

Board of Trustees of the Nebraska State Colleges

Facilities

POLICY NAME: Leasing or Renting Space

POLICY NUMBER: 8027

A. PURPOSE

To identify the circumstances and requirements for leasing or renting space.

For leasing/rental agreements associated with educational partnerships, refer to Policy 6401, Section 7.2. All such agreements require Board approval, as do all interlocal agreements.

B. DEFINITIONS

None

C. POLICY

1. **Leasing or Renting Off-Campus Space**

When circumstances require a College to lease or rent space off-campus for one (1) year or less and the lease or rental agreement is less than fifty thousand dollars (\$50,000) the agreement may be signed by the President or Vice President for Administration and Finance. The Chancellor shall be notified in advance.

When circumstances require a College to lease or rent space off-campus for a term that exceeds one (1) year or that costs fifty thousand dollars (\$50,000) or more, the President shall prepare a recommendation and request for Board approval containing the following information:

- Purpose for leasing or renting the space.
- Amount of square footage to be leased or rented.
- Cost per square foot of leased or rented space.
- Length of time that lease or rental agreement is in force.
- Disclosure of any additional financial, personnel, programming, or other miscellaneous obligations related to leasing or renting the space.

- Once approved by the Board, the Agreement shall be signed by the President or Vice President for Administration and Finance and then by the Chancellor or Vice Chancellor for Finance and Administration or General Counsel.
- Board approval is required for renewals or amendments beyond the original lease term.

2. Leasing or Renting On-Campus Space

If College facilities are not needed for their original purpose or other College-related purposes, the Board authorizes the Colleges to enter into agreements with other entities for lease or rental of vacant space. The agreement must address the following:

- All alterations or improvements on the leased property will be done by the College, following current board policy for all such work, with all costs the responsibility of the entity leasing the property, unless otherwise noted in a memorandum of understanding, lease agreement or rental contract.
- Rental rates, which are comparable to similar facilities in that geographic region, may be charged.
- Any Presidential waiver or reduction in rental charges for public service functions as described in Policy 4350.
- Proof of insurance requirements as applicable. Revenue will be deposited in the appropriate cash fund or revolving (revenue bond) fund.

2.1 Approvals and Thresholds

- Less than \$20,000/year and no more than a 5-year term
The President or Vice President for Administration and Finance are authorized to approve a lease agreement or rental agreement, if agreement is less than twenty thousand dollars (\$20,000) per year, and no more than a five (5) year term. The agreement shall be signed by the President or Vice President for Administration and Finance.
- From \$20,000/year but less than \$50,000/year and no more than a 5-year term
The Chancellor can approve a lease or rental agreement with a value of twenty thousand dollars (\$20,000) but less than fifty thousand dollars (\$50,000), and with a term of no more than five (5) years. The agreement shall be signed by the President or Vice President for Administration and Finance and then by the Chancellor or Vice Chancellor for Finance and Administration or General Counsel.

- \$50,000/year or more or term greater than five (5) years
If a lease or rental agreement equals or exceeds fifty thousand dollars (\$50,000) annually or has a term of more than five (5) years, the document shall be submitted to the Board for approval. After approval by the Board, the agreement shall be signed by the President or Vice President for Administration and Finance and then by the Chancellor or Vice Chancellor for Finance and Administration or General Counsel.
- Board approval is required for annual renewals beyond five (5) years.

FORMS/APPENDICES:

None

SOURCE:

Legal Reference:	Neb. Rev. Stat. 85-304	Board of trustees; powers and duties, enumerated.
	Neb. Rev. Stat. 85-314	Board of trustees; rules and regulations.

Policy Adopted: September 1997

Policy Revised: March 2013, January 2023, March 2025