

THE CHINESE UNIVERSITY OF HONG KONG

Procedural Guidelines on Handling Requests for Use of Facilities

Preamble

- 1) The Chinese University of Hong Kong (CUHK) and all members of the CUHK community commit to fostering academic excellence in an atmosphere of openness, respect, empathy, inclusivity, civility and mutual understanding. All members shall cherish the richness contributed to our community by our diversity, and respect individual differences.
- 2) CUHK rejects all forms of hatred, violence, discrimination, intolerance, harassment and bullying towards individuals or groups based on race, ethnicity, geographic provenance, nationality, gender, sexual orientation, gender identity, age, religion, language, ability/disability, socioeconomic status, and other factors.
- 3) The Diversity and Inclusion Policy has been developed to promote a diverse and inclusive environment with equal access and opportunities for staff members and students free from discriminatory acts, prejudice, hatred, intolerance, harassment and bullying.

Applicability and Scope

- 4) These Guidelines apply to all staff members and students of CUHK who request for use of campus facilities (collectively, the “CUHK Facilities Requestors”). These Guidelines extend their reach to various situations, such as accommodating individuals with unique needs who may require dedicated private space, ensuring accessibility for persons with disabilities through customized arrangements in classrooms, dormitories or other campus facilities, and addressing any other requests that contribute to the holistic well-being, safety and comfort of individuals in the CUHK community.
- 5) In fostering an inclusive environment, these Guidelines are designed to address a myriad of scenarios where CUHK Facilities Requestors may seek specific accommodations in accessing campus facilities. The commitment of the CUHK community to diversity means recognizing and respecting the needs of individuals, including those based on the personal attributes referred to in paragraph 2 above, while also balancing the reasonableness of requests, the possible unjustifiable hardship involved, the availability of alternative arrangement and the principle of fairness to all stakeholders. By providing a framework for handling such requests, CUHK aims to create an environment where CUHK Facilities Requestors feel valued, supported, and free from discrimination in their use of campus facilities.

- 6) The objective of these Guidelines is to facilitate the case-specific decision-making process of the staff members in charge of the management of the CUHK facilities concerned (“Facilities Managers”), by setting out a non-exhaustive list of factors that CUHK will consider in achieving a diverse and inclusive community; and to enhance transparency and communications with the CUHK Facilities Requestors.
- 7) These Guidelines shall be regularly reviewed by the Diversity and Inclusion Steering Committee.

Handling of Requests

- 8) CUHK Facilities Requestors who believe that they could make a specific request to access campus facilities in accordance with the Diversity & Inclusion Policy should first approach the Facilities Manager for assistance in achieving resolution of the matter as soon as reasonably practicable.
- 9) At this stage, the Facilities Manager should liaise with CUHK Facilities Requestors to thoroughly understand the issues involved in the request. The CUHK Facilities Requestors concerned are at liberty, but not obliged, to make their request in writing and/or provide evidence in support of their request (such as medical proof, if applicable). However, where such evidence is given, the Facilities Manager shall take it into account before making any initial decision. The Facilities Manager shall not collect, copy or retain any personal data of the CUHK Facilities Requestors (such as their names, telephone numbers, email addresses, identity card numbers or any personal data in the medical proof) that would be in breach of the Personal Data (Privacy) Ordinance.
- 10) Upon receipt of the CUHK Facilities Requestors’ request, the Facilities Manager shall make a decision as soon as practicable by reference to the following non-exhaustive examples of relevant factors:
 - a. Eligibility for use of the campus facilities (for example, a person who is not eligible for sports facilities has made a request relating to a particular sports centre);
 - b. Safety, health and medical considerations (for example, fire regulations prevail over other principles in these Guidelines; in facilities for medical treatment, health and medical considerations prevail);
 - c. Personal circumstances of the CUHK Facilities Requestors (for example, the specific needs of the following individuals subject to medical evidence (if applicable): individuals with disability using transport facilities; pregnant women using rest facilities; transgender individuals using lavatories; persons of a particular racial group using specific facilities; breastfeeding in public space or reasonably equipped facilities; and so on);

- d. Implication to all related stakeholders (for example, a ramp installed to allow wheelchair access for a particular person might benefit other persons with similar needs as well as those moving goods around the site; certain dormitory rooms might, for reasons for privacy, be assigned to a specific gender whose right might be weighed against other general factors in these Guidelines);
- e. Cost and resources, including one-off cost, recurrent expenditure, feasibility of alternative arrangements and structural hardships (for example, adding an elevator to a particular type of multi-storey buildings might not be financially or technically feasible; a changing room in which no partitions of any kind can possibly be installed where serious embarrassment would be caused, or where users are likely to be in a state of undress, might not accommodate the needs of all CUHK Facilities Requestors);
- f. Specific design or purpose of facilities (for example, a diving tower for the sports of diving might be designed to be inaccessible to a person on wheelchair).

