

SIERRA COLLEGE

ADMINISTRATIVE PROCEDURE

No. AP6700

Civic Center and Other Facilities Use

Date Adopted: 6/12/1989

Date Revised: 5/7/2007

Date Reviewed: 5/7/2007

References: Education Code Sections 82537, 82542

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 times identified by the Assistant Director of Facilities and Operations or designee. Except as provided in these regulations, no organizations, groups or individuals shall be denied the use of district facilities because of the content of the speech to be undertaken during the use.

The Assistant Director of Facilities and Operations is responsible for the coordination and implementation of these procedures. The Assistant Director of Facilities and Operations shall determine all applicable fees to be charged.

All user groups and/or individuals 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 and/or individuals shall also be required to provide a certificate of insurance and additional insured endorsement with limits acceptable to the District and/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 for discussion of matters of general or public interest, subject to these rules and regulations.

The groups identified in Education Code Section 82542(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 the presence of a District employee during the organization's use of facilities if it is determined that the 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 of using District facilities. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid District employees necessitated by the organization's use of District facilities.

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.
- 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.

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 affecting 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.

General Rules Governing Use of District Facilities

A copy of the appropriate rules and regulations shall be distributed with any application for Use of Facilities.

1. Requests for use of District facilities must be made at least ten (10) days in advance of the first date of use being requested. Requests shall be on forms provided by the District. Permission to use facilities shall be granted by the Assistant Director of Facilities and Operations or designee.
2. Any persons applying for use of District property on behalf of any groups shall be a member of the groups and, unless he or 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.

3. Applications for use of facilities will not be accepted from individuals for use of a personal nature. Applications will be accepted only from persons representing a group or organization.
4. The applicant should not assume that permission has been granted to use facilities until the permit is approved by signature by the Assistant Director of Facilities and Operations or designee.
5. A certificate of insurance and additional insured endorsement from the organization's insurance company, indicating the organization members are insured for injury caused by organization activities while on campus, must be received in the Facilities Department Office at least ten (10) days prior to the activity.
6. The District reserves the right to cancel facility use permits at any time without notice.
7. The District reserves the right to reject at any time an application for use of District facilities from any organization that proposes an activity which the District determines would not be in the best interest of the District or community.
8. No use or activity shall be permitted which reflects in any adverse way on any person for reasons of national origin, religion, religious creed, age, sex (gender), race, color, medical condition, ancestry, sexual orientation, marital status, physical disability or mental disability (as identified in Sierra College Board Policy 3410).
9. Groups or organizations shall not use the name of Sierra College to sell a commercial product or to promote personal services for financial gain.
10. No goods, services, promotional or advertising material shall be sold on the District premises without prior approval from the District.
11. Use of District facilities may be restricted on holidays or on long weekends caused by holidays.
12. All use permits are issued for specific locations and times. Buildings and locations not included in the permit shall not be entered or damaged.
13. The use of District facilities for dances shall be restricted to events sponsored by the District.
14. Permission to use District facilities shall not be granted for a period to exceed one semester. Long-term facility use permits are not valid on holidays unless specified in writing when the permit is granted. No person or organization may be granted a monopoly on any facility.
15. A 50% deposit of the estimated charges for use of facilities shall be required at least ten (10) days prior to the use. The balance shall be due immediately upon receipt of the invoice from the Sierra College Business Services Office.
16. The user agrees to comply with all ordinances, laws, rules and regulations affecting the use and occupancy including all local fire, health and safety laws, ordinances and regulations.
17. The District may require security personnel as a condition of use whenever it is deemed to be in the best interests of the District.
18. Youth groups on campus are required to have adult supervision at all times. They are not to disturb campus activities or interfere with the function of the campus.

19. Sierra College student activities require an appropriate member of the District staff on duty to supervise activities.
20. No person applying for use of District property shall be issued a key to District facilities.
21. Organizations using District facilities must pay daily fee for parking Monday through Saturday, 7:00 a.m. to 11:00 p.m. Visitor parking spaces are available near the R. A. Lee Administration Building and Dietrich Theatre. For questions regarding parking, contact Police Services or read the instruction signs posted on campus.
22. All groups shall be responsible for the condition in which they leave the facilities. Facilities shall be left in a clean condition. Any cleanup charges or cost of repair or replacement of any District-owned property which has been damaged or abused beyond normal wear shall be paid by the organization involved.
23. No furniture or equipment, including tables in the Cafeteria, are to be moved unless requested on the application and approval has been granted by the District.
24. Food and/or drink are prohibited in all buildings except the Campus Center. Kitchen facilities may be used only under the supervision of the cafeteria food services manager.
25. No structures, electrical modifications or mechanical apparatus may be erected or installed on District property without specific written approval by the Assistant Director of Facilities and Operations or designee.
26. 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 Marshal.
27. 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.
28. Except as permitted according to Board Policy and Administrative Procedure 3560, no alcoholic beverages, intoxicants, or controlled substances in any form shall be brought onto the property of the District. Persons under the influence of alcohol, intoxicants or controlled substances shall be denied participation in any activity.
29. Smoking is prohibited inside and within 30 feet of any District facilities. Gambling is prohibited by law and, therefore, is not permitted on District property.
30. Firearms or other weapons shall be prohibited on any College or District center or in any facility of, except for activities conducted under the direction of District officials.
31. District premises shall not be used as a political campaign headquarters.
32. Animals are not permitted on campus or in District buildings or pool area with the exception of personal assistance animals.
33. Where required, proof of copyright and royalty clearance pursuant to Title 17, U.S. Code, shall be submitted.
34. If the Use of Facilities permit requires the presence of Sierra College personnel as a condition of use and no such personnel are available, Sierra College may deny the use permit.

