



USE OF FACILITIES POLICIES AND PROCEDURES

No: SAAP 6-5

Date: September 2016 (revised-3)

October 2015 (revised-2)

October 2003 (revised-1)

Authority: Wis. Admin. Code UWS Ch. 18, 21

Regent Policy 12-1 Competition with the Private Sector November 1988 (original)

UWM SAAP 3-1, Guidelines for Serving Alcoholic Beverages

UWM SAAP 7-4 Criminal Background Check Policy

UWM Administration

Initiator: Vice Chancellor for Finance & Administrative Affairs

Responsible Party: Vice Chancellor for Finance & Administrative Affairs

I. STATEMENT OF POLICY

It is the policy of the University of Wisconsin-Milwaukee (“university” or “UWM”) that its facilities are to be used primarily in furtherance of the university’s purposes, including its missions of teaching, research and public service, and consistent with the facilities’ intended functions.

This policy is not intended to limit the use of UWM facilities by the university for its own purposes. Instead, this policy is intended to describe the requirements and procedures for the use of UWM’s facilities for events that are not directed by the university, i.e., by organizations associated with the university and by persons or organizations not associated with the university. This includes student organizations and applies to all space use by outside parties with or without the sponsorship or invitation of any organization associated with the university. Such use must take into account the university’s overall resources and concerns for campus security, and be within the following parameters:

- A. University facilities may be used only if such use does not detract from the university’s purposes for the facility, the missions of the university, and the intended functions of the facility. Uses that promote the university’s missions of teaching, research, and public service will receive special consideration.
- B. The university shall recover appropriate costs associated with the use of a university facility and may charge additional rental charges if the use is revenue producing.
- C. The university shall manage the risks and potential liability associated with the use of each university facility.

- D. The university will not allow use of its facilities in a manner that unfairly competes with the private sector in violation of Regent Policy 12-1.
- E. The designated university officials responsible for each facility shall ensure that this policy is followed and that each facility develops individualized procedures consistent with this policy.

II. DEFINITIONS

A. Space Assignment Authority or SAA

The Space Assignment Authority (“SAA”) for each facility on campus is the individual who is designated to be responsible for ensuring that the facility is used in compliance with this policy and any other applicable laws or policies. A list of the designated SAAs is attached as Appendix A.

B. Organization Associated with the University

An Organization Associated with the University is an officially recognized student or staff group, an administrative or academic unit of UWM, or a state agency. In order for a student organization to qualify as an Organization Associated with the University, it must be currently registered with the University office responsible for registering student organizations and in good standing.

C. University-Directed

A proposed use of UWM facilities is University-Directed when it is by an employee of the university and within the scope of his or her duties and responsibilities to the university, or when it is by an administrative or academic unit of the university in furtherance of its responsibilities to and functions for the university. University-Directed uses comprise the official business of UWM.

D. Direct Costs

Direct Costs are the additional costs that the university incurs as a result of allowing the facility to be used for a particular event. For example, these may include set-up, additional maintenance or security costs, and equipment rental.

E. Indirect Costs

Indirect Costs are the overhead or fixed costs (these are separate from the Direct Costs) that may be allocated to the use of a facility. For example, these may include utilities, maintenance on the facility, depreciation, and the costs of administering this policy.

F. Revenue Producing

An event is revenue producing if the organization or group running the event intends to make a profit from the event (e.g., by admission charges, registration fees, vendor fees, or the sale of concessions).

G. Large-Scale Events

“Large-scale events” are events that:

- (a) Are anticipated to involve more than 250 attendees, and
- (b) Are anticipated to either:
 - (1) Require the closure of parking lots, streets, and/or buildings (or portions thereof), campus walkways, thoroughfares, and/or other outdoor spaces on or adjacent to campus whether at the request of the event sponsor or participants or as directed by any law enforcement agency, including the UWM Police Department, and/or
 - (2) Substantially disrupt the core academic activities of the university.

