



Campus Administrative Policy

Policy Title: Facilities Use by External Entities

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Approved by: Executive Vice Chancellor for Administration and Finance | CFO, University of Colorado Anschutz Medical Campus
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Applies to: CU Anschutz Medical Campus
CU Denver Campus

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 use of University of Colorado Denver and University of Colorado Anschutz Medical Campus (“the university”) 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. The sections, paragraphs, sentences, clauses, and phrases of this policy are severable. If any phrase, clause, sentence, paragraph, section, or regulation of this policy is declared invalid or no longer current by the university Chancellors, Board of Regents, or any court of competent jurisdiction, such invalidity does not affect

any of the remaining phrases, clauses, sentences, paragraphs, sections, or regulations under this policy.

The Facilities and Outdoor Spaces of the university are primarily for use by its students and university departments for activities and programs that are directly related to the basic educational, cultural, recreational, and on campus organizational activities. The use of university Facilities and Outdoor Spaces by users other than a university department, an organization recognized as a Student Organization by the Office of Student Life and/or Student Affairs, and enrolled university students shall be as otherwise authorized herein or by other university policy or procedure.

2. Applicability

This policy governs any use of any university Facility or Outdoor Space by External Entities, including Special Use Facilities or Outdoor Spaces, **except for** the following:

- a. Regularly scheduled classes, lectures or lab use that is scheduled through the university's Technology Support Services (ESS) process.
- b. Use in accordance with a lease or license granted by the university.
- c. Use pursuant to a contract with the university. No contract may authorize a use prohibited by this policy.

This policy does **not** govern:

- a. Use of space on and services provided by the Auraria Higher Education Center (AHEC).
- b. Use of space on and services provided by the CU South Denver location. Note: Other university policies or requirements may apply to university activities at these locations.

This policy applies to all External Entities, unless expressly provided above. Final determination as to the applicability of this policy to a particular use by an External Entity shall be determined by the Executive Vice Chancellor for Administration and Finance for CU Anschutz or the Senior Vice Chancellor for Administration and Finance for CU Denver.

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C. DEFINITIONS

Academic Event means use of a Facility or Outdoor space for teaching and/or instructional programs for university credit or for research by university faculty.

Affiliated indicates that an External Entity has a formal relationship with the university documented with an affiliation agreement.

Affiliation Agreement is a written agreement between the university 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 university Chancellor(s).

Camping means that it reasonably appears, in light of all the circumstances, that a Facility or Outdoor Space is being used for living accommodation purposes such as overnight sleeping; making preparations for overnight sleeping (including the laying down of bedding for the purpose of sleeping and/or erection of a tent or other shelter); making any fire for cooking; or using or preparing to use tents, motor vehicles, or other structures for sleeping and/or cooking.

Commercial means occupied with or engaged in commerce or work intended for commerce. This includes activity by a non-profit entity and any exchange, barter, purchase or sale of goods or services, whether direct or indirect.

Co-sponsoring Department means a university school, college or unit that certifies the usage of space by an external entity relates to the mission of the university. The 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 comprised of non-university employees, fees charged for participation and initiation of the program by the external entity.

Event means use of a Facility or Outdoor Space for a specified period. This includes, but is not limited to, demonstrations, parades, marches, or other gatherings.

Event Review Committee (ERC) is made up of various university Departmental stakeholders who review proposed Events for compliance with laws, university policies and codes, the safety of event attendees and to protect the Facilities and Outdoor Spaces and the constituents of the university. The ERC is a standing committee established by and responsible to the Chancellors of CU Denver and CU Anschutz.

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.

Facility means a building or space within a building. Facility does not include any attached terrace, patio, courtyard, or plaza.

Facilities Scheduler means the department that schedules and maintains a room or space for use.

Fee for Use is the charge to the External Entity for utilization of the university's facilities, space, and or services. Fee for service may include sales taxes when applicable.

Full Service means that all of the goods, services and space offered by a campus operation are available to an External Entity.

