

AP 6700 Civic Center and Other Facilities Use

Reference:

Education Code Sections 82537, 82542; Public Resources Code 42648.3

1. 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 Student Affairs Office. Except as provided in these regulations, no organizations shall be denied the use of district facilities because of the content of the speech to be undertaken during the use.
 - a. The Associate Dean of Student Affairs is responsible for the coordination and implementation of these procedures. The Associate Dean of Student Affairs shall determine all applicable fees to be charged.
 - b. All users 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.
2. Buildings and Plant, Use by Public: Individuals, associations, clubs, organizations, corporations or public agencies may use school buildings, grounds and other property in accordance with Education Code 82537-82548
 - a. The Multipurpose Building shall be closed to regularly scheduled classes no more than four days per semester for academic and community service programs. All requests for use of the building shall be cleared through the division chairperson (if an academic affair) and the Student Affairs Office at least one month in advance. Any conflicts will be resolved by the Office of Student Affairs. (College Council 1/19/68)
 - b. Books, magazines and other materials in the college library shall be made available to citizens of the District when such does not interfere with student use. (Board Resolution No. 1904)
 - c. The tennis courts shall be available for public use at times not required for classes, including weekends. (Board Resolution No. 3009)
3. Building, Grounds, Use by Public: Individuals, associations, clubs, organizations, corporations or public agencies may use school buildings, grounds, and other property in accordance with Education Code Sections 82537-82548 (Board Resolution No. 2064 and 2948)
4. Policies and Procedures Governing The Use of Imperial Valley College Facilities The Board of Trustees of the Imperial Community College District recognizes that the college facilities belong to the college community. It is their policy, therefore, to permit and encourage the use of these facilities by groups and organizations whose purpose and objectives contribute

to the development and welfare of the community at large. The use of college facilities must comply with the "civic center" provision of the Education Code of the State of California, Imperial Community College District Policy and Administrative Regulations. (California Education Code Sec. 82537-82548)

5. Physical Facilities The Board of Trustees recognizes that the primary use of college facilities is to carry on a college educational program and that other uses must not interfere with this program. Any authorized use of occupancy of the property for other than public school purposes shall be secondary and subordinate to this primary purpose.
6. The Board of Trustees further recognizes that there are costs involved in non-college use of facilities and that charges are necessary so that college monies will not be used in support of non-college activities.
7. Priorities for Use of Facilities The following priority schedule shall apply for reserving use of Imperial Valley College facilities:
 - a. Regular instructional classes of the college;
 - b. Imperial Valley College and Associated Students sponsored activities;
 - c. Activities sponsored by public schools (including recognized parent organizations), city and county recreation departments;
 - d. Activities sponsored by recognized community service organizations;
 - e. Activities sponsored by other organizations as defined in the Civic Center Act; (California Educational Code Sec. 82537)
 - f. Activities sponsored by organizations not qualifying under the Civic Center Act
8. Denial of Facility Use Requests: Facility Use Requests will be denied under the following conditions:
 - a. Personal or individual use (Wedding Receptions, etc.);
 - b. When numbers involved do not warrant cost of operation;
 - c. Groups of students without faculty or administrative supervision;
 - d. Subversive or disloyal groups;

Type of Use

9. Free Use: No charge will be made for the use of facilities by non-profit groups or associations formed for the recreational, educational, political, economic, artistic or character-building activities of the college District while engaged in supervised recreational activities or meetings to discuss any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the community in which they reside. Admission to events or meetings held under the auspices of such groups shall not be charged and facilities shall be open to the public. (California Education Code Sec. 82542)
 - a. All meetings qualifying under these provisions shall be non-exclusive, open to the public and free of charge.
 - b. Special facilities or personnel services required will be charged back to the user at actual cost. This includes use during weekends, holidays, and other times when the college is not normally in operation. (California Education Code Sec. 82542, 10912)