11) To facilitate prompt resolution of the requests based on the principle that “like cases should be treated alike”, the following practice shall be adopted:

- a. Where a request is amicably resolved, the Facilities Manager shall make a written record containing the following information: (i) the date; (ii) the venue; (iii) the request; and (iv) the relevant considerations and the subsequent resolution (see Annex). The collection, dissemination and retention of any personal data of the CUHK Facilities Requestors by Facilities Managers shall be handled in accordance with the Personal Data (Privacy) Ordinance. All such records shall be kept in an easily accessible manner as precedents for the Facilities Manager’s future reference.
- b. The record shall also be copied to the Diversity and Inclusion Office (DIO) for record as soon as practicable to ensure consistency of principles across the campus.
- c. The Facilities Manager shall refer to the precedents when making any initial decision. The respective department will keep the record internally for future reference and a central registry of past requests is available from DIO. Where there is any conflict between the precedents and the Guidelines, the latter shall prevail.
- d. If the Facilities Manager initially decides that the CUHK Facilities Requestors’ requests will not be accommodated, the former is advised to report the incident to DIO in writing for record as soon as practicable. DIO may consult other relevant parties and/or the designated Pro-Vice-Chancellor/Vice-President, and/or seek external legal or professional advice, and give advice to and assist the Facilities Manager to seek resources required for reasonable accommodation if it deems fit.

12) For cases to be handled under these Guidelines, Facilities Managers shall address the concerns of CUHK Facilities Requestors, understand the facts and nature of the request, and offer proper assistance and liaison. The DIO shall help to resolve the request by providing the CUHK Facilities Requestors concerned with information about the Diversity & Inclusion Policy and the complaint procedures when appropriate, and shall communicate with the Facilities Manager in taking appropriate preventive or remedial measures to address the situation. The request should be handled in a fair and practicable manner. Subject to legal and privacy concerns, proper documentation of the process should be retained.

Formal Complaint

13) Any reports made to academic, professional and/or administrative services units in connection with an alleged incident of discrimination and/or harassment in use of campus facilities should be referred to the Committee Against Discrimination and Sexual Harassment (CADSH) for advice and assistance to ensure that such reports are handled in a consistent manner.

14) If the case is not within the scope of these Guidelines, it shall be referred to relevant departments/units for handling, depending on the category of the matter.

15) For cases covered under the anti-discrimination ordinances of Hong Kong, if the above informal process of resolving the matter (paragraphs 6 to 12 above) fails, the CUHK Facilities Requestors concerned may make a formal complaint to the Panel Against Discrimination and Sexual Harassment (PADSH) pursuant to the Procedures for Handling Discrimination Complaints.

16) For the avoidance of doubt, nothing herein shall prevent any CUHK Facilities Requestors from lodging a complaint of discrimination and/or harassment covered under the anti-discrimination ordinances of Hong Kong to the Equal Opportunities Commission.

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Record on Handling Requests for Use of Facilities

PART I – Details of Request

Request date: _____

Venue and facilities concerned: _____

Details of the request:

PART II – Relevant Considerations

Handling Officer and Post: _____

Department/ Unit: _____

Relevant factors considered:

PART III – Decision

Request acceded Request not accommodated

Request amicably resolved by alternative arrangement:

Date replied to Facilities Requestor: _____

Other remarks:

PART IV – Endorsement by Supervisor

Signature

Name: _____

Post: _____

Date: _____

Points-to-Note

This record shall be:

- 1) kept in an easily accessible manner in the unit/department concerned as precedents for Facilities Manager’s future reference; and
- 2) copied to the Diversity and Inclusion Office (by email: dio@cuhk.edu.hk) for record as soon as practicable to ensure consistency of principles across the campus.