High Impact Event is an event that utilizes large or numerous areas of campus, is bringing or likely to bring a significant number of external visitors to campus (>600), or any event that is likely to impact university operations because of safety/security concerns or significant medial presence. For example: visits by political candidates, elected officials (President Obama's Auraria visit in 2010); outdoor food/beverage festivals (Top Taco on Auraria in 2016); or a conference that utilizes numerous classrooms or spaces.

Limited Service means that there are restrictions on the goods, services and space offered by a campus operation to an External Entity.

Minors are individuals under the age of 18.

Non-Academic Event means use of a Facility or Outdoor Space other than for teaching and/or an instructional program for university credit or for research by university faculty. This includes a conference or educational event sponsored by a university department, school, or college.

Organizer means both the Co-Sponsoring Department and the third party or entity seeking to schedule the Event.

Outdoor Space means all outdoor university property that is not a Facility, including but not limited to, sidewalks, kiosks, railings, walls, light poles, trees, fences,

benches, bridges, bodies of water, underpasses, streets, plazas, fields, parking lots, plazas, patios, courtyard or terraces and any associated furniture.

Posting means placing a sign, banner, flier, poster, announcement, or other type of document or material on any wall, door, kiosk, bulletin board, or other surface.

Private Gain is monetary or nonmonetary remuneration that is a benefit to an individual or outside entity rather than to the university.

Space means any area within any building or grounds controlled by the university.

“the university” means the University of Colorado Denver | Anschutz Medical Campus.

University department means a university of Colorado Denver | Anschutz Medical Campus school, college, department, institute, or center.

D. POLICY PROVISIONS

1. Mission

Facilities and services available at the university exist for the purpose of supporting the campus mission of education, research, public service, and patient care. The use of university 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 Use

A rental fee for use of university facilities, space, and or services shall be charged to all External Entities (see Exhibit B). Co-sponsorship of an activity by a university department does not change the obligation of an External Entity to pay a rental fee for use of university 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 (the Rental Agreement attached at Exhibit A) will defray the university’s facilities costs. The Finance Office will determine the appropriate cost center to be reimbursed. The rental fee does not include setup, parking, security, catering, and other costs associated with the Event; these costs remain the responsibility of the Co-sponsoring Department.

3. Priority

Facilities and Outdoor Spaces shall be scheduled according to the following priorities:

- a. First Priority: Use of classrooms, laboratories, and other Facilities for teaching and instructional programs for university credit or for research by university faculty (Academic Event).
- b. Second Priority: Use by university departments for university activities other than classes for credit, including, but not limited to, administration, scholarship, university fund-raising, mandatory training, outreach, and development. Colleges, schools, and departments shall limit the sponsorship

of non-academic activities to programs directly related to the departmental mission.

- c. Third Priority: Use by an organization recognized as a student organization by the university and that is in good standing at the time of scheduling the Event and also on the date(s) of the Event.
- d. Fourth Priority: Entities conducting educational or research programs that have a current affiliation with the university.
- e. Fifth Priority: All other non-university uses, subject to availability and other requirements of this policy.
- f. Scheduled use has priority over unscheduled use.

External Entities' use of Facilities, Space, or Outdoor Space will not be given priority over real or potential university needs or be allowed to interfere with university functions or activities.

4. Rental Agreement

Any External Entity wishing to use Facilities or Outdoor Space governed by this policy shall enter into a Rental Agreement (see Exhibit A).

5. Alcoholic Beverages

No alcoholic beverages may be served or consumed on university premises except at an approved event. Alcohol use is governed by Campus Administrative Policy 3050, *Alcohol Service*, and the CU Administrative Policy Statement (APS) 4018, *Alcoholic Beverages Purchased for University Events* and related procedural statements.

6. Expressive Activities

All rallies, assemblies, demonstrations, and expressive activities must be conducted pursuant to Campus Administrative Policy 3018, *Expressive Activities*. These requirements apply to all means of expressive activity on university property.

