

IX-2 Rent and Use of Property

NORTHWESTERN STATE UNIVERSITY

Rent and Use of Property

- I. Purpose and Scope:** To provide a University policy statement and guidelines for the rental and use of University property by University related organizations and by Non-University related groups/organizations.
- II. Reference:** *State of Louisiana Constitution - Article 7, Section 14(A) which reads: "(A) Prohibited Uses. Except as otherwise provided by this constitution, the funds, credit, property, or things of value of the State or of any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private..."*

POLICY

Facilities and premises include buildings and property belonging to or in the care of custody of Northwestern State University. These facilities and premises are established and reserved for use in accomplishing the instructional, research and public service missions of the university which must always to be given first priority in the assignment of facilities and premises for use. Accordingly, scheduling of facilities and premises use should not pre-empt the use of facilities required for teaching, research and other academic activities.

Colleges and departments of the university, recognized student organizations, and other groups and organizations affiliated with the university have the highest priority in the use of facilities and premises at Northwestern. However, other groups and organizations not otherwise affiliated with the university may be granted permission to use the facilities and premises when such use does not interfere with the accomplishment of campus missions and programs, either specific or general. In all cases in which its facilities and premises may be used, the university reserves the right to apply or formulate reasonable specifications and requirements as to the time, place, manner and conditions for such use.

Northwestern will periodically establish a schedule of fees for facility use that will help offset costs for facility supervision, utilities, maintenance, security, and other expenses involved in operating and maintaining facilities and premises of the university. Costs of utilities, maintenance, set-up, clean up, and other expenses may be reflected in the fee structure, but the university may also develop a fee schedule that provides revenues for the institution that exceed assessed fees.

Fees will be assessed by the Facility Use Committee based on the following criteria:

- a) Civic Organization (reduced fee)
- b) State Agency conducting official State Business (exempt from fees)
- c) 501 (c)3 Organization or Non-Profit Organization (50% reduced fee)
- d) Entity to be co-sponsored by the University – "educational, charitable, and other non-commercial organizations not directly affiliated with the University in the sponsorship of informational, cultural, education and charitable programs. Those events must have a logical association with Northwestern State University and its goals and missions and must be designed to enhance the University's image and relationship with prospective students, alumni and others in its service region." An event may not be co-sponsored by the University to circumvent assessment of fees.
- e) Contractual agreement or cooperative endeavor (exempt from fees or contractual fee)

- f) Additional charges or fees may not be reduced or waived other than the fee for use of facility.

Authority

Authority for decisions regarding the use of university facilities and premises under this policy is vested in the University Facility Use Committee and the Office of the Vice President for Student Affairs. Priorities for facility use, fee schedules, procedures for scheduling and use of facilities, insurance requirements when applicable, concessions and sales in university facilities, sales and consumption of alcoholic beverages on university property, indemnification agreements and other information, guidelines and procedures for rental and use of university facilities and premises at Northwestern are provided in the following procedures. Inquiries on use of facilities and premises and requests for use of facilities or additional information must be directed to the Director of Student Activities and Organizations, Northwestern State University, Natchitoches, Louisiana 71497.

III. Procedure:

NOTE: In order to comply with Louisiana Constitution, Article 7, Sections 14A, and 14B Northwestern State University, through this policy, advises all employees that:

- a. *when facilities of this institution are used for activities outside of normal operations, it's use must be recorded in the Event Management System (EMS) by the appropriate building manager or the Director of University Facility Use, and*
- b. *when facilities of this institution are used for non-university related activities, the organization or individual involved shall be required to reimburse the school for the use of its facility, all costs associated with the use, and must provide proof of sufficient public liability insurance to protect the participants and the university in accordance with the University Facility Use Committee's Policies and Procedures.*

University Employee Responsible for Facility

1. Makes the following forms available for University and Non-University Organizations/Individuals:
 - a) Indemnification agreement
 - b) Request to serve alcoholic beverages
2. Deadlines: Requests must be made by university organizations at least 72 hours prior to the event and by non-university organizations at least 72 hours prior to the event. Please note: If a non-University event request needs to go to the Facility Use Committee, more time may be required.
3. Reviews the facility's calendar and university's master calendar to assure availability at the requested date and times and to determine, as best as possible, that the event does not violate university policies, state laws, etc.
4. If there are no conflicts or violations, for non-University event: Building manager enters the event into EMS. For University event: Organization/Department responsible for event must enter the event into EMS.