10. Public Service Use: A minimal charge for the use of facilities will be made to organizations, clubs, or associations organized for senior citizens, cultural activities and general character-building or welfare purposes when contributions, collections, registration fees, or admissions solely for the support of the organization, club, or association, for the advancement of its cultural, character-building, or welfare work are accepted. A District charge shall be made in accordance with the approved college facility rental schedule. (California Education Code Sec. 82537-82548)
11. Fair Market Use: Fair market use shall apply to those organizations that do not qualify under the provisions of the Civic Center Act and/or solicit contributions or charge admissions or fees to the activity which will be spent for other than charitable or welfare purposes. The rental charge shall be equal to the fair market value charged for rental of comparable facilities. Such events must be of an educational, cultural, or recreational nature which otherwise would not be available to the community. (California Education Code Sec. 82542)
12. Lease Use: Lease use shall apply to organizations desiring to use college facilities for more than five (5) separate or consecutive calendar days or portions thereof in a fiscal year. The Board of Trustees may offer to lease such facilities in conformance with the Education Code of California and shall set a minimum rental fee. (California Education Code Sec. 81360-81379)
13. Fees and Use of Facilities by Religious Groups: Religious groups that are granted permission to hold services or meetings of a religious nature on the campus pursuant to the provisions of California Education Code Sec. 82530 will be charged the minimum rental (actual cost) for a facility, as required by the State Education Code. The full rental charge (fair market value) shall apply if there is an admission fee or contribution collected from the public attending the meeting or service. Religious groups may use college facilities for not more than five separate or consecutive calendar days, or portions thereof, in any fiscal year. Such use may not encompass time immediately preceding, during, or immediately following scheduled college classes. (California Education Code Sec. 82530)
14. Use May Be Denied: No use or occupancy of any school property shall be permitted if the Board of Trustees, in the exercise of its discretion, determines that such use or occupancy is prohibited by law, or that such use or occupancy will interfere with the use of the property for school purposes, or that it will result in rioting or other disturbance of the peace, or in damage to the property which will render it unfit for or otherwise interfere with its proper use for school purposes.
15. Advance Notice of Program Material May be Required: The Board of Trustees may require that it be furnished reasonably in advance with a complete program and copies of all speeches and script of any entertainment proposed to be given on school property. If such copy reasonably demonstrates that the program would be in violation of the law, or of these rules, the proposed use shall not be permitted.
16. Permission to Use May be Cancelled: All individuals, groups, or organization in their use or occupancy of school property shall comply with all applicable laws, rules, and regulations. Any use contrary to or in violation of any laws, rules, or regulations shall be grounds for cancellation of the permit and removing the users from the property and shall bar such individual, group or organization from further use thereof.

17. Authorization to Issue Permits: The Office of Student Affairs of the Imperial Community College District is authorized to issue all permits for the use and occupancy of school property by all individuals, groups, or organizations during school hours, and by all authorized individuals, groups or organizations during non-school hours.
18. Schedule of Charges: Permission to use school facilities shall be granted in accordance with a schedule of charges authorized by the Board of Trustees. Copies of the schedule are available in the Student Affairs Office.
19. Kitchen Facility: Kitchen facilities may not be used by other than the authorized college staff.
20. Vending: The vending of any articles shall not be permitted during any use or occupancy of the school property for Civic Center purposes without permission having been previously granted.
21. Non-Liability of District: Any individual, group or organization using school property for Civic Center or other purposes shall hold the Imperial Community College District, the Board of Trustees and individual members thereof, and all District officers, agents and employees free and harmless from any loss, damage, liability, cost, or expense that may arise during or be caused in any way by such use or occupancy of school property. The District shall require an acceptable certificate of insurance that names the District as an additional insured. (Board Resolution No. 11586)
22. Removal of School Property or Equipment: No District furniture, equipment, or apparatus may be removed or displaced by any person, persons, or organization without express written permission from, and under the supervision of a duly authorized employee of Imperial Valley College. Any furniture, equipment, or apparatus so displaced must be replaced to the satisfaction of the duly authorized employee by the party, parties, or organization responsible for the removal or displacement thereof before their departure from the facility.
23. Decorations: Any decorations used at an event must be flameproof and shall be erected and taken down in a manner not destructive to college property. The use of any material or device, which constitutes a fire hazard, is expressly prohibited.
24. Damage to Property: School property shall be protected from any damage or mistreatment and permittee shall be responsible for the condition in which they leave school premises. In the event school property is damaged, the cost of repair or replacement thereof shall be paid by the permittee.
25. Personal Use of Property or Equipment: Permits shall not be granted for personal or individual use of school property or equipment.
26. Supervision and Security: Upon receipt of notice that a permit has been issued to a non-school agency for use, the Director of Maintenance and Operations shall designate a regular District employee to open the building, to be in charge during use, and to close the building after use—such personnel costs to be borne by the User. The District employee in charge of the building or grounds within or upon which any meeting is held is empowered to take all necessary means to enforce these rules. However, it shall be the responsibility of the permittee to see that there is such special police protection as may be necessary for adequate control.