Colorado state law precludes the expenditure of university resources for the purpose of endorsing a particular candidate, referred measure, or ballot initiative. Therefore, if university Facilities are used for Political Activity (activity related to campaigns involving the nomination, retention or election of any person to any public office or involving an initiative or referred measure), the political group or candidate must reimburse the university for all expenses associated with the use of the university'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 Activity by the Office of University Counsel.

7. Course Events (Walk/Run/Ride/Race) on the Anschutz Medical Campus.

Course Events (events involving a Walk/Run/Ride/Race Course) may only be held on a Saturday or Sunday morning. The course activities must be completed by 10:00 am, and any post-event activities must be completed by 12:00 noon in order to minimize disruption to the regular activities at the Anschutz Medical Campus.

Significant consideration has been given to the designated route(s) to ensure that multiple functions of the Anschutz Medical Campus are considered. The designated route is the only permissible area for the course event. All entities requesting a Course Event must follow the process detailed herein:

- a. All Course Event organizers are required to have a designated Co-sponsoring Department in order to facilitate this process. Course Event organizers must work with the Co-sponsoring Department using the Event Management System (EMS) in order to request approval for a Course Event. Organizer and Co-sponsoring Department should begin this process at least ninety (90) days prior to the proposed event date.
- b. Once the Course Event is approved, the Course Event organizer is required to coordinate with all necessary Anschutz Medical Campus departments regarding the route and logistics. A planning meeting must be scheduled not less than sixty (60) days in advance of the proposed event.
- c. The Course Event must follow the approved and certified route, and will be confined to that route.
- d. Volunteers must be posted at each sidewalk/roadway intersection.
- e. Directional signage is required to be displayed throughout the course, and must be removed immediately following the event.
- f. There must be two water stations on the course; one at the half-way point, and one at the finish line. Volunteers shall be positioned at each station to dispense water.
- g. Deployment of any colored cornstarch or similar colored powder product is prohibited.
- h. Course Event organizers are responsible for clean-up of items generated by the event (e.g. discarded water cups, signs, etc.)
- i. Co-sponsoring department is responsible for collecting evidence of insurance and participant waivers in advance of the event. All documents must be kept in the department's records per APS 2006, *Retention of University Records*.
- j. Portable restrooms and barricades may be required. Consult with Anschutz Medical Campus Facilities Management Office for vendor details.
- k. A first aid station must be provided by the Course Event organizer. Consult with Anschutz Medical Campus Facilities Management for the proper location.
- l. The required number of volunteers should not be less than 20 volunteers per 100 participants.
- m. All internally and externally sourced filming must be permitted in advance of filming. Film permit requests are submitted via the Virtual EMS system
- n. Co-sponsoring department must contact University Communications for marketing, media relations, communications, and brand/identity information in advance of publicizing the Course Event.

8. **Animals**
Animals on university property are governed by the Campus Administrative Policy 3051, *Animals on Campus*, including the use of Service Animals and Service Animals in Training.
9. **Camping**
Camping is prohibited in any Facility, Outdoor Space, or any Space on university property.
10. **Canvassing and Commercial Solicitation**
Canvassing and Commercial Solicitation are permitted only in accordance with Campus Administrative Policy 3018, *Expressive Activities*.
11. **Minors**
An Event involving minors (individuals under the age of 18) requires the External Entity to notify the Co-sponsoring Department and the university of their involvement and requires the External Entity to take additional responsibility for and consideration of the supervision and safety of minors. Certain programs involving minors also require adherence to university and Campus Administrative Policy 3001, *Child Protection Policy*. Questions regarding minors should be directed to university Risk Management (urmucddirs@cu.edu).
12. **Specifically Prohibited Uses**
The following uses of university Facilities and Outdoor Space are prohibited:
 - a. Any use that does not comply with this policy; that violates federal, state, or applicable local law, regulation, or ordinance; or that violates any Regent Law or other university policy or procedure.
 - b. Any use in a manner that materially and substantially disrupts the university teaching, research, administrative, and/or service activities. Illustrative but not definitive of such kinds of disruption are the following:
 - 1) Violence or incitement to imminent violence.
 - 2) Damage to property.
 - 3) Persistent noise at a level materially and substantially disruptive of academic activities, university operations, or other activities on campus (e.g. classes, research, administrative business, study).
 - 4) Obstructing the entrance/exit to any Facility or Outdoor Space or unduly disrupting the free movement of vehicular or pedestrian traffic along or through any campus sidewalk, walkway, street, or alley.
 - c. Climbing or rappelling on the exterior of any Facility or on any crane or other construction equipment, including, but not limited to, activities commonly referred to as "buildering."
 - d. Launching a rocket, flying model aircraft, or flying an Unmanned Aircraft System (UAS or drone) unless the activity is part of an Event, and the use has been approved by the Executive Vice Chancellor for Administration and Finance for CU Anschutz or Senior Vice Chancellor for Administration and

