

## POLICY CONSULTATION REPORT

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**TO:** The University Community

**DATE:** August 16, 2024

**FROM:** Jacquelyn Dupuis, Director of Risk Management

**SUBJECT:** Booking and Use of Space Policy Amendments

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### BACKGROUND:

The Booking and Use of University Space Policy establishes principles for the booking and use of temporary space at the University. This includes making space available to members of the broader university community for their use for short term events. The Policy also establishes risk management processes to ensure the safety of the university community and facilities, and uphold its legal obligations, values and reputation. The Policy has been in place since 2015, with only minor and editorial amendments in the interim and is due for a policy review.

### SUMMARY OF CHANGES:

A short summary of revisions to date are as follows:

- An amendment to clarify that the lands and buildings of the university are private property, and the university reserves the right to control access to university space and facilities.
- A set of elements and activities that require pre-approval by the Director of Risk Management. This includes activities such as setting up equipment, structures, or fences, obstructing access to university spaces, overnight occupancy, events including pets or other animals, or events that take place between the hours of 11:00 pm and 7:00 am. These are activities that currently require a review by Risk Management, and the amendments to policy will serve to make this more clear to the university community.
- A section on non-compliance was added to clarify potential consequences for community members who do not abide by the Policy.

### OPPORTUNITY TO COMMENT:

- The Office of Risk Management is seeking community comments on proposed amendments. Comments submitted will be considered by the Policy Owner.
- You may submit your feedback and recommendations for any of the posted policy instruments using the [Policy Instrument Feedback Form](#).

**NEXT STEPS:**

The consultation and approval path for the Policy will be as follows:

- Academic Council (consultation)
  - Administrative Leadership Team (consultation)
  - President (approval)
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**SUPPORTING MATERIALS:**

- Booking and Use of Space Policy – Redline
- Booking and Use of Space Policy – Clean



Classification	ADM 1304
Framework Category	Administrative
Approving Authority	Senior Leadership Team
Policy Owner	Vice-President, Academic and Provost
Approval Date	<u>DRAFT FOR REVIEW</u>
Review Date	
Last Updated	
Supersedes	

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## BOOKING AND USE OF UNIVERSITY SPACE POLICY

(DRAFT AMENDMENT – AUGUST 13, 2024)

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### PURPOSE

1. The University endeavours to make Space available to members of the broader University community for their use for Events for short term purposes. ~~The University has both the right and responsibility to manage the use of, and access to, its interior and exterior space to ensure that the University’s Academic and Administrative activities are supported. The lands and buildings of the University are private property. The University reserves the right to control access to its campuses, and to the use of its space and facilities.~~ The University is further obliged to ensure the safety of the University community and facilities, and to uphold its legal obligations, values, and reputation. The purpose of this Policy is to establish principles for the booking and use of temporary space at the University.

### DEFINITIONS

2. For the purposes of this Policy the following definitions apply:
  - “**Academic**” means Events of an educational and research nature within the University,
  - “**Academic Scheduling**” means the use of space for activities related to the ongoing delivery of University programs and curricula, including classes, laboratories, tutorials, seminars, etc.
  - “**Administrative**” means Events relating to the ongoing management and operation of the University.
  - “**Applicant**” means an individual or organization seeking to use Space.
  - “**Booking Authority**” means the functional area designated with responsibility to manage the booking process for any Space.
  - “**Event**” means any short-term organized activity, meeting, display, or form of public address by a User within or on a University Space, involving three or more participants.
  - “**External**” means an Event proposed or held by an Applicant/User that is from outside the University.
  - “**Space**” means any location owned, leased, rented or otherwise occupied by the University and made available for temporary use.

“Student Organized” means Events that are hosted and/or sponsored by a recognized student organization, as defined in the Policy on the Recognition of Student Organizations.

“User” is any organization or individual that has been granted permission to use Space.

## SCOPE AND AUTHORITY

3. This Policy applies to the use of all Space, including for Events.
4. This Policy applies to all members of the University including faculty, staff, and students, as well as visitors, external Event attendees, or external organizations.
5. The Vice-President, Academic and Provost is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of this Policy

## POLICY

The University endeavours to provide a safe environment, conducive to personal and intellectual growth, not only free of discrimination, injustice and actual or threatened violence, but also characterized by understanding, respect, peace, tolerance, trust, openness and fairness. The University is fully committed to promoting and advocating academic freedom and freedom of expression. At the same time, it has a responsibility to ensure that all members of its community can reasonably expect to pursue their work and studies in a safe and civil environment.

### 6. General

- 6.1. The university has sole discretion on what activities and events take place at and on universities facilities.
- 6.2. The University will make Space available for use or uses in accordance with this Policy, the Procedures and Guidelines.
- 6.3. All Users of university Space and individuals who enter with permission to use 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.
- 6.4. Users are expected to monitor the conduct of Events and their use of the Space to ensure that noise and other activities are not unduly disrupting the normal activity of the University and/or interfering with the ability of others to use other University Spaces. Activities are not to impede access to university property, any building, office, or room without specific permission from the Director of Risk Management and with proper notification to the university community.
- 6.1-6.5. Users will comply with any risk assessment and risk mitigation requirements and additional conditions, restrictions and obligations placed by the University on the use of a particular Space.
- ~~6.2. All Applicants and Users are expected to act in compliance with this Policy, the associated Procedures and Directives, as well as all applicable University policies, federal, provincial, and municipal laws.~~