Special Rules Governing Use of District Facilities

Swimming Pools -- Rules and Regulations

In addition to the general rules and regulations, the following rules relate specifically to the swimming pool and must be adhered to when using the pool and any of its facilities:

1. The primary purpose of the Sierra College pools is for instruction.
2. The pools may be used by persons who are enrolled in a College swim class, or who are members of an organization with prior authorization to use the pool facilities.
3. Because of the complexity of the facility, there must in all cases be a Sierra College employee on duty while the pool is in use.
4. The pool sweep must be disconnected and removed and the pool cover removed by a Sierra College employee prior to anyone entering the water.
5. A minimum of one lifeguard per 25 people is required at all times; two lifeguards per 25 are required if both the racing and diving pools are to be used at the same time. Additional lifeguards may be required when the size of the group exceeds 100 people. Organizations may furnish their own lifeguards if their qualifications are accepted by District representatives; otherwise, lifeguards will be furnished, if available, by the District at the hourly rate in effect at that time.
 - Lifeguards provided by the organization must be listed with their current qualifications on an attached sheet to the application for approval. No application for pool use will be approved until the lifeguard list has been received by the District. Last minute substitutions will not be allowed.
6. The user organization must provide adult supervision at all times in the pool area and locker rooms; failure to do so may result in forfeiture of facility use privileges and additional fees.
7. The user organization must keep all areas used clear of rubbish and garbage, which should be placed in cans provided by the District.
8. User organization shall furnish all tables, chairs and other required equipment not normally stored at the pool. These items must have rubber-tipped legs or be placed on carpet to protect the surface of the deck from scratches.
9. The following safety rules must be observed by all persons using the pools:
 - Swimming without lifeguards on duty is not allowed.
 - Admission to the pool is refused to all persons having a contagious disease, infectious condition, or an open sore.
 - Only swim attire, advertised and sold as such, will be permitted in the pools. No cut-offs or gym shorts will be allowed.
 - With the exception of instructors, only people wearing proper swim attire are allowed on the pool deck. All spectators are requested to use the bleacher area.
 - Food, beverages, and tobacco products are not allowed on the pool deck, which are all areas inside the fence.
 - Unnecessary noise and confusion shall be prohibited. Persons engaging in horseplay, running, pushing, shoving, dunking, splashing, or conduct not conducive to the safety and welfare of other patrons shall be requested to leave the premises if they persist in violation of the above.

- Swimmers should stay out of the pool office and first aid room unless invited in by an instructor or coach on necessary business.
- Artificial floating devices, diving equipment, and playing balls are not allowed in the pool, unless provided by the instructor or coach for authorized activities only.
- Showers must be taken before entering the pool.
- Running on deck is prohibited.
- Spitting or nose blowing in the pool is not allowed.
- Gum chewing is not allowed while in the swimming pool facility.
- On diving boards, double bouncing should be reduced to a minimum or limited to two bounces. Only one person is permitted on the board at a time. Dives must be straight off the end of the board.
- Pleasure swimming in diving area is not allowed.
- Talking with the lifeguards who are on duty is not allowed.
- Swimming during any electrical storm is prohibited.
- The Sanitary Code of the California State Board of Health shall be posted in a conspicuous area for the safety, health and welfare of the persons using the pool facilities, and is to be adhered to by all persons.
- The user organization must identify the certified lifeguard(s) and responsible member of the organization who will be present during the activity.

Theater -- Rules and Regulations

In addition to the general rules and regulations, the following rules relating specifically to the theater must be adhered to when using the theater or any of its related facilities:

1. A theater technician will be required for supervision during the entire use period. The College will provide a theater technician. If a theater technician is required beyond normal work hours, the cost to the College for providing the theater technician must be paid to the College in advance as a condition of obtaining a use permit for the theater. If the College is unable to provide a theater technician (including, but not limited to, the unavailability of such personnel), the College may deny a use permit.
2. A minimum of one student assistant is required for outside groups using the theater. An additional student assistant is required for larger productions, such as ballets, musicals, etc.
3. All breaks and lunch periods of Sierra College personnel must be honored.
4. A minimum of one week cancellation notice is required.
5. If a large attendance is expected by a group, tickets must be issued. Maximum capacity of theater is 470.
6. All stage lighting focusing, rigging, etc., is to be done by College staff and student assistants. Sufficient time must be given to complete any of the above work.
7. Use of the dressing rooms, piano, projectors, and any other technical needs are to be indicated on the use request application form. There may be an additional charge for the use of these services.
8. A staging plan, if required, must be submitted in advance.
9. Any construction on stage must be authorized in advance. The cost incurred for any damage to the theater or stage will be borne by the user.

