

Prepared by the Office of the Vice President for  
Budget and Finance and Chief Financial Officer  
This replaces Executive Policy No. E10.201 dated  
July 1983

UNIVERSITY OF HAWAI'I

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EXECUTIVE POLICY -BUDGET AND FINANCE

November 2012

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E10.201 Use of University-Owned Facilities

I. INTRODUCTION

This Executive Policy implements, Section 10-3 of the Board of Regents Policy on the Use of University-Owned Facilities. Provisions included in the policy designate the authority to promulgate practice and procedure to the President. This University Administrative Policy provides the guidelines to carry out this policy.

II. RESPONSIBILITIES AND PRIORITIES

A. Chancellors are responsible for developing and implementing procedures governing the application and reservation for use of designated facilities under their respective jurisdictions (see Delegation of Authority E10.101).

B. In order to implement the Regents Policy in the spirit with which it was adopted, the Chancellors shall seek the inputs from campus organizations. Chancellors responsible for multiple campuses need to coordinate procedure and have them applied uniformly.

C. User Categories

The Chancellor of the institution must define University affiliated organization and non-university affiliated organization. Written procedures must be developed to allow non-affiliated organization to apply for affiliation.

D. Rental Agreement

The Chancellor of the institution is responsible for developing a rental agreement form, rental rates, and the procedure. Rental rates must cover the cost to operate and maintain the facilities during its use.

E. Use Priorities

Use priorities must be consistent with the BOR policy. First priority is given to regular educational functions followed by registered student, faculty & staff organizations and other University-affiliated organizations. Lower priority would be provided organizations without University affiliation. Priorities must be developed as part of each campuses' Facilities Use Procedure.

- F. A University program should not make outgoing payments under an agreement for the use of a University-owned facility by a non-University affiliated organization. If a situation exists involving such use of a University-owned facility whereby a University program is also required to remit payment for goods and/or services to the non-University affiliated organization, the Administrative Procedures for Procurement shall apply and such payment shall be processed under a separate agreement. Exceptions to this procedure must be approved by the respective campus chancellor and the President.

III. PROCEDURES

- A. Organizations without University affiliation which have obtained approval shall be required to:
1. Observe established University and campus rules and policies.
  2. Indemnify, defend, and hold harmless the University and the State of Hawai'i from any liability arising out of the actions of the organization or its agents incidental to the use of the facilities by the organization.
  3. Reimburse the University for any damage (beyond normal wear and tear) to the facilities resulting from their use.
  4. Compensate the University according to the terms provided in the agreement for use of University owned facilities.
  5. Provide evidence of appropriate and adequate insurance protection covering property damage, personal injury, or death arising out of the use of University owned facilities. The Chancellor may waive this requirement upon an adequate showing of responsibility by the organization.
  6. Remit to the University the full amount of the flat rate rental fee prior to the event. If the rental agreement includes a flat rate rental amount plus a percentage of sales for the event, the full amount of the flat rate rental fee

shall be paid to the University prior to the event. The percentage of sales shall be paid to the University within THIRTY (30) consecutive calendar days following the event.

These rules should be included in each campuses' Facilities Use Procedure.

B. Public Forum Area

1. The Chancellor of the institutions shall designate one or more appropriate public forum areas on their respective campuses where individuals may assemble and engage in public speech activities.
2. Individuals utilizing a designated public forum area on campus must comply with University and campus rules and policies.

C. Practices and Procedures Covering Time, Place, and Manner of Public Speech Activities

Procedures governing time, place, and manner should include rules governing conduct and manner of public speech activities, sound amplification equipment, distribution of newspapers, notices, pamphlets and other printed or written material and posting of notices, posters, and other printed or written material.

D. Solicitation

Procedures must be developed governing solicitation activities as well as excepted activities as provided in the Board of Regents Policy Section 20-13-7.

E. Violation

Rules governing violation of the procedure must also be developed.

F. Sponsorship

University affiliated organizations can sponsor other organizations and thereby qualify for use of University facilities. The Chancellor of the institution must stipulate these rules for sponsorship.

G. Denial of Use

Organizations seeking use of University facilities should have an appeal process to follow if denied use.

If organizations seeking approval are denied use, an appeal process must be available to hear the plea of the organization. The appeal process must identify the individual position within the University of Hawai'i who has the final say.

H. Enforcement

Chancellors shall designate an individual to enforce the policies and procedures.