

8.80 Community Use of District Facilities

1. The San Mateo County Community College District, as a community institution, is oriented to the educational, cultural and recreational needs of all citizens of San Mateo County, and the Board and administration encourage the use of all facilities when they are not required to carry on the programs of the District.
2. The use of District facilities by community groups and public agencies shall be granted under the provisions of the Civic Center Act (Education Code Section 82537 et seq.) in accordance with the law. The Chancellor or designee shall establish procedures regarding the use of District property and facilities, including property designated by the District as a Civic Center, by community groups, outside contractors, and others.
3. The administrative procedure shall include reasonable rules regarding the time, place, and manner of use of District facilities. Public use of District property shall not interfere with scheduled instructional programs or other activities of the District on behalf of students. No use shall be permitted that will interfere with the use and occupancy of a college facility or grounds for the purposes of the community college programs or activities. College activities include, but are not limited to, day, evening, weekend, community service, and continuing education activities.
4. Persons or organizations using District property may be charged such fees as are authorized by law. Use of the District's Civic Centers will be only for the purposes described by the California Legislature in Education Code Section 82537(a). The District administration shall permit use of available facilities and may charge fees to the various community, public, non-profit, private and religious organizations under the conditions of and as authorized by Ed Code Sections 82542 and 82544. The administration shall determine the utility costs, direct costs and the fair rental value and establish a schedule of fees which shall be adjusted as needed.
5. Permitted uses under this policy are to be for short-term and temporary needs. No possessory interest is intended by any permitted use of a college facility. No use shall be permitted under the authorization of this policy that constitutes a monopoly for the benefit of any person or organization. Facility uses that may be long in duration, that represent an exclusive use, or that are for commercial purposes not covered by the civic center provisions of the education code or this policy must be presented and approved by the Board of Trustees prior to occupancy.
6. No group or organization may use District property to unlawfully discriminate on the basis of race, color, religion, ancestry, national origin, disability, sex (i.e. gender), or sexual orientation, or the perception that a person has one or more of the foregoing characteristics or on any basis prohibited by law.

Reference: Education Code Sections 82537 and 82542

(Revised 2/92 xx/xx)

~~1. General Policies~~

- ~~a. District facilities shall be made available for community use, subject to the restrictions imposed by the educational requirements of the District. Approval for the use of District facilities shall be given, in priority order, as follows:~~

8.80 Community Use of District Facilities (continued)

- ~~1) Instructional program of the Colleges.~~
 - ~~2) Instructionally related programs of the Colleges or District, such as noncredit forums, workshops, and conferences.~~
 - ~~3) District or College sponsored activities, including events sponsored by official faculty or student groups.~~
 - ~~4) Nonprofit educational groups and institutions which qualify under the terms of the Civic Center Act.~~
 - ~~5) Other nonprofit organizations which qualify under the terms of the Civic Center Act, such as PTA units, AAUW, League of Women Voters, service clubs, etc.~~
 - ~~6) All others.~~
- ~~b. Requests for use of District facilities must be submitted to the appropriate College or Office of the Chancellor at least one month prior to the date of the activity. Applications from individuals will not be considered. Each College and Office of the Chancellor shall maintain a master calendar of College and community events held at District facilities.~~
- ~~c. Permits to use District facilities are for the dates and times specified. The District assumes no obligation or responsibility in the event that a change of either dates or times is requested.~~
- ~~d. Whenever a District or College building is being utilized, a District employee shall be on duty and shall be fully in charge of the facility being used. The District reserves the right to determine if extra security is required for an event.~~
- ~~e. No use of District facilities shall be inconsistent with the use of the buildings or grounds for College purposes, or interfere with the regular conduct of instruction. No use shall be granted in such a manner as to constitute a monopoly for the benefit of any person or organization.~~
- ~~The District reserves the right to withhold the use of its facilities if such use would be detrimental to College property.~~
- ~~Normally, no organization shall be entitled to use District facilities for a period in excess of five separate or consecutive calendar days in a fiscal year.~~
- ~~The right to use District facilities shall generally not be granted any sooner than three months prior to the meeting or event.~~
- ~~f. The Chancellor Superintendent or College President reserves the right to reassign space or cancel a contract to use District facilities, up to 48 hours preceding the scheduled event, when a need for the facilities for educational purposes arises.~~
- ~~g. The Chancellor Superintendent or College President may cancel or revoke a contract for any of the following reasons:~~