III. RESPONSIBILITIES OF THE SPACE ASSIGNMENT AUTHORITY PRIOR TO ALLOWING NON-UNIVERSITY DIRECTED USE OF FACILITIES

SAA's (defined in Section II, above) are strongly encouraged to facilitate the use of UWM facilities, consistent with this policy, by completing each of the following steps as soon as practicable after the effective date of this policy. An SAA must comply with each of the following steps prior to allowing a facility to be used in a manner that is not University-Directed. An SAA who allows the use of a facility without complying with each of the following may be acting outside the scope of his or her authority.

A. Coordinating University-Directed Uses

Each SAA is responsible for coordinating University-Directed uses of its facilities and may develop specific procedures for such use. This policy is not intended to enumerate specific rules or restrictions for the use of facilities for University-Directed purposes. For most facilities, University-Directed purposes take priority over other uses. For large-scale events, even if directed by the university, SAA's must follow the processes and considerations in section III(D) below.

B. Determining Whether it is Feasible for the Space to Be Made Available for Uses that Are Not University-Directed.

Prior to allowing a facility to be made available for uses that are not University-Directed, an SAA should formally analyze and determine whether it is generally feasible for the space (or portions of the space) to be made available. For example, the SAA should review:

- (1) How extensively the space is being used in a manner that is University-Directed and whether any portions of the space are under- or over-utilized.
- (2) Whether the space is properly safe and accessible to the public (the SAA should consult with Physical Plant Services to make this determination).
- (3) Whether the SAA has adequate resources to supervise and monitor uses of the space that are not University-Directed.

C. Establishing Written Rules for the Use of the Space.

Prior to allowing a facility to be made available for uses that are not University-Directed, an SAA should establish written rules governing the use of the space. These rules are necessary because each facility has its own unique needs, restrictions, and limitations. The written rules should include:

- (1) The periods or times the space is available.
- (2) Any particular restrictions on the use, such as:

- (a) Whether amplification of sound is allowed in the space;
 - (b) Whether decorations are allowed in the space and if so, what type (as approved by Environmental Safety, Health and Risk Management); and
 - (c) Whether food or beverages are allowed in the space.
- (3) A description of priorities in the types of uses that are not University-Directed, if any. Stated priorities must be consistent with the intended purposes of the facility. For example, the SAA for the Union might specify that student organizations have priority; the SAA for a performance hall may specify that the space is to be used first for public performances; and the SAA for an athletics facility may specify that a space is to be used primarily for athletic competitions and secondarily for sports recreation.
- (4) A schedule of fees for the use of each space within the facility, consistent with Section V: Charges, below.
- (5) A procedure for reviewing individual requests for the use of a space, including the position of the person designated to process such requests.

The rules established by an SAA for any particular space should relate to a legitimate university interest. Also, the rules may not discriminate between user groups on the basis of their political, ideological, religious, or philosophical values. The Office of Legal Affairs should review an SAA's written rules prior to their implementation.

D. Considerations and Processes for Large-Scale Events.

For large-scale events, in addition to other considerations or requirements set forth in this policy, the SAA must consult with the Vice Chancellor for University Relations and the Vice Chancellor for Finance & Administrative Affairs and receive express, written approval from the Chancellor to permit space usage for the large-scale event sufficiently in advance of the event to allow for planning and appropriate campus and community notifications. The Vice Chancellor for University Relations and Vice Chancellor for Finance & Administrative Affairs will consult with appropriate impacted units/functions before making a recommendation to the Chancellor on approval. Decisions whether to permit large-scale events in UWM facilities will be based on factors including, but not limited to:

- (1) Whether the event will require the closure of classrooms or other academic or research spaces that would substantially disrupt teaching, research, and/or public service.
- (2) Whether the event will require the closure of streets, parking facilities, or any other campus spaces (indoor or outdoor) that would substantially limit student or employee access to campus or that would disrupt university operations that support the core mission of teaching, research and public service.