10. Nails, screws, etc., shall not be driven anywhere within the theater.
11. Nothing shall be fastened to or hung from the stage curtains. No pins, wires, or other fastening devices shall be attached to draperies.
12. The theater office is not available for use.
13. No smoking is allowed in, or within 30 feet of, the theater building.
14. No food or drink is allowed in the theater building.
15. Any items brought to the theater by any group must be removed immediately after the event. The College will not be responsible for the loss of such items. Items left will be disposed of, and there may be a charge to cover the disposal costs.
16. No painting shall be done in the theater building, and items with wet paint shall not be taken into the building.
17. No glitter is allowed in the theater building.
18. Copyrights and Royalties: A new copyright law (Public law 94-553, 90 Statutes 25541) became effective January 1, 1978. This new law places additional burdens upon the College to determine that no violations occur in connection with the Civic Center activities. Any user of copyrighted material will be required to conform to the requirements of the new law or present proof of royalty payment or waiver for those materials not covered by contracts entered into by the College.

Priority for the Use of District Facilities

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

1. Activities and programs that are directly related to the instructional and educational program of the District, including but not limited to:
 - 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.
2. In-district public schools that promote events and activities designated to serve the youth and citizens of the District, such as parent-teacher associations, school-community advisory councils.
3. Non-profit organizations, including but not limited to:
 - Non-profit, in-district community groups whose primary purpose is service to youth, of the improvement of the general welfare of the community, and where no admission is charged, such as senior citizens, Camp Fire Girls, Girl Scout troops, Boy Scout troops, recreational districts, 4-H, FFA, School-community advisory councils;
 - Senior citizen organizations;
 - Other public agencies, such as state personnel examinations;
 - Civic, non-profit organizations, clubs or associations organized for cultural activities and general character building or welfare purposes of the community, such as folk and square dancing, and where no admission is charged, or if donations or admission fees are charged and the total net proceeds are to be expended for the welfare of the District or for charitable purposes;

- Public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.

After the above organizations, priority for use shall be:

4. Commercial groups who do not qualify under the Civic Center Act using facilities for training sessions or information sharing on a fair market rental basis.

Facilities and Supervision

1. Facilities included when use is granted are:
 - Requested facility;
 - Normal facility equipment;
 - Police Services to open and close facility;
 - District employee to supervise use in certain areas, such as physical education facilities, theater, labs;
 - Special services and equipment are furnished at an additional cost as indicated in the Fee Schedule. (Any change, e.g., furniture, lighting, extra screens, is considered special services, and work must be performed by Sierra College staff.)
2. Facilities or conditions requiring special use authorization or fees:
 - Request for use of facilities outside of normal hours of operation will be charged a higher rental fee (see Fee Schedule). All personnel charges will be at an overtime rate with a minimum two-hour call-in.
 - Food Service -- Sierra College has a contract with a food service company that has exclusive food service rights for all food served on campus. Food served must be arranged in advance with the food service manager.
 - The theater, all athletic facilities, and class laboratories have expensive equipment which require a technician to operate, and, therefore will not be authorized for use without proper supervision and special fees.

Schedule of Charges

Charges for rental of facilities are broken down into two categories: non-profit organizations holding an Internal Revenue Service (IRS) non-profit identification number; and for-profit (commercial) organizations.

Please see current Fee Schedule located in the Facilities and Operations Office.

Special fees include the following:

1. Additional fees for the use of the theater auditorium by non-District groups are as follows: a deposit equaling 50% of the estimated cost of the use of the theater is due upon approval of the use request; \$1.00 per ticket sold to the event will be returned to

the District for renovations in the theater (if tickets are not sold, a \$250 flat rate fee will be charged).

2. Theater Technician, Custodian, Groundskeeper, Maintenance Technician: regular hourly rate and overtime (minimum two-hour call-in) according to current union/bargaining contract rate and conditions.
3. Student assistant: regular hourly rate; overtime according to current contract rate and conditions.
4. Supervisor of activities at physical education facilities: \$15 per hour
5. Police Services: regular hourly rate as determined by Sierra College Police Services Department.
6. Kitchen facilities: Charges for kitchen use will be in direct relation to the food services requested. (All arrangements for food must be made with the Food Services manager.)

See Board Policy 6700.