27. Revocation in Case of Conflicting Dates: Any permit may be revoked if conflicting dates have resulted, or where need of the property for college purposes has subsequently developed.
28. Two-Weeks Notice Required: Applications for permits to use college facilities shall be made at least two weeks in advance of the date of requested use.
29. Capacity Limitation: Admission to all meetings held in college buildings shall be limited to the seating capacity of the room or space authorized for such use.
30. Discriminatory Activities Not Permitted: No permit for the use of college property shall be granted to any individual or group for any purpose, which would reflect in any way upon citizens of the United States because of their race, color or creed.
31. Sunday and Holiday Use: Use of school property on Sundays or holidays is discouraged and subject to the ability of the District to schedule required personnel.
32. Distribution of Literature: Only the authorized holder of the Use Permit shall distribute literature or other materials at a Civic Center meeting.
33. Fees and Charges for Attendance: Whenever the use of school premises without a rental fee is permitted, it is understood that there shall be no admission charge made, no solicitation of funds, no freewill offering, and no sale of literature or other articles by the organization using the school facilities.
34. Open Meetings: If free use is granted, as provided in the Civic Center Act, the meeting shall be non-exclusive and shall be open to the general public.
35. Adult Sponsorship Required: Juvenile organizations must verify that adequate sponsorship will be present at the event.
36. Transferability of Permits: A permit for use of any school facility is non-transferable.
37. Political Activity: School premises shall not be used by any person, group or organization as a political campaign headquarters for any purpose.
38. Gratuities Not Permitted: No gratuities shall be given to or accepted by custodians, administrators, or other school personnel. All applicable costs for services of college personnel shall be billed to the user by the College Business Office.
39. Behavior: The use of profane language, possession of or use of intoxicating liquors or drugs of any kind, fighting, betting, or any form of gambling, including conducting a raffle or lottery, are all expressly prohibited. The use of tobacco in any form is generally prohibited inside school buildings, except as authorized in specific locations.
40. Adherence to Schedule: The hours of use granted on the permit will be strictly observed. Should it be necessary to extend the time beyond that specified in the application, special permission must be obtained from the Office of Student Affairs before the meeting convenes. In such instances additional charges will be levied as applicable.
41. Cancellation: All applications made on the facility reservation form have priority over oral requests and must be made at least two weeks in advance of the date requested. Applicants

are responsible for notifying the Student Affairs Office at least 72 hours before the scheduled start of the event. Cancellations occurring within 72 hours of the scheduled starting time may result in the group or organization being liable for all costs incurred by the District as a result of their action.

42. Application for Multiple Months Use: There cannot be multiple months' use on the request. For consecutive monthly uses, one form for each month's use must be completed.
43. Insurance: District requires that applicants provides a certificate of insurance as evidence of \$1,000,000 general liability coverage. The Imperial Community College District should be named as an additional insured, and a copy of the additional insured endorsement should accompany the certificate of insurance. *Revised 12/11/08*
44. Printed Materials: All books, pamphlets, posters, and other items of literature, which may have been used or distributed during a period of use, must be removed by the permit holder at the end of the event.

Special Provisions Regarding Use of College Facilities

45. Swimming Pools: District employed lifeguards must be on duty at all times during the scheduled use of college swimming pools by public agencies, groups, or organizations. A minimum of one lifeguard for each fifty swimmers must be scheduled. Permit holders will be responsible for all applicable personnel charges. The use of the swimming pools must conform to the rules of conduct in effect and posted at the facility. District employed lifeguards, as duly authorized agents of the District, shall be empowered to enforce these rules and may limit or bar use of the pools to individuals or groups violating established rules of conduct and safety. The personnel costs related to special equipment set-ups for the pools shall be borne by the permit holder.
46. Multipurpose Building (Gymnasium): Separate facility reservation request forms must be submitted for each identified area in the Multipurpose Building. These areas are: (1) main arena; (2) locker rooms; (3) dance studio; (4) weight room; (5) fitness center.
47. Street shoes will not be permitted to be worn by participants using the main arena floor, dance studio, wrestling room, weight room or gymnastics apparatus area. Smoking, food, or beverages are specifically prohibited in all areas of the building except the South entrance lobby. Towels are not provided by the college. Only college personnel may operate or move equipment or furnishings in the facility. All applicable personnel costs must be borne by the user.
48. The District may require that the main arena floor be covered for protection from damage during an event. The related personnel costs for installing and removing the protective covering shall be borne by the permit holder.
49. Tennis Courts: College tennis courts will be available to all members of the community without charge on the first come, first-served basis so long as such use does not interfere with college instructional use or other college organized activities. Organized groups may apply for exclusive use of courts for tournaments. Smoking, food, or beverages are expressly prohibited on the courts. All participants must wear tennis shoes. Commercial use of the courts for private or group instruction is prohibited except by proper advance permit application procedure.

