

AR 6700 Civic Center and Other Facilities Use

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

6700.1 General Provisions

District facilities identified as Civic Centers or as designated public forums are available for community use when such use does not conflict with District programs and operations. Facility use shall be limited to places and times identified by each campus' Vice President of Administrative Services, 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, or as authorized by law, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken during the use.

6700.2 Vice President, Administrative Services, shall be responsible for administering these regulations.

6700.3 Affiliated Organizations

- A. Affiliated organizations described below do not pay a fee for the use of District facilities:
1. Santa Ana College and Santiago Canyon College student groups under the supervision of staff advisors.
 2. Educational organizations, to which members of the college staff belong (i.e., academic senate, classified employee organizations, ACCCA, BOSCCC).

6700.4 Unaffiliated Organizations

For charging purposes, unaffiliated organizations fall into one of three categories:

- A. Civic groups (i.e., NAACP, Boys/Girls Club, and Boy Scouts) may use the District's facilities to engage in supervised recreational activities or to meet to discuss any subjects that relate to the educational, political, economic, artistic, or moral interests of the citizens. These events shall be free and open to the public. All groups and organizations that have events shall qualify under the provisions of the Civic Center Act.
- B. Non-profit organizations and religious groups may use District facilities for fundraising and/or commercial activities. When this applies to organizations that charge admission fees or solicit contributions, the net proceeds must be used for the direct welfare of the students of the district or for charitable purposes sponsored by established non-profit organizations. A copy of the I.R.S. letter indicating the organization's tax exempt status pursuant to Section 501(c)(3) of the tax code must be provided for organizations claiming non-profit status.
- C. For-profit organizations may use District facilities for fundraising and/or commercial activities. This also applies to non-profit organizations that charge admission fees or solicit contributions with the net proceeds destined for other than the direct welfare or charitable purposes affecting students of the District.

6700.5 Periods of Use

Multi-year contracts may be granted, with approval of the campus Vice President of Administrative Services.

- A. Special events and long-term facility uses will be considered on a case-by-case basis by the colleges. Requests should be submitted through the campus Facilities offices.
- B. Limitations for use by religious groups shall be governed by the Civic Center Act.

6700.6 Fees

- A. The Board of Trustees shall periodically review and revise the Fee Schedule, which shall govern the fees assessed to all organizations that use District facilities. The Fee Schedule includes rates for non-profit and for-profit groups and is available on the District's website.
- B. Affiliated organizations engaged in the activities enumerated in 6700.3 shall not be charged a fee for the use of District facilities, but may be required to reimburse the college for any extra staffing costs incurred by the college in support of the group's activities.
- C. Unaffiliated organizations engaged in the activities enumerated in 6700.4A shall not be charged a fee for the use of District facilities, but may be required to reimburse the college for any staffing costs incurred by the college in support of the group's activities.
- D. Unaffiliated organizations engaged in the activities enumerated in 6700.4B above will be assessed a fee to reimburse the college for the direct costs. These fees are listed under the non-profit rate on the Fee Schedule. Rates may be prorated and assessed at a level deemed appropriate when events utilize partial areas of facilities.
- E. Unaffiliated organizations enumerated in 6700.4C shall be charged a fair rental value. These fees are listed under the for-profit rental rate on the Fee Schedule. Rates may be prorated and assessed at a level deemed appropriate when events utilize partial areas of facilities. Unaffiliated organizations enumerated in 6700.4C will reimburse the college for any direct costs incurred by the college in support of the group's activities.
- F. A charge of \$50 will be assessed on all returned checks.
- G. Any organization with outstanding financial obligations to the District or College, relating to its use of District facilities, shall forfeit its priority ranking for the facility use reservation of dates and shall not be granted any additional reservations until the financial obligation is met.

