



SAN DIEGO COMMUNITY COLLEGE DISTRICT

Board of Trustees Policy

BP 7325 - PUBLIC USE OF DISTRICT PROPERTY

CONDITION

The governing board of any community college district may grant the use of school buildings or grounds for public, literary, scientific, recreational, educational, or public agency meetings, or for the discussion of matters of general or public interest upon such terms and conditions as the board deems proper (California Education Code, Section 82537)

POLICY

The Board of Trustees encourages the use of District facilities by groups and organizations whose purposes and objectives contribute to the development and welfare of the community at large. Such use must comply with the provisions of law and District policy, procedures and local campus/center/site regulations.

RULES

1. The primary use of District properties shall be to carry on District educational programs. All other uses shall have secondary priority. Use shall be consistent with educational purposes and not interfere with the regular conduct of instructional programs.
2. 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.
3. The District may charge the groups identified in Education Code Section 82542(a) an amount not to exceed the following:
 - The cost of opening and closing the facilities, if no college employees would otherwise be available to perform that function as part of their normal duties.
 - The cost of a District employee's presence during the organization's use of the facilities if it is determined that supervision is needed, and if that employee would not otherwise be present as part of his or her normal duties.
 - The cost of public safety services as provided by District College Police.
4. The Board authorizes public use of District properties in the following categories:
 - a. Free Use is for activities which directly support the District's adopted goals, when the event is designed, planned and directed by a District-affiliated group and for those activities sponsored by community organizations, where the use and purpose is of a nonprofit nature.

All free-use activities must be scheduled at times when custodial, security and other personnel are on duty and the activity does not cause additional expense to the District. Free-use activities are established under Education Code section 82542(f). Groups and activities which are eligible for free use are those such as:

- Student clubs and organizations.
 - Fundraising events where admission fees are charged or contributions solicited for the welfare of the students of the District.
 - Parent-teachers' associations.
 - School-community advisory councils.
 - Campfire Girls, Girl Scout and Boy Scout Troops.
 - Senior citizens' organizations.
 - Other public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare.
 - School and community organizations, clubs, or associations organized for cultural activities and general character-building or welfare purposes (such as folk and square dancing, and scout troops).
- b. Direct-Cost Use is for activities or organizations otherwise qualified for free use under this policy, however, the activities are conducted at such times create an additional expense. Direct-cost use rate is established under Education Code, section 82542(e). 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.
- c. Fair Rental Use is for activities or organizations which are not authorized free use under this policy. Fair rental use is established under Education Code, section 82542(f). Examples of fair rental use are:
- 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; or
 - 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.
- d. Unusual Expenses
- These expenses will be paid by the permittee.
 - Examples are consumable supplies and special equipment and operators (not utility and custodial service normal for the property used).
- e. Parking Expenses
- Permittees shall be required to pay parking costs per District policy and fee schedule.
5. Requests for use of District facilities must be made at least thirty (30) days in advance. Requests shall be on forms provided by the District. Permission to use facilities shall be granted by the Vice President of Administrative Services of the applicable campus.

6. Permission to use District facilities shall not be granted for a period exceeding one fiscal year. No person or organization may be granted a monopoly on any facility.
7. All charges for the use of District facilities are payable 48 hours in advance.
8. 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.
9. The District may require Campus Police as a condition of use whenever it is deemed to be in the District's best interests.
10. 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.
11. No alcoholic beverages, intoxicants, controlled substances, or tobacco 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.
12. No structures, electrical modifications, or mechanical apparatus may be erected or installed on District property without specific written approval of the Vice Chancellor of Facilities Management.
13. 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 Marshall.
14. Charges for public use shall be in accordance with this policy and no other charges may be added to it.
15. The District does not assume responsibility for claims of damages or injury arising from the permits granted under this policy. Permittees are required to provide the District with hold-harmless agreements and certificates of insurance with limits acceptable to the District and/or other proof of financial responsibility acceptable to the District.
16. Keys shall not be issued to the using public.
17. All fees paid by a using organization shall be treated as income to Board-restricted accounts.
18. Permits for the purpose of athletic activities shall, as a condition of issue, require a certificate of insurance evidencing a minimum coverage of one million dollars (\$1,000,000) for any liability for injury to persons or damage to District property.
19. The utility costs identified in this policy shall be credited to District utility accounts in all categories of use.

Adopted: February 18, 2010

Supersedes: Policy 7325, 2-12-09