- (3) The institutional costs, such as staff time, additional security, lost revenue, etc. that may not be recouped from the event sponsors.
- (4) Whether UWM has hosted a large-scale event at UWM in the six months preceding the event under consideration and has the capacity to host another such event in close proximity.
- (5) Whether the event subject has previously been the invitee, sponsored guest, subject, and/or featured guest of a large-scale event at UWM in the same academic year as the proposed event.
- (6) Whether UWM can adequately provide for the safety of the event, the attendees, and the campus community with or without additional security.
- (7) Whether the intended audience is internal (UWM staff or students) or external.
- (8) Whether there is sufficient time between the request and the event to adequately consider the factors above, adequately plan for safety and security, and mitigate any disruption to regular campus activities and the campus community that may result from the event.

IV. PROCEDURES FOR REQUESTING USE OF A FACILITY THAT IS NOT UNIVERSITY-DIRECTED

A. Directing the Request to the Space Assignment Authority

Any individual or group that is interested in using a university space in a manner that is not University-Directed should direct the request to the SAA for that space. (See Appendix A for a list of SAAs.)

B. Requests by Individuals or Organizations Not Associated with the University

An individual or organization that is not an Organization Associated with the University must be sponsored or invited by an Organization Associated with the University in order to use a university facility. “Sponsored” means an event funded and/or hosted by an Organization Associated with the University with some level of university involvement.

“Invited” means an event sponsored by an Organization Not Associated with the University at the request of an Organization Associated with the University. The Organization Associated with the University may issue such an invitation after concluding that the event promotes the university’s mission. The sponsoring or inviting organization will be responsible for all financial obligations associated with the facility use.

The Organization Associated with the University is responsible for confirming in a written statement to the SAA: (1) the sponsorship or invitation to use the facility; and (2)

whether and how the use will promote the university's missions of teaching, research, and public service. This statement should be attached to the request. A sponsor is also responsible for helping the SAA to process the request and coordinate the event, as described in Section C below.

An SAA may sponsor or invite an outside individual or organization's use of a facility.

C. SAA Review and Processing of Request

The SAA or his/her designee is responsible for reviewing and processing each request for use of UWM facilities that is not University Directed. If the event is a large-scale event, the SAA must follow the process and considerations in section III(D) in addition to any processes or considerations in this section. The SAA may require help from the Organization Associated with the University that is sponsoring or has invited the facility use. Specifically, the SAA must do or direct the Organization Associated with the University to do each of the following

- (1) Provide the requestor with a copy of this policy and the SAA's pre-established rules or direct the requestor to the appropriate web addresses for the policy and rules.
- (2) Review the request and the statement provided by the Organization Associated with the University to determine whether the use shall be approved. In making a determination as to whether to approve the request, the SAA should consider each of the following factors:
 - (a) Whether and how the use will promote the university's missions of teaching, research, and public service. In conducting this analysis, the SAA should consider that private uses (e.g. use by a private organization for an event that is not for university staff, students, or the general public) are generally not appropriate unless the SAA specifically determines that the proposed private use will further one or more of the university's missions. If the SAA questions whether a proposed use promotes the university's missions, he or she should consult with the Dean or Division Head overseeing the unit in which the facility is located.
 - (b) Whether the use is consistent with the intended function of the facility and priorities in usage as established by the SAA's own rules for the facility.
 - (c) Whether the facility is available for use, after considering any University-Directed needs for the space.
- (3) Obtain the UWM Risk Manager's confirmation that the requestor's insurance is adequate. The SAA should obtain the requestor's Certificate of Insurance and discuss the insurance coverage indicated in the Certificate with UWM's Risk Manager no later than 2 weeks prior to the date of the event to ensure adequate

time for consideration. The Risk Manager will consider the requestor's insurance coverage in light of the UWM and UW System policies on insurance (available at <https://uwm.edu/risk-management/insurance/>). If the Risk Manager's approval of the requestor's insurance coverage is not obtained prior to the event, the SAA must cancel the event. If an SAA has concerns about a requestor's ability to obtain adequate insurance coverage for the event, the SAA should contact the Risk Manager as early as possible (preferably 30 days prior to the event) to discuss alternatives.