8.80 Community Use of District Facilities (continued)

~~1) If s/he declares a state of emergency.~~

~~2) If there is a conflict with a College function.~~

~~3) If the group fails to comply with rules and regulations established by the College.~~

~~4) If the conduct of the group is unsatisfactory.~~

~~5) If any youth group meets without satisfactory adult supervision.~~

~~6) If incorrect or misleading information has been given on the application or advertised to the public.~~

~~h. Final authority for determination of policy on use of facilities rests with the Board. The administration of such policy is the responsibility of the Chancellor Superintendent in consultation with the College Presidents.~~

~~2. User Responsibilities~~

~~a. When permission to use a District facility has been granted, the user shall agree to be governed by District Rules and Regulations, to safeguard and care for all property, and to assume responsibility for payment of any damages sustained to the premises, furniture, or equipment because of the occupancy of District premises by the user.~~

~~b. Groups or organizations using District or College facilities shall conform to all city and county ordinances and fire regulations. Decorations must be flame-proof and shall be erected and taken down in a manner not destructive to property. The use of any material or device which constitutes a hazard is expressly prohibited.~~

~~c. When the use of facilities is granted to any group for the purpose of instruction in the ideas or beliefs of the group, the user must notify all those who attend the meetings held at District facilities that the ideas and information disseminated do not have the endorsement or approval of the District or its Colleges and that the meeting is in no way associated with the District or its Colleges.~~

~~d. All users of District facilities shall comply with all relevant sections of District Rules and Regulations, including the District's policies on non-discrimination.~~

~~e. The group using College facilities must agree that it will not exclude the general public from its meetings or recreational activities. However, if interference by non-members is more than minimal, as determined by the person in charge of the meeting or recreational activity, the organization may take appropriate steps through the use of the College Security Services or other legal remedies to eliminate such interference.~~

~~f. The use or possession of narcotics, dangerous drugs, alcoholic beverages, or gambling equipment on College property is expressly prohibited. Any person under the influence of intoxicating liquor, narcotics, or drugs shall be denied opportunity to participate in any way.~~

8.80 Community Use of District Facilities (continued)

- ~~g. Municipal and District restrictions regarding smoking, eating, and drinking in rooms and buildings must be observed.~~
- ~~h. Groups with minors in attendance shall provide their own chaperons. The number required may be determined by the District.~~
- ~~i. An organization which has used District facilities and has not paid the charges will not be allowed to use the facilities again until past due bills are paid.~~

~~3. Insurance and Use of Facility Agreement~~

- ~~a. All users of District facilities under this policy shall be required to complete a Use of Facilities Agreement form specifying the purpose for which District facilities shall be used.~~
- ~~b. Users of District facilities shall provide evidence of public liability, property, and workers' compensation insurance adequate to protect the District against any liability resulting from use of the facility unless exempted by the Associate Chancellor. The user's insurance policies shall name the District as additional insured and shall conform to dollar limits and other insurance requirements as determined by the Administrative Services Office.~~
- ~~c. The District, at its discretion, shall have the right to cancel and terminate any Use of Facilities Agreement immediately and without notice upon its discovery of a violation of any term, condition, or provision of the use agreement on the part of the user. Should any such violation occur, the District, at its discretion, shall have the right to deny any future requests by the party to use District property.~~
- ~~d. The user of District facilities will be held responsible for any and all loss, accident, neglect, injury of or damage to person, life, or property which may be the result, or may be caused by the user's occupancy of the facilities or premises, and for which the District might be held liable.~~
- ~~e. The user shall protect and indemnify the District, the Board, and/or any officer, agent, or employee of the District and hold them harmless in every way from all suits or actions at law for damage or injury to persons, life, or property that may arise or be occasioned in any way because of the occupancy of the facility or premises, regardless of responsibility or negligence.~~
- ~~f. The District will not be responsible for any items left on District property.~~