



TO: Planning & Budget Committee

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AGENDA ITEM: 6

ITEM IDENTIFICATION:

Policy on the Temporary Use of Space at the University of Toronto

JURISDICTIONAL INFORMATION:

The Planning & Budget Committee is responsible for monitoring, reviewing and making recommendations concerning a broad range of planning issues and priorities and for the use of University resources including space and facilities.

PREVIOUS ACTION TAKEN:

The current *Policy for the Allocation of Rooms -- Extracurricular Bookings* was approved by the Committee on Campus and Community Affairs (a committee of the Governing Council) on June 1, 1988.

HIGHLIGHTS:

In consultation with relevant offices at UTM, UTSC, and the Division of Student Life on the St. George Campus, a small working group within the Office of the Vice-President & Provost has drafted a new *Policy on the Temporary Use of Space at the University of Toronto* (attached). It is proposed that the new *Policy* will replace the existing *Policy for the Allocation of Rooms – Extracurricular Bookings* (June 1988) and that additional procedures be established by the Vice-President & Provost to replace the procedure components of the existing *Policy* (the *Procedures for the Temporary Use of Space at the University of Toronto* are also attached for information only).

The existing *Policy* is not a typical University of Toronto policy document as it contains a combination of principles as well as specific operational guidelines. The proposed new *Policy* along with the *Procedures* are designed to address the lack of clarity that has existed in our policy framework.

The new *Policy* outlines the overarching principles by which space is to be used and assigned for temporary use. Unlike the existing *Policy* that applied only to a limited amount of space on the St. George Campus, the proposed *Policy* is more comprehensive as it applies to the temporary use of space on all three campuses.

The proposed *Policy* also applies a consistency of approach to the temporary use of space. Both of these were key objectives of this policy revision exercise.

The *Procedures* outline the process for booking space, the rental rates, reasons for refusals of bookings, conditions of use, and also indicate a requirement to use a standard 'Facilities Request Booking Form.'

FINANCIAL AND/OR PLANNING IMPLICATIONS:

There are no significant implications for the University's operating budget.

RECOMMENDATION:

Be It Recommended to Academic Board

THAT the *Policy on the Temporary Use of Space at the University of Toronto* be approved, replacing the *Policy for the Allocation of Rooms -- Extracurricular Bookings* approved on June 1, 1988, effective immediately.

Policy on the Temporary Use of Space at the University of Toronto

For Approval by the Governing Council

Preamble

Auditoria, rooms, and other kinds of space at the University of Toronto are used for a wide variety of events in support of the institution's academic mission – teaching, scholarship and research – as well as other activities of recognized university organizations. Space is also occasionally permitted to be used by external groups.

Any use of University space must abide by principles which reflect the University's purpose, mission and values. One core value is a commitment to freedom of expression and open dialogue. Another is that of mutual respect and civility, even on those issues on which strong opinions are held.

Difficulties in balancing these values can arise in the context of room bookings. Contestable sentiments that are offensive to some will be expressed on a campus populated by passionate and engaged students, staff, and faculty. As set out in its *Statement on Freedom of Expression*, the University will continue to protect freedom of expression and promote the respectful exchange of ideas, taking into account matters such as concerns about safety and the boundaries set by legislation. It encourages and expects, for instance, that there will be opportunities for respectful exchanges of perspectives in all public meetings. Though the University strives to create an environment where individuals and groups can express views on a broad range of subjects, the provision of University space for activities or events does not in any way imply that the University itself has expressed or condoned the views which may be expressed.

With respect to the assignment of space, the University's first priority must be for room bookings that contribute directly to our academic mission of teaching and scholarship. That said, we play a role in the community by opening our auditoria and rooms on occasion to external groups on appropriate terms in accordance with University policy and procedure.

Here another principle comes into play: fairness of costs. External groups must at least cover the full costs associated with room bookings. Our students, through their fees, should not be subsidizing external bodies. Internal groups, on the other hand, pay only minimal fees – nothing near full costs. We normally do not charge recognized campus groups and student societies at all, except for reasonable cost recovery for additional services beyond making the space available (such as post-event cleaning).

Clearly, this fair cost structure can only be maintained if external groups do not exploit the ability of internal groups to pay reduced or no fees. The University will, when possible, monitor such abuses of privilege and act accordingly, even if that means withdrawing booking privileges from certain internal users.

