

POLICY ON AFFILIATED ENTITIES

PURPOSE

Brock University's history is deeply rooted in community engagement and innovative collaborations. As such, Brock welcomes and supports a range of partnerships that advance its mission and allow it to enhance the life and vitality of the region and beyond.

This Policy sets out the principles around when the University will affiliate with entities to support the University's mission and strategic priorities. It seeks to standardize the requirements for establishing and maintaining affiliated entity status and to clarify the roles and responsibilities of University employees to ensure there is appropriate oversight of the activities of affiliated entities, while preserving their separate and distinct status and authority.

SCOPE

This Policy applies to all Brock University faculty and staff.

This Policy applies to the establishment and maintenance of Affiliated Entities. It does not apply to:

- a. teaching and research affiliations and collaborations;
- b. commercial partnerships;
- c. Brock University student governments, clubs and groups;
- or
- d. entities which have received permission for use of the Brock name, in accordance with the Institutional Brand Identity Policy.

If any provision of this Policy is found to be inconsistent with the provisions of a collective agreement, the collective agreement will prevail, unless the Policy provision is required by law, in which case the Policy provision will prevail.

POLICY STATEMENT

Eligibility for Affiliated Entity status

The University will recognize entities as approved Affiliated Entities when it is satisfied that the purpose and activities of the entity promote or complement the mission of the University and when the requirements set out in this Policy have been met.

No individual or entity may represent an entity as an affiliate of the University unless the entity has been approved as an Affiliated Entity in accordance with this Policy.

No University faculty or staff member may make representations on behalf of the University regarding the establishment of an Affiliated Entity, except in accordance with this Policy and any associated Procedures.

Provision of resources to entities

The University will not provide significant and ongoing resources to support entities unless the entity has been recognized as an Affiliated Entity in accordance with this Policy. The provision of significant resources includes but is not limited to:

- a. Providing access to University facilities for no or substantially reduced charge;
- b. Providing University personnel to perform services for the entity for no or substantially reduced charge;
- c. Providing financial support, budgetary or accounting assistance for no or substantially reduced charge; and
- d. Allowing access to University information technology resources, such as webpages, email access, IT systems and support services for no or substantially reduced charge.

Requirements for Affiliated Entities

To receive and maintain Affiliated Entity status, an entity must:

- a. Engage in activities that complement or support the mission of the University or of one of its units;
- b. Work cooperatively and collaboratively with the University to fulfill all requirements under this Policy;
- c. Enter into and abide by an agreement with the University to clarify the roles and responsibilities of the University and the entity;
- d. Maintain appropriate insurance to cover assets, operations and potential liability risks arising from the activities of the entity; and
- e. Not represent itself as an instrument of the University, or act on behalf of the University, except as authorized pursuant to the agreement with the University.

Process for establishment and review of Affiliated Entity status

Affiliated Entities must be approved and reviewed in accordance with the Procedure on the Establishment and Review of Affiliated Entities.

DEFINITIONS

Affiliated Entity means any group, association, or other organization that:

1. has a legal existence separate from the University or is organizationally and structurally separate from the University (i.e., is not managed or operated by the University);
2. receives significant financial support from the University, and/or uses or has ongoing access to significant University resources, facilities, personnel, the University name and/or marks; and
3. is likely to be perceived as an instrumentality or affiliate of the University.

For the purpose of this Policy, Affiliated Entities do not include subsidiaries created by the University or joint ventures entered into by the University. Affiliated Entities recognized under this Policy are not considered affiliated entities for insurance or accounting purposes unless the University has some proportion of control over the entity by holding partial ownership, voting rights, the ability to appoint director(s) and/or it has been agreed to by the University prior to inception via agreement with the Affiliated Entity.

**COMPLIANCE
AND REPORTING**

This Policy is under the jurisdiction of the Provost & Vice-President, Academic, who is responsible for the interpretation and application of the Policy.

Each and every University unit has an ongoing responsibility to report to the Provost & Vice-President, Academic the existence of any legal entity associated with that unit or using that unit's resources which could be perceived as an Affiliated Entity.

Affiliated Entities will provide regular reporting, no less than annually, to the senior administrator for the unit the entity is most closely associated with and arrangements shall be reviewed at least every 5 years.

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