



UNIVERSITY of WISCONSIN GREEN BAY

Approved by Chancellor's Cabinet:

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Michael Alexander, Chancellor

UW-Green Bay Facilities Policy GB 50-23-02

PREFACE AND BACKGROUND

The University of Wisconsin – Green Bay, collectively including all campus locations, recognizes its commitment to the requests and needs for facility and grounds use by members of the University community as well as members of the greater community. While the use of campus facilities shall be made available to general public, such availability is limited based on the available resources of the University and the limitations set by the Board of Regents of the University of Wisconsin System and the Legislature.

The basis for the authority, purpose, priorities, and limitations associated with the use of university facilities and grounds by university and non-university groups or individuals are established in the following documents:

Wisconsin Administrative Code UWS Chapter 21

Wisconsin Administrative Code UWS 8.025

Wisconsin Statute 16.84

Wisconsin Statute 11.36 (3) and (4)

UW System Risk Management Policy and Procedure Manual Parts 2, 3, and 4

These documents describe in detail the State and UW System terms and conditions for using university facilities and provide the necessary context for UW-Green Bay's policy.

The purpose of the UW-Green Bay Facility Use Policy is to maximize campus resources to both the University community as well as the general public while ensuring that all assets and property of the State of Wisconsin is properly protected; to ensure that the practice of cost recovery is applied to all facility use to ensure proper compensation to the University; and maintain compliance with UW System and State guidelines regarding use of state resources.

DEFINITIONS

Additional Location: The facilities and grounds of the Manitowoc, Marinette or Sheboygan campuses individually or collectively.

Ancillary Costs: The real and actual expenditures by any operational area needed to facilitate the facility use. Examples include but are not limited to; overtime, additional staffing for set up and clean up, use of University consumable resources.

Building Schedule: A schedule which defines the designated hours of operation a building is normally open for normal business operation. The hours are to be posted within entrances of each building. Schedule variation may be common from location to location and during break or summer periods.

Cabinet Level Authority: The Cabinet Member overseeing the operational area in which the Facility or Space falls under or the operational area seeking a University Sponsorship or Co—Sponsorship designation. The Cabinet Level Authority shall be the only individual with the authority to approve facility use for any Non-University User and the determination of Co-Sponsorship to approve the waiver and consent to subsidize the *facility* use fees.

Camp: A single day or multi-day youth focused event using University facilities and equipment and designed to provide recreation, education or training to non-students.

Clinic: Any event which uses campus facilities for less than four (4) hours in non-consecutive days which is focused on youth and designed to provide recreation, education or training to non-students.

Conference: Any event which a non-university organization uses campus facilities in excess of four (4) hours, and provides training, recreation or education to adults.

Dean / Director Level: The Dean or Director level is the individual who oversees an operational area and is a member of the applicable administrative Committee (Business & Finance Directors, Student Affairs Directors, Administrative Counsel). Dean / Directors may make determinations as to the appropriateness of University Sponsorship of an event, but may not confirm Co-Sponsorship or waiver and consent to subsidize for non-university users.

Facility Use Fee: The established and published fee which a user is charged for the use of any university facility or grounds. This fee excludes ancillary costs and other costs which may be associated with the Event (for example additional sanitation stations, trash pick up, etc).

Non-University User: Any camp, clinic, conference, or other events which is organized, controlled and promoted by a *third-party business entity* shall be considered a Non-University User and subject to all assessment of fees are required by the Facility Use Standard Operating Procedure. *For purpose of this policy limited use by third party (e.g. non-periodic room use for less than 2 hours; short term space use for photographs; etc. shall not be subject to strict adherence to the fee schedule.)*

Revenue Producing Activity / Event: Functions or events where participants are charged a fee to attend the event or there is revenue generated by the event via outside support, including any event in which the University is charging a fee to a Non-University User for the use of space, equipment or services which are owned by the University or funded by the University.

University Business: Any activity which service directly the academic or administrative function of the University; classroom / lab for credit instruction; meetings of governance committees, administrative groups, academic departments; regularly scheduled student organizational activities; session of student government.

University Facilities: All publicly owned or leased buildings and grounds, which are subject to the custody and control of the UW Board of Regents of the University of Wisconsin System and the

University of Wisconsin-Green Bay.

University Mission: Any use of any University resource, facility or grounds by members of the University Community or the public must be in furtherance of the University [Mission](#). The determination of this application is not subjective and determination of the appropriateness of the activity shall be made at the Dean / Director Level.

