

# Sierra College

## ADMINISTRATIVE PROCEDURE

AP 6700

### Civic Center and Other Facilities Use

Date Adopted: 6/12/1989

Date Revised: 12/7/2018

Date Reviewed: 12/7/2018

References: 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

#### 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 the Deputy Director of Plant Operations or 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 regulations and in the Use of Facilities Handbook, or as authorized by law, no organizations or groups shall be denied the use of district facilities because of the content of the speech to be undertaken during the use.

The Deputy Director of Plant Operations is responsible for the coordination and implementation of these procedures for the Rocklin Campus, and the Supervisor of Campus Operations is responsible for the coordination and implementation of these procedures for the Nevada County Campus. The Deputy Director of Plant Operations shall determine all applicable fees to be charged.

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 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 designated as the Civic Center

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, “when an alternative location is not available”, as described in the statute, 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 security and custodial services, if the services are necessary and would not have otherwise been performed as part of the custodian's or security guard'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. Additionally, except for classroom-based programs that operate after school hours and organizations retained by the college or 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 Rocklin and Nevada County campuses shall maintain fee schedules adopted by the Board that include the hourly fee for each specific campus facility and grounds. Campus-specific Use of Facilities Handbooks are posted on Inside Sierra and hard copies are available from the Facilities Departments on each campus.

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.

See Board Policy 6700.