
**Allan Hancock Joint Community College District
Board Policy
Chapter 6 – Business and Fiscal Affairs**

BP 6700 CIVIC CENTER FACILITIES USE

There are Civic Centers at the District's Santa Maria Campus and Lompoc Valley Center. The Civic Centers are the Student Center in building G 106 A&B, gymnasium, Marian and Severson Theaters, and athletic fields at the Santa Maria Campus and the gymnasium room 3-116, room 3-114, and conference room 1-202/1-203 for the Lompoc Valley Center. Use of the Civic Center shall be granted as provided by law. The Superintendent/President or designee shall establish administrative procedures regarding the use of District property and facilities, including property designated by the District as a Civic Center, by community groups, outside contractors, and others.

The administrative procedure shall reflect the requirements of applicable law, including Education Code Section 82537, regarding Civic Centers. The procedures shall include reasonable rules regarding the time, place, and manner of use of District facilities. They shall assure that persons or organizations using District property are charged such fees as are authorized by law. Public use of District property shall not interfere with scheduled instructional programs or other activities of the District on behalf of students.

No group or organization may use District property to unlawfully discriminate on the basis of race, color, religion, ancestry, national origin, disability, gender, gender identity, gender expression, or sexual orientation, or the perception that a person has one or more of the foregoing characteristics, or because a person associates with a person or group with one or more of these actual or perceived characteristics, or on any basis prohibited by law.

Use of the District's Civic Centers will be only for the purposes described by the California Legislature in Education Code Section 82537(a). These purposes include use by associations "formed for recreational, educational, political, economic, artistic, or moral activities of the public school districts" in order to "engage in supervised recreational activities" or "meet and discuss, from time to time, as they may desire, any subjects and questions which in their judgment appertain to the educational, political, economic, artistic, and moral interests of the citizens of the communities in which they reside" (Education Code Section 82537(a)). In granting permission to use the Civic Centers, the District will not discriminate on the basis of viewpoint with regard to organizations engaging in expressive activities on the topics and subject matters articulated above.

Community Use of Facilities

The District permits the use of college facilities by groups and organizations whose purposes and objectives contribute to the development and welfare of the community (Education Code Sections 82530-82548). The primary purpose of college facilities is to house the college educational programs and other uses must not interfere. Authorized use or occupancy of the property for other than college purposes shall be secondary and subordinate to this primary purpose. The college does not intend to be in competition with other facilities in the community which are available for the use of groups and organizations.

When an alternative location is not available, the use of college facilities may be authorized for nonprofit organizations and clubs and associations organized for general character building or welfare purposes (Education Code Section 82542). Because costs are involved in non-college use of facilities, charges may be necessary to defray expenses of such use. The use of college facilities may be authorized for profit-making organizations. Such organizations will be charged a fair rental value for facilities (Education Code Section 82542).

References: Education Code Sections 82537 and 82542

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Allan Hancock Joint Community College District
Administrative Procedure
Chapter 6 – Business and Fiscal Affairs

AP 6700 CIVIC CENTER FACILITIES USE

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 time identified by the Superintendent/President 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 procedures, no organizations shall be denied the use of District facilities because of the content of the speech to be undertaken during the use.

The Superintendent/President or designee is responsible for the coordination and implementation of these procedures and shall determine all applicable fees to be charged based on fees established by the Board.

Outside the designated public forum areas, the following shall apply:

1. 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.
2. 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

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 this procedure.

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 only of the following:

1. 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;

2. 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/her normal duties;
3. 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
4. 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 District facilities. Direct costs shall include costs of supplies, utilities, custodial services, services of any other District employees, and salaries paid to 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:

1. 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.
2. 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 deemed by the Board of Trustees to be necessary to meet the needs of the community.

Rules for Facilities Use

Requests for use of the District's Civic Center must be made at least 30 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 Superintendent/President or designee.

Permission to use District facilities shall not be granted for a period to exceed one fiscal year. No person or organization may be granted a monopoly on any facility.

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 payable in advance.

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.

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 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.

No structures, electrical modifications, or mechanical apparatus may be erected or installed on District property without specific written approval by the Superintendent/President or designee.

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.

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:

1. 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.
2. 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 Civic Center facilities will be as follows:

1. Student clubs and organizations
2. Fundraising entertainment or meetings where admission fees charged or contributions solicited are expended for the welfare of the students of the District
3. Parent-teachers' associations
4. School-community advisory councils

References: Education Code Sections 82537, 82542, and 82548;
Public Resources Code Section 42648.3
Clark v. Community For Creative Non-Violence (1984) 468 U.S. 288, 104
S. Ct. 3065, 82 L.Ed.2d 221

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