## 7. Risk Management

- 7.1. This section sets out elements and activities requiring pre-approval by the Director of Risk Management, or delegate before they can be carried out in University Space. Any gathering or activity that involves external attendees, or elements requiring preapproval under this section is considered an Event and subject to approval under this Policy and related policy instruments, notwithstanding the number of participants or its duration.
- 7.2. No erecting of fences, structures, or barriers of any type on university property or facilities without the specific permission of the Director of Risk Management, or delegate.
- 7.3. Camping or other overnight occupancy is not permitted on any University owned or managed property without pre-approval by the Director of Risk Management, or delegate.
- 7.4. Erecting, maintaining or operating in indoor or outdoor University Space equipment to create temporary or permanent structures, or other living, sleeping, cooking, or storage area that has not been pre-approved by the Director of Risk Management, or delegate, is strictly prohibited.
- 7.5. No Events are to occur on campus between the hours of 11:00pm and 7:00am without the specific permission of the Director of Risk Management, or delegate.
- 7.6. Pets or other animals are not permitted as part of Events unless pre-approved by the Director of Risk Management, or delegate.
- 7.7. All signage and advertisements for events booked under this policy must be approved pursuant to the Postering in University Spaces Procedures prior to being posted and/or published. Use of any University logos or official marks requires the express written permission of University Communications. No advertisements or signage may state or imply the endorsement or approval of the University for an event, cause, speaker, or group. No third-party advertisements or signage may state or imply an official affiliation or connection with the University.

### 7.8. Booking Authority Responsibilities

7.1.8.1. The Booking Authority will have the authority to allocate the use of Space and is responsible for:

- a) Managing of any request for Space for use within their jurisdiction;
- b) Booking an appropriate space and confirming the booking with the Applicant.
- c) Informing Applicants/Users of their responsibilities under this Policy and other related University policies;
- d) Advising Applicants/Users if the use of Space may also be subject to the approval by the Office of Campus Safety, Office of Campus Infrastructure and Sustainability, Student Life, the Director of Risk Management or other University authority.

- e) Informing the applicable University offices and/or authorities, as identified in 7.1 d) above, when an Applicant has been directed to obtain additional approval for an Event.
- f) Communicating all relevant information on indemnity and liability.
- g) Ensuring all appropriate agreements for External use of Space are concluded prior to an Event.

## 8.9. Use of Space

8.1.9.1. All use of Space will be managed by the appropriate Booking Authority, according to this Policy and its associated Procedures.

8.2.9.2. Where there is competition for Space, the priority ranking for use of Space shall be:

- a) Academic Scheduling
- b) Academic
- c) Administrative
- d) Student Organized
- e) External

8.3.9.3. Users will be expected to comply with all conditions, restrictions and obligations placed by the University on the use of a particular Space.

## 9.10. Space Booking Changes & Cancellation

9.1.10.1. The University reserves the right to assign an appropriate alternate space for any Event.

9.2.10.2. The University has the right, at its sole discretion and for any reason, to refuse any Space booking request or cancel a Space booking.

## 10.11. Review of Decisions

11.1. A decision under this Policy may be reviewed by the Policy Owner or delegate.

## 12. Non-Compliance

10.1.12.1. Non-compliance with this Policy by all persons, may constitute trespass and violations of applicable law. Visitors may be asked to leave the campus or other University Space and violators may be removed and banned from campus. Students, faculty and staff may be referred for discipline for alleged violation of this Policy.

## **MONITORING AND REVIEW**

11.13. This ~~policy~~ Policy will be reviewed as necessary and at least every three years. The Vice-President, Academic and Provost, or delegate, is responsible to monitor and review this Policy.

## **RELEVANT LEGISLATION**

**12.14.** Human Rights Code, R.S.O. 1990, Chapter H.19

Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11

Liquor Licence Act, R.S.O. 1990, Chapter L.19

Occupational Health and Safety Act, R.S.O. 1990, Chapter O.1

[Trespass to Property Act, R.S.O. 1990, c. T.21](#)

**RELATED POLICIES, PROCEDURES & DOCUMENTS**

**13.15.** Booking and Use of University Space Procedures

Appropriate Use of Space Directives

~~[Event Planning Policy and Procedure \(under development\)](#)~~

~~[Third-Party Event Procedures](#)~~

[University-Hosted Event Risk Management and Approval Directive](#)

[Freedom of Expression Policy](#)

Policy on the Recognition of Student Organizations

Risk Management Policy

Administrative Guidelines for Determining the Academic Schedule

Access Control Policy and Procedures

[Postering in University Spaces Procedures](#)

[Respectful Campus Policy](#)

[Student Conduct Policy](#)

[Student Sexual Violence Policy](#)

~~[User Handbook \(under development\)](#)~~



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- Occupational Health and Safety Act, R.S.O. 1990, Chapter O.1
- Trespass to Property Act, R.S.O. 1990, c. T.21

## **RELATED POLICIES, PROCEDURES & DOCUMENTS**

15. Booking and Use of University Space Procedures
  - Appropriate Use of Space Directives
  - University-Hosted Event Risk Management and Approval Directive
  - Freedom of Expression Policy
  - Policy on the Recognition of Student Organizations
  - Risk Management Policy
  - Administrative Guidelines for Determining the Academic Schedule
  - Access Control Policy and Procedures
  - Posting in University Spaces Procedures
  - Respectful Campus Policy
  - Student Conduct Policy
  - Student Sexual Violence Policy

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