- (4) If the event will include service of food, direct the requestor to the list of approved food service providers published by the UWM Purchasing Department.¹ Requestors are strongly encouraged to use a food service provider that is on the approved list. If a requestor wishes to use a food service provider that is not on the approved list, the requestor should ask the SAA to submit to the UWM Purchasing Department a request to consider a particular food service provider for addition to the list. Such a request must be made at least 30 days prior to the event and there is no guarantee that such a request will be granted or granted in time for the event.
- (5) If the event will include the service of alcohol, direct the requestor to UWM SAAP 3-1, Guidelines for Serving Alcoholic Beverages. All sales and service of alcoholic beverages must be in compliance SAAP 3-1.
- (6) Notify the university police department at least 30 days prior to the event if the requested use will involve any of the following:
 - (a) Service of alcohol;
 - (b) Attendance of children or minor students outside of normal business hours (7:30 a.m. to 4:30 p.m.);
 - (c) Attendance of more than 50 people; or
 - (d) Any other factor that poses a security risk.

Such notification shall follow the process described in Appendix C. The police department shall determine, in consultation with the SAA, whether additional UWM security is needed for the event.

- (7) Draft a written contract for the use of the space and obtain the signature of the person responsible for the use. The contract must include, at a minimum, all of the provisions contained within the model contract attached as Appendix B. If the contract is significantly different from the model, the Office of Legal Affairs

¹ All service of food must also comply with SAAP 6-3, Policy on Catering for Campus Events, and must generally be conducted by licensed, insured food service providers, except as provided in SAAP 6-3.

should review the contract. The contract should then be signed by a university official with appropriate signature authority.

- (8) Pursuant to UWM's Criminal Background Check Policy (SAAP 7-4), if the contract with an outside organization relates to use of university lands or facilities to operate multi-day or overnight programs for minors, require a written representation that the requestor's employees, affiliates, and volunteers with access to minors have satisfied a criminal background check by a criminal background check vendor that includes a check of the vendor's proprietary national criminal background check database.
- (9) Collect the fees for use.
- (10) Within two days after the event, determine whether the use has resulted in any damage to the facility or other harm to UWM which must be reported to UWM's Risk Manager and the Office of Legal Affairs.

V. CHARGES FOR THE USE OF THE FACILITY

The SAA is responsible for developing a schedule of fees for the use of the facility. The schedules must be reviewed by the Business and Financial Services to ensure that the necessary costs have been recovered and that the accounting is appropriate. While each SAA has some flexibility in determining its fee schedule (within the parameters described below), it is important that each SAA develop its schedule of fees in advance so that like requests are handled consistently and that any differences in fees charged are based on legitimate reasons.

A. Use that Is University-Directed (including Instructional Purposes)

The SAA should establish in its schedule of fees any charges that will be billed to other university departments for University-Directed use of the facility. Typically, there are no charges for a use of a facility that is University-Directed unless there are more than de minimis Direct Costs associated with the use.

B. Use by an Organization Associated with the University for Events for Staff, Students, or the General Public

The SAA for a facility should establish in its schedule of fees the types of costs that will be charged to an Organization Associated with the University. For events for staff, students, or the general public, the SAA may charge a fee designed to cover direct and - 7 - indirect costs, direct costs only, or may waive the charges. If the event is Revenue Producing, the SAA may charge a fee in addition to the direct and indirect costs. If an event by an Organization Associated with the University is neither for staff or students nor open to the general public, the charges should be the same as those established for Organizations Not Associated with the University (see Section C, below).

C. Use by an Organization Not Associated with the University

The SAA should establish in its schedule of fees that it will charge an individual or group not an Organization Associated with the University for both the Direct Costs and Indirect Costs attributable to the use of the facility. If the event is Revenue Producing, the SAA may charge a fee in addition to the Direct and Indirect costs

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Policy Approved by Chancellor Mark Mone on September 29, 2016