Waiver & Consent to Subsidize: The confirmation by the Cabinet Level Authority that the facility use fees for the event or use shall be waived and the ancillary costs may be subsidized by a University Operational area's budget. For Co-Sponsored and Third-Party Events, the approval may only be provided by a Cabinet Level Authority. A Dean or Director may approve the waiver and consent to subsidize for a University Sponsored event, but the budget allocation for the recovery of ancillary costs must be within the Dean / Directors budgetary authority. *Any disputes between the operational area which is sponsoring the event and the operational area controlling the grounds, facility or other resource shall be directed to the Cabinet Level Authority overseeing the respective areas for resolution.*

University Users:

Administrative or academic units: Divisions, colleges, departments, budgetary units, academic disciplines, or functional equivalents at UW- Green Bay.

Recognized Student Organizations: A group of students who have organized, applied for, met the criteria for, and have been granted University recognition by the Office of Student Life at UW-Green Bay.

Other Recognized Organizations: An entity which is not a university department/unit, does not account for its revenue/expenditure activity through the University, but has requested and been granted University recognition by the Chancellor on the premise that its mission is compatible with the mission of the University (e.g. –Foundation, Alumni Association, etc.).

TYPES OF EVENTS:

University Sponsorship

Sponsored: An event or activity shall be considered “university sponsored” if a *University User* exclusively initiates, plans, coordinates, and delivers the event or activity within the defined mission and purpose of the unit. University sponsorship explicitly excludes collaboration between a University User and a third-party by which the third party will be hosting or otherwise facilitating an event on or in a University facility or grounds. All of events of this type must be reviewed under the below Co-Sponsored Event process.

For events or activities which are university sponsored, user fees may be waived so long as the event or activity fulfills the mission of the University User and where the participants are not charged a fee for attendance. Notwithstanding, real and actual costs cannot be waived and must be subsidized to pay the additional costs associated with the labor costs or equipment use. If fees are waived by the individual named above, internal budgetary allocation must be made to cover the ancillary costs associated with the event or activity. A waiver may only be granted by the Provost, Vice-Chancellor or Business and Finance, Vice-Chancellor of Inclusivity or the Chancellor.

Confirmation of any waiver and consent to subsidize must be received by the Facility sufficiently in advance of the event as determined by the Facility. Failure to provide sufficient advanced notice will be grounds for denial of the waiver.

Co-Sponsored:

An event or activity shall be considered “co-sponsored” where a *University User* engages with a *Non-University User* or organization to initiate, organize and promote an event which serves to fulfill the University Mission and in which the *University User* is exercising the primary direction and control of the activity.

The *University User* must serve as the primary contact for the event within the campus community. The *University User*, in concert with the *Non-University User* organization, must participate in the planning, supervision, and delivery of the event, and/or shares the expenses supporting the event and revenues.

Prior to moving forward with any co-sponsored activity or event, the *University User* must obtain approval from the Cabinet Level Authority to move forward with a co-sponsorship activity. The *University User* must comply with the procedures set forth in *Facility Use Standard Operating Procedure* providing the Cabinet Level Authority approves information pertaining to the cost associated with the event, the benefit of the event to the campus community, and any other additional resources that may be implemented. The Cabinet Level Authority shall have the sole discretion as to the approval of the Co-Sponsorship and approval of the waiver and consent to subsidize.

Notwithstanding any waiver of facility use fees; any damages or exceptional cleaning beyond that anticipated by normal and customary use shall be the responsibility of the University Sponsor. The University Sponsor shall be responsible for the cost of repair and exceptional cleaning which is discovered post use for any University Sponsored or Co-Sponsored Event.

Third Party Events:

Any event by which a Non-University User will be provided access to University facilities, grounds or resources. This event includes but is not limited to; rental agreements, space use which is facilitated through an operational area as part of their institutional functions (e.g. third party camps, hosting of conferences, community access). It is presumed that all third-party events will be charged full facility use fees and all ancillary costs as part of the Facility Use Agreement. **Any modifications to such fee and costs assessment can only be made by the appropriate Cabinet Level Authority. In all cases, any ancillary costs incurred for these events must be fully accounted for by direct payment or internal subsidy to avoid violation of Wisconsin Law.**

USE OF FACILITIES

To ensure that the proposed use of any University facility will not interfere with or detract from the university’s teaching, research, or public service missions, confirmation of the appropriate use of facilities as required by UWGB Policy, UWS§ 21 Wis. Adm Code et al and state statutes.

The University has the unilateral right to deny any request for use which does not comport with the above requirements and has the right to terminate any event or activity, which in its opinion does not comply with said requirements.

PUBLIC ACCESS

In the fulfillment of the University Mission, UW-Green Bay makes available to members of the public the resources of the University through the hosting of camps, clinics and conferences.

