

The information in this document is provided to assist in determining when a Facility Use Agreement (“FUA”) would be required for a particular event. In many cases the decision will be simple, but there may be cases which are unclear. When in doubt, complete the form or contact the Associate Director of Public Health and Safety at 701.231.6740 or the Associate Director of Facilities Operation at 701.231.8917.

A. General Prohibitions: Regardless of whether a FUA is necessary, certain prohibitions are always in effect. NDSU prohibits any person from interfering with university and authorized functions, activities, and events and from participating in unlawful conduct on university property. As such, no person may do any of the following on university property:

1. Obstruct or impede vehicular, bicycle, pedestrian, or other traffic;
2. Obstruct any entrance or exit to any building, assembly space, driveway, parking lot, vehicular path, stairway or walkway or impede entry to or exit from any such area;
3. Disrupt, disturb, or interfere with educational or administrative activities, events, or operations inside or outside any building;
4. Enter into any building or facility or occupy any university property without appropriate authorization;
5. Violate any applicable federal, state, or local law, rule, or ordinance;
6. Fail to comply with any reasonable instruction by university police or any university official acting in the performance of their duty;
7. Cause any threat to the health or safety of any passerby or member of the university community;
8. Obstruct, disrupt, or attempt by physical force to cancel or discontinue speech by any speaker, or the observation of speech by any person intending to see or hear a speaker;
9. Damage university property, including structures, grass, shrubs, trees, or other landscaping;
10. Mark university property, including any vertical or horizontal surface, other than in accordance with written requirements, such as rules for authorized chalking;
11. Use amplified sound, including bullhorns, except as approved in advance under applicable policy and within sound limits that will not disrupt university operations;
12. Organize, lead or maintain any Major Event, as described in Section B of this guidance without written authorization as set forth in that section;
13. Possess or use of any items set forth in section 6 of NDSU Policy 154, except as authorized by law.
14. Organize, lead or maintain an event for more than twenty-four (24) hours.;
15. Organize, lead or maintain an event where food is being served to the general public and the individuals who prepare the food have no food safety background/certification.

B. Major Event: A Facility Use Agreement would be required for Major Events which are events involving any one of the following risk factors (examples provided in parentheses):

1. Any event which is open to the general public and the event involves either: (a) an interior building space (e.g., room or theater rental) regardless of the expected attendance, or (b) exterior grounds space with an attendance that can be reasonably expected to exceed twenty people (e.g., FM Symphony Orchestra, Masterworks Concerts, Annual Woodlands and High Plains Powwow, etc.)
2. Any event that includes youth under the age of 18 years of age (e.g., FM Area Youth Symphony, FFA State Convention, 4-H Extension Youth Conference, Bison BEST Robotics Competition, etc.)
3. Any event where there remains some risk of harm (physical/athletic/recreational activities) (e.g., Men's Club Soccer, Women's Club Rugby, Residence Life Move-In, Residence Hall Association Carnival, bouncy house or dunk tank use, etc.)

4. Any event to include open flame, firework, pyrotechnic, or other flammable or hazardous item, to include grilling (e.g., Department sponsored 'welcome back' picnics, Miss ND USA, Miss ND Teen USA, etc.)
5. Any event to include outside performers, dances, concerts or bands (e.g., Campus Attractions Welcome Week Street Dance, outdoor movies, etc.)
6. Any race such as 5K run/walks, 10K, marathons, etc. (e.g., Officer Down 5K, John Deere 5K, Homecoming 5K, etc.)
7. Any event hosted by a student club/organization, to include meetings (e.g., Hip Hop Team Charity Show, MIS Club monthly meetings, English Club Book Sale, etc.)
8. Any event where there is interaction with animals or where animals are in close proximity (e.g., Moos, Ewes and More Event, Great Plains Regional College Rodeo, etc.)
9. Any event requiring overnight/late night access (e.g., Relay for Life, Dance Marathon, etc.)
10. Any event where the potential exists for possible property damage (e.g., Lawnmower/Snow Blower Clinic, Society of Automotive Engineers Car Show, etc.)
11. Any event involving the installation of any structure, such as a tent, stage, scaffold, bleacher, bounce house, or carnival-style ride (e.g., FFA State Convention, Multicultural Programs teepee installation).
12. Any event involving a Designated Public Forum as defined in Section 4.2 of NDSU Policy 154.

C. Non-Major Event: Any event that is not a Major Event does not require a FUA. An FUA would not be required in the following examples:

1. Department meeting where no outside food is served.
2. NDSU Athletics sponsored NCAA/League competitions.

D. Insurance and Waiver Requirements:

1. According to North Dakota State Risk Management, some uses of North Dakota State facilities may require separate insurance coverage. To determine whether an event requires insurance involves an analysis of the activities and potential risks involved. Depending upon the nature of the event, proof of insurance may be requested when processing your Facility Use Agreement. If you should have any questions regarding this process, feel free to contact the Safety Office.
2. If your event poses some risk of harm, Participation Waivers for participants and/or spectators, and Volunteer Services Agreements for Volunteers are needed. The Event Sponsor agrees to distribute, collect, verify and archive the signed NDSU participation waiver/roster and agreements from all volunteers, participants and/or spectators when needed. In the event of a safety incident, the sponsor is required to immediately present the waiver upon request to the NDSU Safety Office. North Dakota records retention law requires the liability waivers to be archived by the sponsor for a period of six years.

- [Participation Roster](#)
- [Participation Waiver](#)
- [Participation Waiver for Minors \(under the age of 18\)](#)
- [Liability Waiver for Running/Walking Race](#)
- [Volunteer Services Agreement](#)