

APPENDIX S: USE OF UNIVERSITY LANDS AND FACILITIES

STATEMENT OF POLICY

USE OF UNIVERSITY LANDS AND FACILITIES

Revision Approved by the Executive Committee of the Board of Trustees on January 22, 2016

The land and facilities of Duke University are private property and shall be used primarily to carry out the mission of the University as a nonprofit educational, research and health care institution including the conduct of instruction, research, general university programs and related administrative uses. Use of university land or facilities shall be permitted when consistent with these functions and with the university's status as a tax-exempt educational institution. Uses of Duke University land and facilities must conform to all applicable laws and regulations related to the proposed use. The university reserves the right to deny use of its lands and facilities to any individuals and entities. This policy is applicable to all Duke University land and facilities but excluding the Duke Forest, the Searle Center, and the Washington Duke Inn and Golf Club, and excluding the properties of Duke University Health System, Inc.

Buildings and Structures

Regularly scheduled Duke University educational programs have absolute priority of use for all facilities. After this priority is observed, the facilities of the university will normally be made available to other users in the following order of priority: first – use by the university community, and second – limited use by outside users, as described below. Exceptions to the normal priorities may be permitted by the president or provost where the interests of the university so require. Requests for use of facilities should be made to the specific facility or, if not known, to the Office of the Vice President for Public Affairs and Government Relations.

Use by University Community

Priority is given to academic departments, schools, and academic programs of the university for educational purposes. Subject to the availability of space, employees, students, officially recognized groups and organizations (defined as student organizations, honor societies, fraternities, sororities, and religious associations officially recognized by the university) may reserve space for educational purposes. All other users, including university related groups and organizations (defined as groups and organizations not officially recognized or affiliated with the university, but related because of the promotion of interest of the university community, the academic professions and related interests of the faculty, students or staff, or which perform other services to the university and its community, such as credit unions, educational-related professional associations and fraternities, employee organizations, student-run businesses, charitable community organizations, and other public educational institutions) are subject to review and approval by the Office of the Vice President for Public Affairs and Government Relations.

Outside Users

University facilities are not normally made available to users other than members of the university community. This policy applies to both commercial and non-commercial users. When made available to outside users, the use must be for a purpose that is related to the nonprofit status of the university as an educational, research and health care institution and a fee may be charged. Exceptions to this policy may be made by the Office of the Vice President for Public Affairs and Government Relations. All requests by outside users should be made in writing and at least sixty (60) days prior to the intended beginning date of use, to the Office of the Vice President for Public Affairs and Government Relations.

Outdoor Areas

Events and activities on the grounds of the campus, including use of sound amplification equipment and construction for exhibits or other purposes, must be approved in advance and in writing by the Office

of the Vice Provost/Vice President for Student Affairs for student groups and by Event Management for all other users.

Commercial Use

Commercial enterprises will not be afforded use of university facilities for profit-making or advertising purposes. Exceptions to this policy may be made by the Office of the Vice President for Public Affairs and Government Relations. Any commercial activity on the grounds of the campus must be approved in advance and in writing by the Office of the Vice President for Public Affairs and Government Relations.

Political Use

In some cases, facilities at Duke may be used for partisan political purposes or for political forums in accordance with this policy and in consultation with the *Campus Political Activity and Engagement with Federal Officials* policy. Fund-raising is not permitted. Any questions should be directed to the Office of the Vice President for Public Affairs and Government Relations.

Principles Governing Internal Room Use Fees

One purpose of publishing these principles is to provide for consistency across the university's major academic units in making university facilities available to the university community. While the frame of reference in these principles is the "schools," the principles outlined below are intended to apply to institutes, centers and academic and administrative support units that exercise day-to-day control of university facilities. Development of these principles has been coordinated through the Office of the Provost with input from the Academic Financial Leadership Group and the Deans Cabinet. The principles outlined below are intended to apply to all schools of the university:

1. Schools have the right to schedule their classes and meetings in space the school controls, and to also protect a reasonable amount of space for unplanned meetings or needs of the school, before making their space publicly available to those outside to the school.
2. Schools should make space not needed for their own classes, meetings and events available to faculty, staff and students from other schools under reasonable conditions. The opportunity to request space should be clearly documented and available through appropriate on-line scheduling tools.
3. Schools should not charge their own faculty, staff or students, other schools or other members of the university community for the use of their space and its standard furnishings and equipment. It is appropriate to charge for incremental, out-of-pocket costs for table or chair rentals, additional housekeeping, special security, etc. This provision is not intended to preclude the regularized sharing of space costs within schools which routinely allocate such costs to the department or program level.
4. Schools may charge outside groups a reasonable fee for use of their space. Permission to use university space by outside groups should only be granted consistent with Duke's official policy on the use of university lands and facilities as set forth above.
5. Established public event spaces that operate on a cost recovery budget model will continue to operate with reasonable fees to both internal and external users. Examples include the Washington Duke, Thomas Center, Bryan Center, Doris Duke Center, Nasher Art Museum, and the Searle Center. Members of the university community should use these established public spaces for major events when local facilities do not suffice. It is appropriate for schools to decline room requests for major events from members of the university community when such public facilities are available.