NOTE: The order of priority for scheduling a building's use should be:

- a. *University activities*
 - b. *Non-university activities*
5. If non-university organization, completes a "University Invoice" for charges that can be assessed before the event and document other charges that may be assessed after use.

NOTE: Invoices should be paid prior to the scheduled event, where applicable.

6. Forwards EMS Confirmation to requestor.

Business Affairs

1. Process invoice as per non-student receivables policy and procedures.
2. Once the invoice is paid, it is the organization/individual's responsibility to deliver a copy of their receipt to the university employee responsible for the facility, along with proof of liability insurance.

University Employee Responsible for Facility

1. If non-student organization or individual assures organization or individual has signed the Indemnification Agreement and has presented the necessary proof of liability insurance. Individuals may use homeowners insurance (if policy meets the minimum requirements) by presenting a copy of their policy. For further details, regarding insurance requirements, consult the "Insurance Requirements for Rent of University Facilities by Individuals and Organizations" in the Fiscal Policy & Procedure User Guides in the Insurance Section.

NOTE: Insurance requirements must be met by organization/individual prior to the event. If not met, the event must be canceled by the university employee responsible for the facility.

2. If alcoholic beverages are requested to be served, individual assures that organization has filed a "Request to Serve Alcoholic Beverages" form and obtained approval from the Director of University Facility Use.
3. After the event, assesses damage charges and other service charges and types appropriate invoice.
4. Forwards invoice to Business Affairs Office for processing.

NORTHWESTERN STATE UNIVERSITY Facility Use Agreement For Non-University Groups/Organizations

The facilities of Northwestern State University have been provided by public funds to be used by the University to carry out its mission of teaching, research, and public service. Louisiana law requires that University facilities be used for their stated purpose. The Louisiana Constitution of 1974, Article VII, Section A states: *the funds, credit, property, or things of value of the state or any political subdivision shall not be loaned, pledged, or donated to or for any person, association, or corporation, public or private.* It is therefore, the responsibility of the University to establish necessary regulations to assure the proper use of its facilities. In accommodating request for use of University facilities by Non-University individuals and organizations, the following regulations shall be applicable:

1. A university or university related organization/group shall be defined as one that meets one of the following criteria:
 - a. Academic class
 - b. Organization/group officially recognized or chartered by the University, such as Academic Clubs, Student Activities Board, NSU Foundation, etc.

- c. University athletic team
 - d. Organization/group invited to the University campus to support the mission of the University, such as lecturers, speakers, etc.
 - e. Performing group of which University students are members for academic credit, such as Debate Team, Theatre groups, etc.
 - f. University sponsored continuing education class, seminar, or workshop.
 - g. Organization/group hosted by the University for the purpose of enhancing a relationship that will be beneficial to the University.
2. Any organization or group which does not meet one of the above listed criteria shall be classified as a Non-University organization/group/individual.
 3. The University employee responsible for the facility being requested shall have administrative responsibility for the use of the University facility by a Non-University organization/group.
 4. The University employee responsible for the facility being requested shall review the request for use of a facility, determine availability of requested facility, approve or deny use of requested facility and assess appropriate fees to all Non-University groups for use of the facility.
 5. The University employee responsible for the requested facility must request from the Facility Use Committee a review of any request for use of a facility by any non-university group to be co-hosted by NSU for an event.
 6. University use of a facility takes precedence over Non-University use.
 7. A University facility shall not be used for personal use, gain, and/or profit. Use of a facility shall be restricted to activities which are compatible with the mission of the University and beneficial to the community served by the University.
 8. Cost of Non-University use of facilities will be borne by the user. Additional fees may be assessed for misuse or abuse of the facility.
 9. An event sponsored by a Non-University organization/group must be supervised by an employee of the University and may not be co-sponsored by a University organization, group or individual to circumvent assessment of fees.
 10. Upon approval of a request for use of a University facility appropriate fees will be assessed and shall include:
 - a. Facility use fee,
 - b. Payment for University Police if required,
 - c. Payment for University supervision if required outside normal operating hours,
 - d. Payment for technical personnel if required outside normal operating hours,