APPENDIX A
UNIVERSITY OF WISCONSIN—MILWAUKEE
SPACE ASSIGNMENT AUTHORITIES*

Description	Assignment Authority
Alumni House	Vice Chancellor for Development
Engelmann Rifle Range	Director of University Police
UWM Grounds	Director of Facility Services
University Services Bldg.	Director of Facility Services
Children's Center	Director of Children's Center
Union and University Commons (Spaights Plaza)	Director of the Union
Residence Life	Director of University Housing
Kenilworth Square Apartments	Director of University Housing
Klotsche Center & Pavilion	Director of University Recreation
Engelmann Gym	Director of University Recreation
Engelmann Field	Director of Athletics
General Academic Facilities	Associate Vice Chancellor, Academic Affairs
Greene Hall	Associate Vice Chancellor, Academic Affairs
Vogel Hall Visitor's Center	Chief Enrollment Officer
Teaching & Research Facility - External	Director of the Center for Business Competition
Teaching & Research Facility - Internal	Associate Dean of the Business School
Structure Labs	Dean of College of Engineering & Applied Science
Mechanical Engineering Lab	Dean of College of Engineering & Applied Science
Soil Mechanics Lab	Dean of College of Engineering & Applied Science
Polymer Processing Lab	Dean of College of Engineering & Applied Science
Center for Alternative Fuels	Dean of College of Engineering & Applied Science
Advanced Analysis Facility	Dean of College of Engineering & Applied Science
Scanning Electron Microscopy Lab	Dean of College of Engineering & Applied Science
Industrial & Systems Ergonomics Lab	Chair, Industrial & Manufacturing Engineering
Water Research Hydraulics Lab	Chair, Civil Engineering
Kenilworth Square East	Facilities Director of the Peck School of the Arts
KSE 130 Inova Art Gallery	Facilities Director of the Peck School of the Arts
Mitchell Hall: Art, Dance studios, Theater, Film	Facilities Director of the Peck School of the Arts
The Arts Center - Art, Music, Theatre Bldgs.	Facilities Director of the Peck School of the Arts
Zelazo Center	Facilities Director of the Peck School of the Arts
Great Lakes Research Facility	Dean of the School of Freshwater Science
Great Lakes Water Institute	Dean of the School of Freshwater Science
Water Institute Analytical Facility	Dean of the School of Freshwater Science
Fish Facility - NIEHS/MFBS Center	Dean of the Graduate School
ITS Teaching Facility, Cunningham TV Studio	Vice Chancellor of University Relations, or designee
Manfred Olson Planetarium	Director of the Planetarium

Field Station Properties	Field Station Resident Manager
Physics HRTEM Laboratory	Chair, Physics
Biosciences Electron Microscope Lab	Chair, Bioscience
Biosciences DNA Sequencing Lab	Chair, Bioscience
Biosciences Confocal Microscopy Facility	Chair, Bioscience
Biosciences Flow Cytometry Lab	Chair, Bioscience
Biotechnology Research Center	Chair, Bioscience
Chemistry Mass Spectrometer Lab	Chair, Chemistry
Chemistry Glass Shop - Custom Glass Fabrication	Chair, Chemistry
Chemistry ICPMS Lab	Chair, Chemistry
Soils Lab	Chair, Geography
Geoscience XRF/XRD Lab	Chair, Geoscience
Simultaneous Interpretation Facility	Director of Language Resource Center
Cartography & GIS Center	Chair, Geosciences
Golda Meir Library Conference Center	Director of the Library
Joseph Zilber School of Public Health	Dean of Public Health
Hefter Conference Center	Asst. Dean - School of Continuing Education
Continuing Education Plankinton Bldg.	Asst. Dean - School of Continuing Education
Computing & Network Services - Computer Lab	Asst. Dean - School of Continuing Education
Distance Learning & Instructional Support	Asst. Dean - School of Continuing Education

*This list was current as of the date of the policy signature but is subject to addition or change as needed. A current copy of the Space Assignment Authority list is available online on UWM's Budget & Planning website, through the Facility Use Fees procedures (see <http://www4.uwm.edu/budplan/procedures/>).

Editorially revised, 08/29/2019.

Appendix B
UNIVERSITY OF WISCONSIN—MILWAUKEE
USE OF FACILITY AGREEMENT

This Agreement is made by and between the Board of Regents of the University of Wisconsin System on behalf of the University of Wisconsin—Milwaukee (“UWM”) and the _____ (the “User”), effective as of the date of execution of this Agreement by both parties.

