

CONCORD UNIVERSITY BOARD OF GOVERNORS

Policy No. 21

Policy on Use of Institutional Facilities

Effective Date: 03/30/2006

Section 1 GENERAL

- 1.1 Scope – This rule governs the use of institutional facilities by groups or persons.
- 1.2 Authority - West Virginia Code §18B-1-6, 18B-10-15
- 1.3 Passage Date: 03/15/06
- 1.4 Effective Date: 03/30/2006

Section 2 POLICY INTRODUCTION

- 2.1 Facilities of Concord University are intended for use in the conduct of educational programs. As such, first priority for the use of facilities will be given to the academic, administrative, and student functions at Concord University.
- 2.2 The use of facilities which may provide benefits otherwise not available to the community will also be permitted. Consideration of requests from campus and off-campus groups will be guided by the following policy statements.

Section 3 USE BY OFF-CAMPUS GROUPS OR INDIVIDUALS

- 3.1 It is the policy of Concord University to permit the use of facilities by the general community in a manner which does not compete with the ongoing programs of the University. The community use of a University facility must have an educational, athletic, or cultural purpose and must have a campus sponsor, or be administered through the Director of Student Activities and Student Union.
- 3.2 Use of campus facilities by non-campus individuals or organizations will be permitted within the following guidelines:
 - 3.2.1 Facilities and support services will be made available only to the extent that their proposed use is not in conflict with the regular programs of the institution.
 - 3.2.2 The nature of the activities of the non-campus users shall not be potentially physically disruptive of the campus. For instance, local music noise ordinances must be obeyed. While this policy may not be construed to preclude use of facilities based on political philosophy, race, religion, sexual orientation, or creed of the sponsor, the nature of the activities to be conducted on the campus shall not be illegal under the Constitution or laws of the State of West Virginia or the United States of America.
 - 3.2.3 A standard rental/lease agreement may be required, and if so, must be accompanied by evidence of such insurance protection as may be required to adequately protect the institution. This agreement shall be executed by the

campus sponsor and also be signed by a responsible officer of the non-campus organization desiring to use a campus facility.

3.2.4 All charges assessed for the use of campus facilities shall be sufficient at least to cover all identifiable costs of both a direct and indirect nature except that charges for indirect costs may be waived at the discretion of the University for nonprofit organizations and/or public bodies of the State of West Virginia, such as county school systems, etc. All charges must be reasonable, charged equally to all similar groups, and be published in advance. In turn, such groups using campus facilities may charge admission, but only for the purpose of covering the direct and indirect cost of the sponsored activities. All surplus revenue derived from the conduct of an event will accrue to the benefit of the institution, except for public or nonprofit groups for which this provision may be waived. An exception to the surplus revenue provision may be granted for certain programs offered during the summer months where the activity generates significant revenues to the housing and dining accounts of the University.

Section 4 USE BY CAMPUS GROUPS FOR NONTRADITIONAL PROGRAMS

4.1 University facilities will be made available for use by recognized campus units to conduct educational or cultural programs, including youth camps, for which fees are charged and from which staff members may be paid beyond their regular annual salary. The following guidelines will apply for these activities:

4.1.1 Faculty and staff members who conduct nontraditional programs may be compensated on the basis of the number of attendees, hours worked, or percentage of net revenue. The conditions for such payments are that: extra compensation for the activity be paid from funds other than state appropriations allocated by the board; and the amount of combined nontraditional and consulting activity for which additional compensation is received is consistent with institutional policy and, where twelve month employees are involved, annual leave is taken. Institutional officials will be responsible for approval of employees participating in programs covered by this policy and for maintenance of employees' records of annual leave and/or consulting time.

4.1.2 All revenues and expenditures shall be handled by the business office of the campus unit involved. All revenues from these programs shall be deposited into the appropriate state special revenue account. Charges for special services provided by the institution may be deducted from the revenues.

4.1.3 A formal agreement shall be developed and signed by an authorized representative of the group or unit responsible for the program and the President of the University or his designee. Said agreement shall establish the responsibilities of the institution and the sponsor, including detailed financial obligations to the institution from revenues. All agreements must ensure that the institution will receive reimbursement for all identifiable direct and indirect costs.

4.1.4 Programs must be sponsored by the University. The name used for the program is left to the discretion of the University.

4.1.5 All personnel receiving compensation for involvement in the programs must

be paid on a regular state payroll or a standard 48 or 48-A agreement, as prescribed by the original contract agreement.

4.1.6 All publicity must indicate that checks for payment of fees are to be made payable to the institution and not to an individual or outside organization.

4.1.7 Adequate insurance must be underwritten by the sponsors of the program.

Section 5 SELLING OF ARTICLES ON THE CONCORD UNIVERSITY CAMPUS

5.1 All solicitation and selling of products and articles upon property under the jurisdiction of the State of West Virginia and Concord University is prohibited except by organizations and groups directly connected with the University and/or upon written approval of the President or his designee.

Section 6 GENERAL

6.1 The President of the University shall designate the administrator(s) of this policy.