The access of students and faculty in the fulfillment of the University Mission is the first priority for assigning space; however, upon availability the facilities of the University of Wisconsin-Green Bay are open to the individual members of the public consistent with UWS §21.03 Wis. Adm. Code. Use and access of facilities is permitted within the times provided on the Building Schedule and subject to the appropriateness of the activity of the individual.

An organized, planned and promoted event on University lands or implementing the use of University Facilities which does not constitute University Business, must be approved by University administration under this policy as evidenced by a signed Facility Use Agreement. Failure to comply with the terms of this policy may result in the termination of the activity or other actions available under System policy and state law.

Use of University Facilities or use of University resources to conduct commercial ventures is prohibited. No individual or agency may use any University Facility or portion of Facility to conduct personal instruction outside of the University Mission, perform services for a business or otherwise engage in private enterprise.

PRIORITIES FOR FACILITY USE

Because the priorities for facility usage vary according to type, purpose, and funding support source, the University has established a hierarchy of priorities for use of most facilities and outdoor spaces. This hierarchy primarily guides the academic year usage, and the priorities may shift periodically dependent on time of year, university calendar, and university long-term commitments. The methodology of the priority is set forth in the **Facility Use Standard Operating Procedure**.

The Official Scheduler of each facility shall be responsible for the scheduling of all direct facility use and coordinating the User with ancillary services as required. The Official Scheduler shall prepare the Facility Use Agreement, ensure collection of all required documentation and retain a copy of the agreement as the formal record keeper for the University.

CHARGES FOR FACILITY USE

Except where otherwise stated within this policy, each user of University Facilities shall be assessed a daily facilities fee, in addition to an administrative fee.

The University shall annually set and publish user fees for their respective facility that will be approved through the University's budget process in a centralized location hosted by the University Union. The purpose of the fees is to ensure that costs incurred by the University for facility use are properly accounted to ensure protection of State resources. These fees shall be based upon the funding source

of the facility, the current market rate for similar facilities in the community, and attempt to recover all costs incurred by the University in making the facility available. Only areas with independently controlling funding for facilities shall set these rates. For purposes of use of Academic Buildings, outdoor space (*specifically excluding Athletic Facilities*), and other general use; the University Union shall work in conjunction with Facilities and other operational areas to develop the appropriate fee schedule. The University Union proper; the Kress Event Center, including outdoor Athletic Facilities; the Weidner Center for the Performing Arts; the Office of Residence Life shall set the fees for within these respective units.

Funds collected will be accounted for and used in the following ways:

- Direct personnel support costs incurred by the use, including a percentage to the University Union as central scheduling unit to offset planning support for the usage
- To offset the basic overhead costs of utilities, equipment replacement, repairs, renovations, and various physical plant expenses.
- To offset support or additional costs of the unit supporting the facility.

Fees associated with this policy shall be allocated as follows:

- The administrative fee shall be designated to the administrating department.
- The daily facility fee shall be shall be designated to the general program revenue, to be directed towards the appropriate operational area.
- All real and actual costs paid for an activity / event shall be designated to the appropriate department on campus (Academic Technology Services, University Police, Facilities, etc.) shall be placed in the program revenue account of that department.
- The User Fees shall be placed in the program revenue account associated with the facility; University Union, Kress Event Center, Office of Residence Life, the Weidner Center for the Performing Arts.

WAIVER OF FEES AND APPROVAL TO SUBSIDIZE

Facility Use Fees shall not be applied to University Users engaging in a University Sponsored Event. It is presumed that all Co-Sponsored and Third-Party Events shall apply all facility use fees within the Event Budget. **Only the Cabinet Level Authority may waive facility use fees for any non-University User.**

In all cases the real and actual costs of the use (ancillary costs) must be accounted for and paid by the University User or Non-University User. All Event Budgets must account for these costs, whether they are paid directly or subsidized by the University Operational areas budget. It is presumed that any third-party user will pay these costs as part of its facility use agreement, including Co-Sponsored Events. **Only the Cabinet Level Authority may consent to subsidize *Facility* use fees through University sources.**

Any disputes between the operational area which is sponsoring the event and the operational area controlling the grounds, facility or other resource shall be directed to the Cabinet Level Authority overseeing the respective areas for resolution.

PREFERENCE FOR NON-UNIVERSITY USER AGREEMENT:

Whenever possible the University approved Facility Use Agreement shall be used (subject to the specific Facility) and the operational area should not independently negotiate with Users. The Facility Use Agreement developed under this circumstance shall itemize the fees associated with the use of each individual facility and any required liability insurance. Facility use that includes minor participants are subject to the [UWGB Youth Activities Standard Operating Procedure](#) and shall include youth protection language within the Facility Use Agreement.