50. Running Track and Playing Fields: The use of the college running track and playing fields by public groups shall be secondary to use for college instructional and recreational programs.
51. No group may in any way alter, either temporarily or permanently, the playing fields. This shall include digging, shortening length on base paths, marking, moving equipment, or any other type of alteration which would interfere with the subsequent use of the areas by the college.

Application Procedure

52. Application for use of college facilities must be made on a form supplied by the Student Affairs Office; such form is available on the College's web site.
53. Completed application forms must be submitted to the Student Affairs Office at least two (2) weeks prior to the date of intended use, but no more than six (6) months in advance of such use.
54. The Student Affairs Office will check the application form, determine availability of request facilities, assist in arrangements and establish necessary charges.
55. All equipment and facilities to be used must be listed on the application form. Arrangements will be made by the Student Affairs Office for college personnel to operate all equipment and facilities. The permit holder will be responsible for applicable labor charges. A separate application must be completed for each area or facility requested.
56. Upon college approval of the application to use facilities, the Student Affairs Office will return a copy of the completed form to the representative of the organization making the request. This completed form shall serve as a permit to use facilities. Organizations should not release advertising materials or publicity information until such a permit is issued.
57. The District may require that an organization eligible for public service use charges, but which has not before used college facilities, pay a deposit equal to the estimated cost of the use of the facility. Such deposit will be credited to the account of the organization when the bill is ultimately rendered. This deposit policy will apply to all applicants under the fair market use formula.
58. Use charges must be paid within ten (10) days of receipt of the statement from the College Business Office. The District reserves the right to withdraw consideration of subsequent requests from organizations that do not comply with this policy.
59. Permit holders will be responsible for all costs unless cancellation is received at least 72 hours in advance of the scheduled starting time of the event.
60. Groups or organizations using college facilities under these rules will be liable for any damages to or destruction of District property. Negligence will result in the group or organization being held accountable for damages and withdrawal of consideration of subsequent requests.
61. Schedule of Rental Rates: In accordance with California Education Code Section 82530 et seq., and officially adopted policies of the Board of Trustees of the Imperial Community

College District, the following schedule of rental rates shall apply to the use of college facilities by community organizations, except for applications for use which come under the provisions of the Civic Center Act. Fees to be charged for the use of college facilities other than indicated in this schedule will be determined on an individually negotiated basis.

62. Unless otherwise shown, rates for the use of any facility are for each use or four hour maximum. Rates for all use beyond four hours shall be determined on a prorate basis. (Board Resolution No. 11586)

FACILITY	MINIMUM CHARGE	FAIR MARKET USE
Art Gallery	\$ 40.00	\$ 80.00
Amphitheater	\$ 40.00	\$ 80.00
Baseball Field	\$ 50.00	\$100.00
Board Room	\$ 20.00	\$ 40.00
Casbah Room	\$ 20.00	\$ 40.00
College Center-Dining Room	\$ 80.00	\$160.00
Classified Lounge	\$ 20.00	\$ 40.00
Faculty Lounge	\$ 20.00	\$ 40.00
College Center-East Dining Terrace	\$ 20.00	\$ 40.00
Gym-Main Arena	\$160.00	\$320.00
Gym-Dance Studio	\$ 40.00	\$ 80.00
Gym-Locker Room	\$ 20.00	\$ 40.00
Fitness Center	\$ 20.00	\$ 40.00
Regular Classroom (Capacity 50)	\$ 20.00	\$ 40.00
Large Classroom (Capacity 50+)	\$ 40.00	\$ 80.00
Running Track	\$ 15.00	\$ 30.00
Soccer Field	\$ 15.00/Hr.	\$ 30.00/Hr.
Student Life Conference Room	\$ 20.00	\$ 40.00
Swimming Pool	\$ 120.00	\$300.00
Tennis Courts	\$ 3.00/Hr.	\$ 6.00/Hr.

63. The college reserves the right to levy additional charges for special services, equipment, or facilities made available.

64. Organizations renting the swimming pools must also pay for the required number of District lifeguards for the entire period of rental, based upon existing wage rates.

An additional charge will be made for the use of tennis courts when lighting is requested.

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.