Facilities Licensing Policy for Non-Event Use

Policy number: 800-BA-3
Policy owner: Vice President for Business Affairs

Date of initial publication: October 14, 2016
Date of latest revision: August 9, 2024

SECTION I. PURPOSE

University of St. Thomas facilities primarily are intended to serve the St. Thomas community in furtherance of the University's mission. When space is not needed for academic or operational purposes, St. Thomas may license space for use by third parties. Licensing utilizes numerous University resources, including facilities, technology and administrative resources, and also involves maintenance and depreciation costs.

This policy sets forth the requirements for licensing St. Thomas facilities for third parties' use other than in connection with discrete events. This policy is intended to assure that use of St. Thomas facilities by third parties is consistent with the University's priorities and reflects an acceptable return on the University's investment of resources required to support the third party use.

SECTION II. SCOPE AND APPLICABILITY

This policy governs licensing of St. Thomas facilities to third parties for long term or indefinite use not in connection with a discrete event. The expectations set forth in this policy apply to all employees (faculty, staff and student workers), schools, colleges, divisions, departments and other units.

SECTION III. DEFINITIONS

When used in this policy, the following terms have the following meanings:

a. To ***license*** St. Thomas facilities means to allow third parties to use designated facilities or other property for a period of time and purposes agreed with St. Thomas. For purposes of this policy, the term "license" also includes leases and rentals of St. Thomas property. The Vice President for Business Affairs coordinates licensing activities in consultation with appropriate subject matter experts within the administration.

b. A ***third party*** is any entity or organization outside of St. Thomas (regardless of whether it is a non-profit, corporate, religious, and governmental, association, or other organization) or one or more individuals acting in their personal capacity representing an entity or organization outside of St. Thomas.

c. A ***third party licensee*** is a third party who licenses space from St. Thomas.

d. A ***Third Party Use*** means a use of St. Thomas facilities by third parties for any use other than a discrete event covered by the Facilities Event Licensing and Sponsorship Policy.

e. A ***certificate of insurance (COI)*** is a document issued by an insurance company certifying that an insurance policy is in place for specified activities and summarizing the most important provisions of the applicable insurance contract.

SECTION IV. FACILITIES LICENSE AGREEMENT

St. Thomas generally will require third parties to enter into a facilities license agreement before allowing St. Thomas facilities to be used for a Third Party Use. Among other things, the license agreement will require third party licensees to timely provide St. Thomas with a certificate of insurance that names the University of St. Thomas as certificate holder and additional insured.

A Third Party Use of St. Thomas facilities and the terms of such use must be approved in writing by the Vice President for Business Affairs, who works with the Office of General Counsel to prepare and negotiate the associated facilities license agreement.

SECTION V. FACILITIES LICENSE FEES

St. Thomas generally charges competitive facilities license fees for Third Party Use. The standard fees for Third Party Use are maintained by the Vice President for Business Affairs and may be adjusted from time to time. The fees for Third Party Use depend on the use and duration and require approval from the Vice President for Business Affairs.

SECTION VI. SPONSORED USE

St. Thomas may agree to sponsor a Third Party Use and reduce or waive the facilities license fees that otherwise would apply if:

- The purpose of the Third Party Use, or using St. Thomas facilities for the use, furthers the University's mission, is consistent with its convictions, and supports one or more of the University's strategic priorities; and
- Sufficient and appropriate University facilities, personnel and other applicable resources are available to provide required services for the proposed duration of the Third Party Use.

SECTION VII. LICENSING RESTRICTIONS

As a private institution, St. Thomas maintains sole and complete discretion to determine whether and when to license University facilities for use by third parties. St. Thomas may restrict such use for any purpose that does not violate applicable law. Without limiting the foregoing, licensed usage may not involve encampment on or overnight occupation of St. Thomas outdoor facilities or overnight stays in university buildings or portions thereof not intended or designated for residential use.