UWM and the User hereby agree that the User will use UWM’s facilities according to the following terms and conditions:

1. The basic details of the User’s use of facilities are as follows:

- a. Facility to be used: _____
- b. Date of use: _____
- c. Purpose of use: _____

- d. Starting time of event: _____
- e. Ending time of event: _____
- f. Is the event open to the public? _____
- g. List any restrictions on the public’s access to the event: _____
- h. Anticipated attendance: _____
- i. Is the event catered? _____
- j. Name of caterer _____
- k. Individual in charge of event: _____
(Address) _____
(Daytime telephone number) _____
- l. UWM Sponsoring Org.: _____
- m. Contact at Sponsoring Org.: _____

2. The User agrees to pay the following costs and rental fees, as described below:

- Direct costs: _____
- Indirect costs: _____
- Additional rental fee: _____
- Total amount due: _____

The total amount due shall be paid no later than ____ days prior to the Date of Use, as described in section 1.b. above.

3. The following equipment and services are included in the fees described above:

_____.

4. Both UWM and the User acknowledge and agree that neither the University Organization’s sponsorship of the requested use, nor UWM’s approval of the requested use, constitutes endorsement by UWM or the State of Wisconsin of the views, objectives, philosophy or ideology expressed or otherwise propounded by the User.

5. The User hereby assumes full financial responsibility for the use of the UWM facilities, and agrees to indemnify and hold harmless the Board of Regents for the University of Wisconsin System on behalf of the University of Wisconsin—Milwaukee, and all of its officers, employees, and agents from any actions or causes of action, claims, demands, liabilities, loss, damage, injury, cost or expense of whatever kind or injuries or the death of any person(s) or damage to any property caused by, arising out of, or in connection with the use of UWM's facilities.

6. No later than 14 days prior to the Date of Use, the User will provide proof of financial responsibility in the form of a certificate of insurance that names both the Board of Regents and UWM as named insureds, and that is deemed to be acceptable by the UWM Risk Management Office.

7. The User shall not cause or permit anything to be done to injure, mar or deface the premises. The User shall obtain prior approval for any decorations. The User shall leave the premises in the same condition as at the commencement of the use, excepting ordinary wear and use.

8. The User agrees that it is solely responsible for the payment of any federal, state, or local taxes which may be levied against the activity for which the facilities are being used.

9. The User agrees to comply with all applicable policies of the University of Wisconsin System and UWM, including any policies pertaining specifically to the use of the facilities named in this Agreement.

10. By signing this agreement, User agrees that, pursuant to UWM's Criminal Background Check Policy (SAAP 7-4), if it is using UWM lands or facilities to operate multi-day or overnight programs for minors, it represents that all of its employees, affiliates, and volunteers with access to minors have satisfied a criminal background check by a criminal background check vendor that includes a check of the vendor's proprietary national criminal background check database.

11. In connection with the performance of work under this Agreement, to the extent required by law, the User agrees: (a) not to discriminate against any employee or applicant for employment because of age, race, religion, color, handicap, sex, physical condition, developmental disability as defined in Wis. Stat. s. 51.05(5), sexual orientation or national origin, including in, but not limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship; (b) except with respect to sexual orientation, to take affirmative action to ensure equal employment opportunities; and (c) to post in conspicuous places, available for employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of the nondiscrimination clause.

12. UWM hereby certifies and agrees that the above-described use does not detract from the university purposes for the facility, the missions of the university, and the intended functions of the facility.

**By the Board of Regents of the University
of Wisconsin System on behalf of the
University of Wisconsin—Milwaukee:**

By the User:

Title: _____
Date: _____

Title: _____
Date: _____

Appendix C
PROCEDURE FOR NOTIFYING THE UWM POLICE DEPARTMENT OF EVENTS
REQUIRING ADVANCED NOTIFICATION PER SECTION IV(C)(6)

The SAA should notify the UWM Police Department by emailing police-command@uwm.edu. Information that must be included in such a notification is (1) event name; (2) expected attendance; (3) event location; (4) event planner contact information; and (5) which factor(s) triggered notification.