Applicability & Responsibility

This *Policy* applies to all temporary use of bookable University space on all three campuses. Administrative responsibility for this *Policy* rests with the office of the Vice-President & Provost. Procedures for the application of this *Policy* will be set by the Office of the Vice-President & Provost and reported for information to the Governing Council or its designated Board or Committee.

Assignment of Space

Priorities for allocation of space will be dependent on the type of space, activity, and location. These priorities may be local or general but are ultimately the responsibility of the Accommodations and Facilities Directorate (AFD), which is accountable to the Vice-President & Provost. The activity and priority for all University space is recorded on the University's space inventory system. Any change in these priorities or activities must be consistent with this *Policy* and approved by the AFD.

Principles

1. The lands and buildings of the University of Toronto are private property. The University reserves the right to control access to its campuses, and to the use of its space and facilities. All users of University space are required to comply with all applicable University policies, federal and provincial statutes and municipal by-laws relating to private property, the rights of individuals and the University.
2. Though the University strives to create an environment where individuals and groups can express views on a broad range of subjects, the provision of University space for activities or events does not in any way imply that the University itself has expressed or condoned the views which may be expressed. Similarly, recognition of any campus group or student society does not imply that the University endorses or condones that group's opinions or beliefs and the University assumes no liability for those activities.
3. Priorities for the temporary use of academic,¹ space are as follows, in descending order of priority:
 - a. Teaching approved courses of study leading to degrees, diplomas or certificates of the University;
 - b. All other activities (including examinations) necessary to deliver and complete approved courses of study which lead to degrees, diplomas or certificates;

¹ For the purposes of the *Policy*, 'academic space' is defined as a room primarily used for scheduled teaching purposes which does not require special equipment of a kind that makes the room unsuitable for regular classroom instruction. This is the definition used by the Council of Ontario Universities (COU).

- c. Seminars, colloquia, conferences and other University-related activities approved by the appropriate academic department or division or administrative unit;
 - d. Courses in continuing education in any division of the University;
 - e. Activities of recognized campus groups, student societies and employee groups²; and
 - f. Activities of external groups consistent with this policy (Note: Although the University may permit the temporary use of space and facilities that are not required for its own activities, the University is under no obligation to do so and may permit or not permit such use at its sole and unfettered discretion.).
4. Priorities for the temporary use of other space shall be established by the administration in a manner consistent with the purposes for which the space was designated.
 5. Users who book space or advertise events as being open to the public cannot exclude any persons or groups from the activities unless the exclusion is required by health and safety regulations, University policy, or otherwise by law. Users who book space for private gatherings in accordance with this policy and procedures cannot advertise or promote that event in a manner which suggests that non-invitees may attend.
 6. In reference to these principles, the administration shall have the authority for the efficient allocation of space and, in consultation with the relevant parties, for the resolution of matters related to competing demands for space.

² See *Policy on Recognition of Campus Groups* (May 1993) and *Policy for Compulsory Non-Academic Incidental Fees* (September 2003).

Appendix: Relevant Policies Related to Freedom of Speech and the Use of Campus Facilities

Many University of Toronto policies deal with the delicate process of ensuring that freedom of speech can co-exist with the similarly important values of respect for human rights and liberties, all in the context of the applicable laws of the land. The following are some key policies which have a bearing on freedom of speech and the use of campus facilities. Please refer to the policies for further details.

Statement on Freedom of Speech

Statement of Institutional Purpose

Statement on Human Rights

Policy on Recognition of Campus Groups

Policy on Disruption of Meetings

Statement on Prohibited Discrimination and Harassment

Code of Student Conduct

Policy with Respect to Workplace Harassment

Policy with Respect to Workplace Violence

In addition, statutes such as the *Ontario Human Rights Code* and the *Criminal Code*, as well as the common law, subject all members of the University community to obligations in exercising rights such as freedom of speech.

Procedures for the Temporary Use of Space at the University of Toronto

October 19, 2010

These administrative procedures accompany the *Policy on the Temporary Use of Space at the University of Toronto* (hereinafter referred to as the *Policy*).

