

Business and Fiscal Affairs

AP 6700 CIVIC CENTER AND OTHER FACILITIES USE**References:**

Education Code Sections 82537 and 82542;
Public Resources Code Section 42648.3;
Title 5 Sections 59601 et seq.;
Clark v. Community For Creative Non-Violence (1984) 468 U.S. 288, 104 S.Ct. 3065, 82 L.Ed.2d 221

General Provisions

District facilities are available for community use when such use does not conflict with District programs and operations. Facility use shall be limited to places and time identified by the Chief Business Officer, but shall be sufficiently frequent, and available on specific dates and times, so as to allow meaningful use by outside groups. Except as provided in these procedures, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken during the use.

The Chief Business Officer is responsible for the coordination and implementation of these procedures. Fees shall be charged according to the current District Fee Schedule.

All users (including individual users and/or groups) shall be required to sign the District's hold harmless and indemnification agreement acknowledging that they will be financially responsible for any losses, damages, or injuries incurred by any person as a result of their use of the facilities. All users (including individual users and/or groups) shall also be required to provide proof of insurance with limits acceptable to the District or other proof of financial responsibility acceptable to the District.

Civic Centers

Eligible persons or groups may use District buildings or grounds for public, literary, scientific, recreational, or educational meetings, or public agency meetings, or for discussion of matters of general or public interest, subject to these rules and regulations.

The groups identified in Education Code Section 82542 subdivision (a) will be permitted to use District facilities upon payment of the following:

- the cost of opening and closing the facilities, if no District employees would otherwise be available to perform that function as a part of their normal duties;
- the cost of a District employee's presence during the organization's use of the facilities if it is determined that supervision is needed, and if that employee would not otherwise be present as part of his or her normal duties;
- the cost of custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian's normal duties; and
- the cost of utilities directly attributable to the organization's use of the facilities.

Except as provided herein, other groups shall be charged an amount not to exceed the direct costs or not to exceed the fair rental value of District facilities and grounds under its control. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees and contracted workers, and salaries and benefits paid to District employees necessitated by the organization's use of District facilities.

Additionally, except for classroom-based programs that operate after school hours and organizations retained by the District to provide instruction or instructional activities to students during school hours, direct costs shall also include the costs for maintenance, repair, restoration, and refurbishment of college facilities and grounds used by the group.

The District shall maintain a fee schedule adopted by the Board that includes the hourly fee for each specific school facility and grounds.

The following shall be charged fair rental value for the use of District facilities:

- Any church or religious organization for the conduct of religious services for temporary periods where the church or organization has no suitable meeting place for the conduct of such services.
- Entertainments or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for the welfare of the students of the District or for charitable purposes.

The American Red Cross or other public agencies may use District facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies that affect the public health and welfare, and the District will cooperate with these agencies in furnishing and maintaining services mutually deemed necessary to meet the needs of the community.

Rules for Facilities Use

Requests for use of District facilities must be made at least thirty (30) days in advance of the first date of use being requested. Requests shall be made through the District's Facilities Rental webpage. Permission to use facilities shall be subject to approval by the Chief Business Officer or designee.

Permission to use District facilities shall not be granted for a period to exceed one fiscal year. No person or organization may be granted a monopoly on any facility.

Any person applying for use of District property on behalf of any group shall be a member of that group and, unless he or she is an officer of that group, must present written authorization to represent it. Each person signing an application shall, as a condition of use, agree to be held financially responsible in the case of loss or damage to District property.

The District may require security personnel as a condition of use whenever it is deemed to be in the District's best interests.

Subsequent facility requests may be denied on grounds including, but not limited to, abuse or misuse of District property and failure to pay promptly for any damage to District property.

No alcoholic beverages, intoxicants, or controlled substances in any form shall be brought onto the property of the District, without proper authorization and permits as required by law. Persons under the influence of alcohol, intoxicants, or controlled substances shall be denied participation in any

activity. The District is a smoke-free environment and no tobacco *in any form* may be used on District property.

Overnight camping on District facilities, including in the designated public forum areas, is prohibited. No person or organization may use any District facility for living accommodation purposes such as sleeping activities, or making preparations to sleep (including the laying down of bedding for the purpose of sleeping), or storing personal belongings, or making any fire, or using any tents or other structure for sleeping, or doing any digging or earth breaking, or carrying on cooking activities.

No structures, electrical modifications or mechanical apparatus may be erected or installed on District property without specific written approval by the Chief Business Officer.

All decorative materials, including but not limited to draperies, hangings, curtains, and drops shall be made or treated with flame-retardant processes approved by the State Fire Marshall.

Recycling: Large Venues and Events

"Large venue" means a permanent venue facility that annually seats or serves an average of more than 2,000 individuals within the grounds of the District per day of operation of the venue facility.

"Large event" means an event that charges an admission price, or is operated by a local agency and serves an average of more than 2,000 individuals per day of operation of the event.

Biennially, by July 1, the District shall meet with recyclers and with the solid waste enterprise that provides solid waste handling services to the large venue or large event to determine the solid waste reduction, reuse, and recycling programs that are appropriate for the large venue or large event. In determining feasible solid waste reduction, reuse, and recycling programs, the operator may do any of the following:

- Develop solid waste reduction, reuse, and recycling rates and a solid waste reduction, reuse, and recycling plan that would achieve those solid waste reduction, reuse, and recycling rates.
- Determine a timeline for implementation of the solid waste reduction, reuse, and recycling plan and solid waste reduction, reuse, and recycling rates.

Priority for the Use of District Facilities

Priority for the use of District facilities will be as follows:

1. College credit, non-credit, and not-for-credit classes
2. College events
3. Student clubs and organizations
4. Fundraising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the District
5. Parent-teachers' associations
6. School-community advisory councils
7. Camp Fire Girls, Girl Scout troops, and Boy Scout troops
8. Senior citizens' organizations
9. Other public agencies
10. Organizations, clubs, or associations organized for cultural activities and general character building or welfare purposes (such as folk and square dancing)
11. Public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare

Office of Primary Responsibility: Finance and Operations

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