Finance for CU Denver (See Campus Administrative Policy 3055, *Operation of Unmanned Aircraft Systems (UAS)*).

- e. Any use that presents an unreasonable risk of injury or damage to person or property.
- f. Any other use that has been prohibited in policies promulgated by the university.

E. USE OF FACILITIES BY AN EXTERNAL ENTITY

1. One Time Use of Facilities

Subject to the Policy Provisions set forth in Section D above, External Entities may schedule Space, Facilities, or Outdoor Space at the university provided that all campus commitments for space have been met and there is a Co-sponsoring Department. 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, except in accordance with this policy. 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). Controller's Office determines if the External Entity fails to pay for any fees or other charges associated with a proposed 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 university Facilities, Space, and Outdoor Space by an External Entity for a continuous, ongoing, or extended period requires that the entity maintain a formalized, contractual relationship with the university. The provisions for the continuous or extended use of university Facilities, Space, and Outdoor Space should be specified in the written affiliation agreement with the university (see Campus Administrative Policy 2035, *Signature Authority*, that specifies who may execute contracts on behalf of the university). Continuous, ongoing, or extended use is any use request beyond three (3) consecutive events.

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

It is recognized that vendors may provide information and services that are a direct benefit to the employees and students of the university. Subject to the principles set forth in Section D above, vendors may use university Facilities, Space, and Outdoor Space for the purpose of providing benefits to university employees or students provided that such use of Facilities, Space, and Outdoor Space 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 not-for-profit (public vs. private).
- b. Federal, state statutes, rules and regulations and university policies will govern the use of all university facilities by all entities.
- c. Use of Facilities, Space, and Outdoor Space for the campus mission by campus personnel will be given first priority.
- d. Use of university Facilities, Space, and Outdoor Space by an External Entity will not be allowed if such use compromises the public role and mission of the university.
- e. University Facilities, Space, and Outdoor Space generally cannot be used by External Entities when such Facilities, Space, and Outdoor Space are available from private enterprises in the community.
- f. Use of Facilities, Space, and Outdoor Space will not be allowed if such use creates an unmanageable conflict of interest for the university or its personnel.
- g. Conformance with the donor’s intent will be required for the use of any Facilities, Space, and Outdoor Space 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 university Facilities, Space, and Outdoor Space.
- i. Whether the contact from the Co-sponsoring Department is physically present or has a designee present at the Event location during the entire Event to supervise and ensure the Facility or Outdoor Space is used for the purpose and in the manner stated in the proposed use.
- j. Whether the External Entity and/or Co-sponsoring Department has adhered to this policy during any previous use of Facilities or services.

F. USE OF UNIVERSITY SERVICES BY EXTERNAL ENTITIES

1. Provisions for Use of the Office of Laboratory Animal Resources by External Entities

- a. *General Requirements* – The use of animal care facilities by External Entities must be consistent with one or more of the university’s missions of teaching, research, public service, or healthcare. External entities requesting use of the university’s animal care facilities must be able to establish that the use of the facility is consistent with the university’s missions. 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 university animal care facilities by an External Entity must be initiated through the university IACUC Office. 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 Contracts, and will then be forwarded by the Office of Grants and Contracts to

the IACUC Office for final review and approval. Fee-for-service requests for use of animal care facilities will first be presented to the IACUC Office who will then forward it to the Industry Review Committee to determine if the use is consistent with the university's missions of teaching, research, service or healthcare.