6700.7 Provisions for Use of Facilities

- A. Applications for use of District facilities may be obtained from the Facilities Office at each college. The Use of Facilities Contract contains specific provisions that must be met prior to facility use.
 - 1. Requests for use of District facilities must be made at least 30 days in advance of the first date of use being requested. Applications shall be on forms provided by the colleges. Permission to use the facilities shall be granted by the college Vice President of Administrative Services.
 - 2. Permittee must provide all required documents (Application, Facilities Use Agreement, Certificate of Insurance, Additional Insured Endorsement, etc.) and 50% of fees no later than fifteen (15) working days prior to an event.
- B. All equipment and facilities to be used must be listed on the Application for Use of District Facilities form (e.g. audio visual equipment, tables, chairs, etc.).
- C. All organizations not affiliated with the college shall be required to enter into the Use of District Facilities Contract, indemnify and hold harmless the Rancho Santiago Community College District, and meet insurance requirements. A Certificate of Insurance must be provided, evidencing \$1,000,000 each occurrence limits of General Liability and Property Damage coverage with an endorsement. Such certificate shall name Rancho Santiago Community College District as the certificate holder, there shall be an endorsement on the policy (not to be included on the "certificate") listing the District as an additional insured and the policy shall be in full force and effect for no less than 48 consecutive hours prior to the date of the activity shown on the Application for Use of District Facilities, and it shall remain in full force and effect for no less than 48 consecutive hours after the termination of the activity.

Insurance documents must be mailed, emailed or faxed to the college from the insurance broker, not directly from the applicant.

- D. Whenever a District employee co-sponsors an event with an off campus group, such event shall be treated as an unaffiliated organization event and shall be subject to contract requirements and normal facility use fees.
- E. Facility use fees and equipment/staffing costs are outlined in the Fee Schedule.
 - 1. A deposit up to 50% of the estimated costs for an event may be required prior to any use of facilities. The college reserves the right to require full payment for all anticipated fees for events up to twenty (20) days in advance at the discretion of the college.
 - 2. Staffing fees for holiday events will be charged at an overtime rate.
 - 3. Additional fees may be charged for custodial services, parking lot sweeping and other required cleanup.
- F. Priorities for use of facilities shall be managed in such a way that no group will monopolize a facility.
- G. At least one authorized college employee shall be on duty whenever a facility is being used. Such employee shall be in charge of facility use and will report any damage or problems and may request law enforcement support if necessary. The college shall determine when management or skilled college personnel must be present and will assess charges accordingly.
- H. Any youth group or other organization using facilities must have a responsible adult sponsor present at all times during facility use, providing adequate and effective supervision.
- I. The group or organization using the facilities will be liable for any damage to or destruction of District property. The permittee shall be fully responsible for damage to District property and equipment. Fees will be assessed for all damages and repairs required to restore said facility and equipment to its original condition. The college reserves the right to request a fee deposit from the permittee.
- J. No alcoholic beverages are permitted in any form on college property at any time. Exceptions for campus Foundation events may be made by the college president. Any unauthorized use of alcoholic beverages by any individual, group or organization, will be reported immediately to the local law enforcement agency and, if necessary, the event will be immediately shut down.
- K. The group or organization contracting for the use of facilities is responsible for preservation of order and enforcement of all regulations pertaining to the use of college facilities.
- L. The use of signage and decorations must be approved by the campus vice president of administrative services and shall be flameproof and erected and used in such a manner that no damage is caused to college property. All signage and decorations must be removed immediately following the event or the permittee will be charged extra labor fees for cleanup. Decorations shall not be attached to any painted surfaces.
- M. All groups or organizations must provide adequate security as required by the college. Security needs are evaluated by the college and/or district for each facility use and the District reserves the right to specify a greater level of security or law enforcement protection for events. A detailed Security Plan with a fairly accurate estimate of the number of event attendees may be required at the college/District discretion.
- N. Parking: Parking is enforced 24/7 and vehicles not displaying a valid parking permit will be cited. All groups, organizations, staff and participants shall adhere to posted parking regulations. No parking is allowed on any walkways or sidewalks without prior college approval. Violators shall be subject to ticketing and/or towing at the vehicle owner's expense. If an event includes the permittee paying to rent the parking lot, the permittee has the option of charging or not charging its customers/participants for parking. The college will not provide staffing support for the collection of parking entrance fees.
- O. Playing music (live, DJ, recorded or other) is prohibited, unless administratively waived in writing by the campus vice president of administrative services.
- P. Food and/or beverages are not allowed in college facilities without prior approval by the college vice president of administrative services. At the time of application, the organization must inform the college if food service is required for an event.

