoring Department will be responsible for the charges.

2. Continuous or Ongoing Use of Facilities

The use of UC Denver facilities by an External Entity for a continuous or extended period requires that the entity maintain a formalized relationship with the UC Denver. The provisions for the continuous or extended use of UC Denver facilities should be specified in the written affiliation agreement with UC Denver (see UC Denver policy “Signature Authority” that specifies who may execute contracts on behalf of the University). Continuous, ongoing or extended is any request beyond three consecutive events.

3. Vendor Use of Facilities for the Purpose of Providing Benefits to UC Denver

It is recognized that vendors may provide information and services that are a direct benefit to the employees and students of UC Denver. Subject to the principles set forth in D above, vendors may use UC Denver facilities for the purpose of providing benefits to UC Denver employees or students provided that such use of facilities is sporadic and not ongoing. Procurement vendors also require approval by the [Chief Procurement Officer](#).

4. Criteria for Use of Facilities

The criteria for determining whether the use of facilities or services by an External Entity is appropriate include but are not limited to the following:

- a. Type of the entity – for profit and non-for-profit (public vs. private).

- b. Federal, State statutes, rules and regulations and University policies will govern the use of all UC Denver facilities by all entities.
 - c. Use of facilities for the campus mission by campus personnel will be given first priority.
 - d. Use of UC Denver facilities by an External Entity will not be allowed if such use jeopardizes the public role and mission of UC Denver.
 - e. UC Denver facilities generally cannot be used by External Entities when such facilities are available from private enterprises in the community.
 - f. Use of facilities will not be allowed if such use creates an unmanageable conflict of interest for UC Denver or its personnel.
 - g. Conformance with the donor's intent will be required for the use of any facilities acquired as a result of a gift.
 - h. An External Entity will be required to assume total responsibility for any potential risks and liability associated with their use of UC Denver facilities.
5. Provision for Waiver of Policy Requirements
Waivers to the provisions of this policy may be made on an exception basis by the Vice Chancellor for Finance and Administration or designee, except when such provisions are mandated by Federal, State or University statute, rules and regulations. Requests for such waivers must be submitted to the campus Controller in writing by the External Entity.

D. Use of UC Denver Services by External Entities

1. Provisions for Use of the Center for Laboratory Animal Care by External Entities
- a. *General Requirements* – The use of animal care facilities by External Entities must be consistent with one or more of UC Denver's missions of teaching, research, service or healthcare. External entities requesting use of UC Denver's animal care facilities must be able to establish that the use of the facility is consistent with UC Denver's missions. Furthermore, an External Entity wishing to use the UC Denver animal care facilities must have an association with UC Denver. All use of animals for research purposes is subject to final review and approval by the University's Institutional Care and Use Committee ("IACUC").
 - b. *Requests* – All requests for use of UC Denver animal care facilities by an External Entity must be initiated through the UC Denver Office of Grants and Contracts. Sponsored research, in which an External Entity awards a faculty member a contract to carry out research, is first reviewed by the Office of Grants and will then be forwarded by the Office of Grants and Contracts to the IACUC for final review and approval. Fee-for-service requests for use of animal care facilities will first be presented to the Office of Grants and Contracts who will then forward it to the Review Committee to determine if the use is consistent with UC Denver's missions of teaching, research, service or healthcare.
 - c. *Review Committee* – Requests by External Entities for use of animal care facilities will be forwarded by the Office of Grants and Contracts to the Review Committee whose members will be appointed by the Vice Chancellor for Research. The Review Committee will meet on as needed basis, but will meet prior to the monthly IACUC meeting in order that requests by external users are not delayed. The Review Committee need not review the entire IACUC protocol, but only a summary submitted by the requestor that states, (1) the nature of the research to be performed, (2) the importance of the research, (3) why it is necessary that the research be performed at UC Denver, and (4) how the mission of the External Entity aligns with the mission of UC Denver.

The Review Committee will forward its recommendation to the Vice Chancellor for Research for final decision. If the external user's request is approved, the requestor will be notified in order that a full proposal may be submitted to the IACUC for final review and approval.

2. Other Services

Contact the department providing the service for allowability, procedure and prices. Also see [Matrices for Availability of Services to External Entities](#).

E. Procedures For Use of UC Denver Facilities By External Entities

Performed By:	Action:
External Entity / Co-Sponsoring Department	<ol style="list-style-type: none"> 1. Contact the scheduler of the facility for availability. Educational Support Services will maintain a list of facility schedulers. 2. If facilities are available and the External Entity is eligible to use facilities, fill out the appropriate forms (Exhibit A). 3. Route the completed forms to the Controller's Office or Educational Support Services (for rooms they schedule).
Controller's Office or Educational Support Services	<ol style="list-style-type: none"> 4. Review contract for completeness. 5. Route Insurance certificate to Risk management for approval or waiver of insurance requirement. 6. Request Co-sponsoring Department to rectify any deficiencies. 7. Sign agreement and return copy to Co-sponsoring Department and External Entity. 8. Inform Facilities Operations of all scheduled events on a weekly basis for the preceding week.
Facilities Scheduler	<ol style="list-style-type: none"> 9. Inform Co-sponsoring Department to contact the appropriate service department for any required ancillary services; (i.e., facilities setup, and cleanup, parking, building access, AV technology, catering, Health and Safety).
Co-sponsoring Department	<ol style="list-style-type: none"> 10. Contact all appropriate service departments for any required ancillary services.
Educational Support Services or Controller's Office	<ol style="list-style-type: none"> 11. Bill External Entity for facility usage. If not paid within 30 days, charge Co-sponsoring Department.