- c. *Industry Review Committee* – Requests by External Entities for use of animal care facilities will be forwarded by the IACUC Office to the Industry Review Committee whose members will be appointed by the Vice Chancellor for Research. The Industry 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 Industry 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 the university, and (4) how the mission of the External Entity aligns with the mission of the university.

The Industry 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 or amendment to an IACUC approved protocol (as appropriate) may be submitted to the IACUC for final review and approval.

Upon IACUC approval, a contract will be executed between the External Entity and the university through the Office of Grants and Contracts or the Finance Office.

2. **Other Services**
Contact the department providing the service for allow-ability, procedure, and prices. Also see [Services Available to External Entities](#).

G. PROCEDURES

Performed By:	Action:
External Entity / Co-sponsoring Department	<ol style="list-style-type: none"> 1. Contact the scheduler of the facility for availability. Technology 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 Technology Support Services (for rooms they schedule).
Controller's Office or Technology Support Services	<ol style="list-style-type: none"> 4. Review contract for completeness. 5. Request Co-sponsoring Department to rectify any deficiencies. 6. If Event is considered a High Impact Event, send to High Impact Event Review Committee for review and approval. 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 proceeding 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. 11. Collect evidence of External Entity insurance and waivers, as needed, as required in Exhibit A.
Technology Support Services or Controller's Office	<ol style="list-style-type: none"> 12. Bill External Entity for facility usage. If not paid within 30 days, charge Co-sponsoring Department.

Notes

1. Dates of official enactment and amendments:
 May 1, 2012: Adopted/Approved by Executive Vice Chancellor for Administration and Finance
 September 1, 2017: Revised
 October 2, 2018: Reviewed
 October 12, 2018: Reformatted
2. History:
 October 2, 2018: Legal review conducted to ensure compliance with newly updated Regents Article 1.E./Policy 1.D, Freedom of Expression.

October 12, 2018: Reformatted to reflect a 2018 Campus-wide effort to recast and revitalize various Campus policy sites into a standardized and more coherent set of chaptered policy statements organized around the several operational divisions of the university.

3. Initial Policy Effective Date: May 1, 2012

4. Cross References/Appendix:

- CRS 24-113-101 Legislative Declaration – Government Competition
- CRS 24-113-104 Competition with Private Enterprise by Institutions of Higher Education - Rules
- CRS 23-20-123 Rents of Charges for Buildings and Facilities for Research
- CRS 1-45-101 *et seq.*, Colorado Fair Campaign Practices Act
- Regents Article 1.E/Policy 1.D, *Freedom of Expression*
- CU Administrative Policy Statement 2006, *Retention of University Records*
- CU Administrative Policy Statement 4018, *Alcoholic Beverages Purchased for University Events*
- CU Administrative Policy Statement 7001, *Insurance and Indemnification Requirements for Use of Facilities by Non-University Groups*
- CU Administrative Policy Statement 7009, *Protection of Children Participating in University-Run and University-Contracted Programs for Children*
- Campus Administrative Policy 2035, *Signature Authority*
- Campus Administrative Policy 3001, *Child Protection Policy*
- Campus Administrative Policy 3018, *Expressive Activities*
- Campus Administrative Policy 3050, *Alcohol Service*
- Campus Administrative Policy 3051, *Animals on Campus*
- Campus Administrative Policy 3055, *Operation of Unmanned Aircraft Systems (UAS)*
- Services Available to External Entities
- CU Denver | Anschutz Medical Campus High Impact Event Committee Guidelines
- Exhibit A, *Template Rental Agreement for Facility Use by an External Entity*
- Exhibit B, *University of Colorado Denver Schedule of Rates*
- Auraria Higher Education Center Campus Event Services