

AP 6700 Civic Center and Other Facilities Use

Reference: ***Education Code Sections 82537; 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

Date Issued: December 3, 2008

Updated: May 21, 2019

General Provisions

Grossmont-Cuyamaca Community College District (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 times identified by the Chancellor or his/her designee, 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.

The Chancellor is responsible for the coordination and implementation of these procedures. The Chancellor or his/her designee shall determine all applicable fees to be charged. The District shall maintain a uniform fee schedule adopted by the Board to include hourly fee rates for facility and grounds and ancillary items. The fee schedule will apply to all District locations, will be developed in accordance to Education Code Section 82542 and California Code of Regulations, Title 5, and any other applicable statutes or regulations, and will clearly indicate both regular (for-profit and other organizations not meeting the definition of non-profit) and non-profit rates. The schedule will be reviewed periodically for adequacy of fees.

Outside the designated public forum areas, the following shall apply: All user groups shall be required to provide the District with a 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 user groups shall also be required to provide a certificate of insurance with limits acceptable to the District and/or other proof of financial responsibility acceptable to the District.

Civic Centers

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, which may be conducted for temporary periods where the church or organization has no suitable meeting place for the conduct of such services
- Entertainment 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

Non-profit rates apply only to non-profit groups as specifically identified in the Education Code. These include organizations, clubs, and associations organized for general character building or welfare purposes such as;

- Student clubs and organizations,
- Fundraising entertainments or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the district,
- Parent-teachers' association,
- School-community advisory councils,
- Camp Fire Girls, Girl Scout Troops, and Boy Scout Troops,
- Senior citizens' organizations,
- Other public agencies,
- Organizations, clubs, or associations organized for cultural activities and general character building or welfare purposes, such as folk and square dancing,
- Organizations, clubs, or associations organized for senior citizens and for cultural activities and general character building or welfare purposes, when membership dues or contributions solely for the support of the organization, club, or association, or the advancement of its cultural, character building, or welfare work, are accepted.

Groups meeting the non-profit definition above will be charged the Non-Profit Rate on the Facilities Use Fee Schedule.

All other groups will be charged the Regular Rate on the Board approved Facilities Use Fee Schedule.

Eligible persons or groups may use District buildings or grounds designated as a Civic Center for public, literary, scientific, recreational, or educational meetings, or for discussion of matters of general or public interest, subject to these procedures. The Facilities available are identified on the GCCCD Facility Use Rate Schedule posted on the District website. .

Rules for Facilities Use

Requests for use of the District's designated Civic Centers must be made at least thirty (30) days in advance of the first date of use being requested. Requests shall be on forms provided by the District. Permission to use the District's Civic Centers or other facilities shall be granted by the Chancellor. This request requirement does not apply to groups intending to use available designated public forums for expressive activities. In those circumstances, notice may be requested of the colleges' Deans of Student Affairs the same day that they are requesting to use the space. See also BP 5550 Speech: Time, Place, and Manner.

No use shall be granted in a manner that constitutes a monopoly for the benefit of any person or organization.

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.

All charges for the use of District facilities are paid in advance or billed. Fees collected from third parties for facilities, grounds, and/or equipment rental shall be deposited to district revenue as site dedicated funds or a district trust consistent with the general purpose of the type of facility, grounds, or equipment being rented. All receipts from facility, grounds, or equipment rentals must be deposited through the college's cashier's office or the district accounting office. A copy of the rental request, rental agreement, and other associated documents shall be maintained by the College and available for review upon request.

Any persons applying for use of District property on behalf of any groups shall be a member of the groups and, unless he /she is an officer of the group, must present written authorization to represent the group. 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.

No person applying for use of District property shall be issued a key to District facilities.

Future 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, controlled substances or tobacco in any forms shall be brought onto the property of the District, except as provided for under board policy BP 3555 Alcoholic Beverages. Persons under the influence of alcohol, intoxicants, or controlled substances shall be denied participation in any activity.

No structures, electrical modifications or mechanical apparatus may be erected or installed on District property without specific written approval by the site Facilities Director.

No decorative materials should be attached to the walls (i.e. Scotch tape, staples, thumb tacks, duct tape, and other similar items). All decorative materials that are used, 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.

A District with a large venue or large event shall, on or before July 1, 2005, and on or before July 1, biennially thereafter, 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's designated Civic Centers facilities will be as follows:

FIRST PRIORITY: INTERNAL

(Cuyamaca College, Grossmont College, or the District)

Internal events may be charged direct costs.

College events

- ♦ Approved by appropriate President's Cabinet member
- ♦ College, Instruction, or Student Services related
- Faculty requested events (approved by appropriate Dean and Vice President, Instruction)
 - ♦ Direct Instruction or Student Services activity
 - ♦ Direct relationship to college mission
- Student events (approved by Student Services Dean and Vice President, Student Services):
 - ♦ College student government, clubs and organizations
 - ♦ Direct relationship to college mission
- Outreach/recruitment
- Foundation events:
 - ♦ Direct relationship to Foundation mission
 - ♦ Foundation Celebration

Certain facilities identified by the college cannot be reserved for on-going use.

These facilities include:

- Cuyamaca Digital Theatre
- Assembly halls
- Rehearsal rooms
- Student Center rooms

Exceptions may be considered for special (one-time) events with the prior approval of the appropriate Dean.

SECOND PRIORITY: EXTERNAL

(Organizations not related to Cuyamaca College, Grossmont College, or the District)

All external events must include set-up and clean-up fees. Other facility fees also apply as follows:

Non-Profit**▪ *Affiliated with the college's mission***

Other public education institutions:

- ◆ Community Learning (fee-based)—non-classrooms only
- ◆ San Diego/Imperial Counties Community Colleges Association (SDICCCA)
- ◆ Four-year colleges/universities (CSUs, UCs, private)
- ◆ K-12 East County school districts
- ◆ Education-oriented programs, lectures, conferences

▪ *Not-affiliated with the college's mission*

Professional and community association meetings and conferences:

- ◆ Civic clubs and organizations
- ◆ Chambers of Commerce
- ◆ Governmental agencies and organizations
- ◆ Cultural organizations

Red Cross

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's 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.

Other

Full fair-rental value fees will be charged.

Events will be approved at the discretion of the college.

- ◆ 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.
- ◆ Church and religious organizations using facilities to conduct religious services.

For-Profit

Full fair-rental value fees will be charged.

Events will be approved at the discretion of the college.

Fees

Fees will be charged as established by the Governing Board.

The District reserves the right to waive facility rental fees and other direct costs incurred for the use of the facilities for events that promote community relations or student outreach. Exceptions must be approved by the Chancellor.