

The information in this document is provided to assist in determining when a Facility/Grounds Use Agreement would be required for a particular event. In many cases the decision is quite clear, but in cases where the requirement is unclear, the following examples are illustrative. 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 Facility Use Agreement **would not** be required for the following scenarios:

- Events that would be considered academic in nature, part of the curriculum and clearly outlined in the course syllabus (if this event could be considered high risk then a Facility Use Agreement would be required to possibly include participation waivers - check with the Safety Office for guidance)
- Department meetings where no outside food is served
- NDSU Athletics sponsored NCAA/League competitions

A Facility Use Agreement **would be** required for the following types of scenarios.

(A non-exhaustive list of past events is included for example purposes only and examples are included for clarification of the category):

- Any event where the Event Sponsor would be opening the Facility or Grounds to the general public
 - FM Symphony Orchestra Masterworks Concerts, Fargo PD K-9 Training, Fargo Slow-pitch Softball League, Annual Woodlands and High Plains Powwow, etc.
- Any event that includes youth under the age of 18 years of age
 - FM Area Youth Symphony, FFA State Convention, 4-H Extension Youth Conference, Bison BEST Robotics Competition, etc.
- Any event where there remains some risk of harm (physical/athletic/recreational activities)
 - Men's Club Soccer, Women's Club Rugby, Residence Life Move-In, Residence Hall Association Carnival, bouncy house or dunk tank use, etc.
- Any event to include flame/haze effects, to include grilling
 - Department sponsored 'welcome back' picnics, Miss ND USA, Miss ND Teen USA, etc.
- Any event to include outside performers, dances, concerts or bands
 - Campus Attractions Welcome Week Street Dance, outdoor movies, etc.
- Any race such as 5K run/walks, 10K, marathons, etc.
 - Officer Down 5K, John Deere 5K, Homecoming 5K, etc.
- Any event hosted by a student club/organization, to include meetings
 - Hip Hop Team Charity Show, MIS Club monthly meetings, English Club Book Sale, etc.
- Any event where there is interaction with animals or where animals are in close proximity
 - Moos, Ewes and More Event, Great Plains Regional College Rodeo, etc.
- Any event requiring overnight/late night access
 - Relay for Life, Dance Marathon, etc.
- Any event where outside food is being served to the general public (potlucks) and where the individuals who prepare the food have no food safety background/certification.
 - Saddle & Sirlain Club Chili Cook-off, etc
- Any event where the potential exists for possible property damage
 - Lawnmover/Snow Blower Clinic, Society of Automotive Engineers Car Show, etc.

According to North Dakota State Risk Management, some uses of North Dakota State facilities may require separate insurance coverage. To determine which events require insurance involves an analysis of the activities and potential risks involved. Events that open the University to the general public, or where there are youth present under the age of 18, or where there is increased risk of harm due to more physical/recreational activities, 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.

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](#)