- e. Extraordinary set-up and/or clean-up costs if required outside normal operating hours,
 - f. Other costs not associated with normal operation of the facility.
11. Payment for use of a facility shall be made by check to the University employee responsible for the facility or to the University's Cashier's Office prior to the event unless other arrangements have been made, and payment of extra charges must be made within fifteen (15) calendar days after receipt of the university's invoice.
12. A Non-University organization/group using a facility shall furnish the University employee responsible for the facility being used a signed Hold Harmless Agreement and verification of liability insurance covering participants and spectators no later than seven (7) calendar days prior to the scheduled use of the facility. The policy shall maintain limits no less than:
- a. Comprehensive General Liability: Individuals - \$500,000 per occurrence for bodily injury and property damage (Copy of homeowners insurance is acceptable if applicable). Other Entities - \$1,000,000 per occurrence for bodily injury and property damage coverage.
 - b. Worker's Compensation and Employers Liability: Workers' Compensation as required by the Labor Code of the State of Louisiana and Employers Liability coverage. Exception: Employers Liability is to be \$1,000,000 when work is to be over water. NOTE: Refer to the Insurance Requirements for Rent of University Facilities by Individuals and Organizations Policy and Procedure for details regarding insurance requirements.

NORTHWESTERN STATE UNIVERSITY
Sale and Consumption of Alcoholic Beverages on NSU Campus

Purpose:

This policy has been established to insure the sale, possession, and consumption of alcoholic beverages by members of the University community and authorized guests at approved events is in compliance with University policy, state and federal laws. It is not intended or designed to encourage the consumption of alcoholic beverages, but rather to make such beverages available to persons of legal age who wish to consume such beverages in a responsible manner. This policy is not intended to foster the use of alcoholic beverages, therefore, approval will be only on basis of an individual event when the merits of the activity is obvious and the request for approval is made at least seven days in advance of the event.

Procedure:

All policies and procedures relating to the sale, possession, and consumption of alcoholic beverages during events on the campus of the University shall be established by the Alcoholic Beverage Committee and approved by the President in accordance with policies and procedures of the University of Louisiana Systems for Louisiana State Colleges and Universities.

1. The sale, possession, and consumption of alcohol on the University campus is prohibited except at events receiving prior approval from the Director of University Facility Use.
2. Alcoholic beverages shall be sold and/or served on campus by those persons properly licensed according to Louisiana statutes and/or approved to do so by the Director of Student Activities and Organizations.

3. Organizations having alcoholic beverages donated to them for use at approved events or wishing to purchase alcoholic beverages for approved events from someone other than Sodexo must secure a contractual Food Waiver from Sodexo waiving its right to sell alcoholic beverages for all approved events on campus.
4. Events approved for the serving of alcoholic beverages must also make available a sufficient amount of non-alcoholic beverages and food items.
5. Some facilities may request for alcoholic beverages to be served in containers other than glass or aluminum.
6. Persons approved to serve alcoholic beverages shall deny service to individuals who are intoxicated or whose behavior appears to be negatively affected by their consumption.
7. Individuals and/or organizations are subject to revocation of approval to serve and consume alcoholic beverages if behavior at approved events violates the alcohol policies of the University. Other disciplinary action may be taken by appropriate university officials.
8. Events may be terminated by University officials if the event becomes disruptive, the safety of individuals is endangered or if alcohol policies of the University are violated.
9. Alcoholic beverages are not permitted as an incentive for participation in events, as prized in contests, or as the primary focus of an event.
10. The advertising of events may not include specific reference to alcoholic beverages.
11. When alcoholic beverages are served on campus, the consumption is restricted to the serving area.
12. Persons served alcoholic beverages must be of legal age and be able to present proof of age upon request. Approved events must provide a system to ensure only persons of legal age are served alcoholic beverages.
13. University Police shall be assigned to each event approved for the serving of alcoholic beverages. The Director of University Facility Use, in conjunction with the NSU Police shall determine the number of officers required and the sponsoring organization shall pay the wages at the current overtime rate of assigned officers.
14. Local and state laws and ordinances regarding alcohol beverages shall be observed.
15. Notice of cancellation of an event approved for the serving of alcoholic beverages must be received 24 hours prior to the event or charges for facilities, University Police, and food services will still be made.