These administrative procedures have been developed by the Office of the Vice President and Provost in accordance with the *Policy on the Temporary use of Space*. The Office of the Vice Provost will monitor, review and amend these procedures from time to time as appropriate for the implementation of the *Policy*.

All space agreements regarding commercial filming or photography are governed by the *Policy for Film Liaison*, the *Policy on the Temporary Use of Space at the University of Toronto* does not apply.

I. Use of Space Requests

1. Members of the University and others may use University space provided that it is reserved in advance for organized purposes in accordance with the principles presented in the *Policy* and that it is used in compliance with all other University policies and regulations, and all applicable laws. If the policies and procedures for the temporary use of University space are not followed by any individual or group, the University reserves the right to withdraw or deny access to the use of its facilities and space, and to take action for payment of any outstanding fees or damages, and to pursue such other actions or remedies as may be available under University policy or at law.
2. The Assistant Vice-President, Campus and Facilities Planning has a central role to play in providing advice and direction in the temporary of use space and will maintain a list of room allocation offices and direct the requests to the appropriate space holder. A copy of the listing of such offices is available from the respective offices of space management on each campus.
3. Requests for the temporary use of University space are considered largely on the basis of information provided by the requestor. Misrepresentation or omission of relevant information may result in the cancellation of the reservation without notice to or recourse by the requestor. In cases where it is not immediately apparent, space booked in the name of University academic or administrative unit must have appropriate authorization.
4. Curriculum-related activities of constituent groups within student societies (i.e., course unions and departmental academic societies) are normally considered be included in the events described in section 3.c. of the *Policy on the Temporary Use of Space*.

II. Room Rental Rates & Determination of Rental Charges

1. Room rental rates are determined at the discretion of the University and the particular office involved. These rates are to be reported annually to the Accommodations and Facilities Directorate (AFD).
2. Rates are based on the category of user, the nature of the event, the size of the room, the time and duration of the event, and/or other relevant factors.
3. Academic and non-academic University events and student and employee group activities are normally charged a lesser rate than external users. Recognized campus groups are not normally charged for rental of classroom space.
4. Rates for external users¹ should reflect market rates for comparable space outside of the University.

III. Other Charges

1. The University may, as a condition of booking, require that authorized security be made available during the use of the space, including but not limited to where the building would normally be closed at the time of the event. The University may require such security to be provided at the cost of the user and to be arranged by the University.
2. The University at its discretion may assess additional security requirements and require that the Campus Police be present at any event. These costs are normally the responsibility of the group booking the event.
3. Over and above the rental charge and security costs, all users will be required to pay any relevant additional costs. Examples of additional costs may include:
 - a. Use of public address, audio-visual or other equipment or operators;
 - b. Additional caretaking costs or extraordinary cleaning ;
 - c. Special arrangements with parking and grounds departments;
 - d. Special setups where applicable; and/or
 - e. Damage or undue wear and tear.

¹ This does not include arrangements related to external media production organizations as these are covered under the *Policy for Film Liaison*.

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4. Charges for such costs will be reported to the booking office who will forward them to the user for payment.
5. An external user may be required to carry liability insurance for the event, the provisions and amount of which will be subject to the approval of the University. Proof of this insurance must be on file in advance of the event with the room booking office.
6. The cancellation policy will be determined by the responsible division and communicated to the user at the time of booking. The user will be required to provide the notice of cancellation in writing in all circumstances. Groups that have booked space and fail to cancel in accordance with the relevant cancellation policy may be charged the relevant booking rates and any additional costs that have been incurred, whether or not they actually use the space.

IV. Refusal of Bookings

1. The University may refuse any booking request in accordance with its *Policy on the Temporary Use of Space*. In particular, the following are examples where the University may refuse a request to book the use of its space:
 - a. Where there are health and safety concerns related to the use of space requested;
 - b. Where there has been misrepresentation, unusual wear and tear, health and safety concerns, or breaches of University policy or any applicable laws regarding previous events involving the requesting organization, whether or not they are internal or external;
 - c. When insufficient notice is given or staff is not available. Written requests must be received by the booking office no later than 5:00 p.m. on the fifth business day prior to the event.
2. The University may refuse requests for subsequent bookings when there has been a failure to pay outstanding invoices or another breach of the *Policy*.
3. Individuals and individual members of the University community may not book academic facilities for private use. Weddings, and other private gatherings, may be booked in facilities appropriate to these events.
4. An internal group who has been refused a booking can make a written request for a review of the refusal to the director of the relevant booking office and thereafter to the Office of the Vice-President and Provost, whose decision on the matter will be final.