1. Selling or serving food and beverages, or allowing cooking or barbecuing or food brought in from the outside by participants is prohibited, unless administratively waived in writing by the college.
2. Food and/or beverages are prohibited in the gymnasiums at any time.
3. Tobacco use, including electronic cigarettes and/or unapproved nicotine delivery systems, is not permitted in any building, facility, or on campus grounds.

Q. Special Regulations - All Weather Track Surface and Artificial Turf Field

1. Gasoline/diesel or electric carts are not to be operated on the track surface or artificial turf field (emergency vehicles excepted).
2. Heavy equipment, heavy items, stools or any object with sharp or tapered protrusions are not to be used directly on the track or artificial turf field. The permittee must provide plywood or some type of approved protection for the track surface.
3. Track athletes must use 3/16" spikes or smaller on their running shoes.
4. Gas powered remote controlled model aircraft are not to be operated in or around the track or athletic fields.

R. All events shall conform to all city, county, and state ordinances and fire regulations.

S. All concerts and carnivals are prohibited on campus except as approved college functions.

T. Failure to meet deadlines for signing of permit, paying deposits and/or meeting all insurance requirements will be cause for cancellation of approval to use college facilities.

6700.8 Prioritization of Facility Use Requests

A. Reservations for District facilities usage shall be made using a tier system in the following priority:

1. TIER 1:

(a) Rancho Santiago Community College District Instructional Programs - No Permit Fees Charged - District Insured.

- Approved classes with instructor present (no permit needed but calendared).
- Scheduled athletic contests with coach present (no permit needed but calendared).

2. TIER 2:

(a) Approved Rancho Santiago Community College District Instructional Programs - No Permit Fees Charged.

- Approved ASB Organizations/Clubs - sponsor must be present - District insured.
- Coach Sponsored Community Youth Groups - coach must be present - Insurance required from Youth Group

3. TIER 3:

(a) Community Based Non-Profit Groups - Non-Profit Rates Charged.

- Coach/Staff Approved Community Youth Groups - Coach not present - Insurance required from Youth Group
- Other Non-Profit Groups (i.e. AYSO, Pop-Warner, Local Schools, etc.) - Insurance required

4. TIER 4:

(a) Private and For-Profit Groups - Regular Rates Charged -Insurance Required.

- Commercial film shoots and film crews
- For-Profit groups
- Professional athletic teams

B. All District facilities, shall be primarily utilized for the instructional and athletic programs of the college.

C. In order to prioritize as specified in 6700.7A to apply, reservations for soccer field at Santa Ana College and gymnasium and swimming pool at Santiago Canyon College must be received as soon as possible, but no later than thirty (30) days prior to the start of the semester. If multiple permits are requested for the same venue

during the same period of time, then completed permits will be chosen at random thirty (30) days prior to the start of the semester.

6700.9 Violations or abuse of any portion of these regulations may result in immediate cancellation of an event at the discretion of the campus vice president of administrative services. Additional fees may be charged and restriction of the permittee from future facility use shall be determined by the college.

6700.10 Waiver authority for these regulations resides with the college president. All waiver requests shall be submitted to the Campus President's office.

Responsible Manager: College Vice Presidents of Administrative Services

Revised: May 18, 2015 (Previously AR 1330 and AR 1331)