V. Conditions and Regulations Governing the Use of Facilities

1. Academic and administrative divisions across the three campuses that book space are required to have the following elements in their facilities request booking form:
 - a. Individual and Organization contact information;
 - b. A sufficient description of event (including whether it is open to the public or not);
 - c. Conditions for Booking including:
 - i. Written agreement by user to abide by the *Policy*, these Procedures and all applicable University policies, federal and provincial statutes and municipal by-laws relating to private property, the rights of the individual and the University.
 - ii. Written confirmation from the user that indicates the understanding that the space is for the sole use of the requesting group and not for any other group.
 - iii. Confirmation that the user will comply with the relevant cancellation policy and unless a cancellation is received in accordance with the relevant procedure, the user will be responsible for the applicable room rates and any additional costs incurred regardless of whether or not the space has been used.
2. Misrepresentation or omission of relevant information may result in the cancellation of the reservation without notice to or recourse by the requestor.
3. Temporary bookings may be pre-empted by requests for academic use of a space, when such a request is received in a timely manner. In such circumstances, reasonable efforts will be made to reschedule or relocate the pre-empted booking.
4.
 - a. With respect to bookings by recognized campus groups, student societies, employee groups, and external groups, communications and promotional material should not inaccurately state or imply that the University is connected with the event, including naming the University of Toronto as part of the location address for the event, unless written permission has been given in advance by the booking office.
 - b. A reserving organization will ensure that all communications, advertising and promotional material relating to non-University of Toronto events include the statement that “This event is not a U of T event”, unless written permission has been given in advance by the booking office.
5. Promotional material may be posted only on notice boards provided for that purpose.

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6. Unless prohibited by the facility, event organizers may arrange ushers and ticket takers, who may request reasonable behavior of members of the audience. However, security matters, including any use of physical restraint, are the sole responsibility of the Campus Police.
7. The reserving organization agrees to ensure that no alterations to or tampering with University fabric, utilities or facilities will occur without explicit permission of an authorized University officer. If any such work is approved, it may only be carried out by persons authorized by the University.
8. Only props and displays constructed of nonflammable materials may be used within a University building.
9. No open flame, heating apparatus and/or cooking apparatus may be used without explicit permission of an authorized University officer.
10. The cost of repairing or replacing damaged University facilities incurred as the result of an event will be borne by the reserving organization. Such repairs or replacements will be done by the University.
11. The organization in whose name each facility reservation is made will expressly undertake to ensure that all participants in an event:
 - a. Refrain from taking food or beverages into classrooms, lecture theatres or auditoria
 - b. Refrain from smoking in any University building in accordance with the University of Toronto's *Smoking Policy*.
12. The organization in whose name each facility reservation is made will be advised that alcohol use and service on campus is governed by the *Liquor License Act of Ontario*, the associated regulations under the *Act* and the *University of Toronto Alcohol Policy* and the regulations under the *Policy*.
 - a. Permission to rent or use space on a University of Toronto campus does not automatically convey the privilege of alcohol licensing. The use and service of alcohol in a campus facility is administered through the Designated License Holder within whose authority the space is included. A Dean, Principal, or Officer responsible for the space in which alcohol service is proposed may be required to sign approval for the licensed event.
 - b. Licensing facilities is dependent on meeting all of the provincial and municipal approvals and the conditions applied by the designated license holder, which include all arrangements for the delivery and service of alcohol to be served in the facility from the designated office on each campus.
 - c. Approvals for licensed events are given on a case-by-case basis in accordance with (a.) above.

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13. Maximum room occupancy must not be exceeded. Corridors, stairways and aisles must be kept free of obstructions.
14. Any electrical equipment, including public address systems, amplifiers, overhead or film projectors must bear a CSA or Electrical Safety Authority approval.
15. The University bears no responsibility for loss or damage to property brought on University premises by a non-university organization or group. Similarly, the University's insurance policies provide no coverage for such loss or damage.
16. At the University's discretion, a written agreement incorporating additional items governing the use of space may be required between the organization and the University.