

Chapter 6 – Business and Fiscal Affairs

AP 6700 Campus Events and Use of Campus Facilities

References:

California Education Code Sections 82537 and 82548 **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; Baseline Schedule for the Performing Arts Center

Classification of Campus Events:

~~All campus events fall into one of the following categories. (Note: The term “direct cost” for campus events refers to the actual costs for labor, utilities, equipment, and supplies fees. The base costs for specific facilities are established in the Facility Rental Fee Schedule. Under specified circumstances, direct costs may be reduced. See the later section on “Covering Facility Direct Costs.”)~~

~~1. District Operational Event:~~

~~A District operational event is an event that takes place in support of standard District operations. Examples of District operational events include meetings, setups for information distribution, teleconferences, support for direct classroom instructional activities, and other general activities that require a minimal level of technical and logistical support. District operational events may not charge for admission, registration, or for any type of service. However, fees for direct costs of food or materials are allowed. Expenses for District operational events are covered through the General Fund budget of the Event Services Office.~~

~~2. Approved District Club Event:~~

~~An approved District club event is any type of activity conducted by an approved club under the jurisdiction of the Associated Students. In addition to the standard approval requirements for campus events, the Director of Student Life must also approve an approved District club event. Approval is contingent on the availability of budgeted funding. Approved club activities may include minor fund-raising activities such as food sales. Events directly sponsored by the Associated Students are included in this category. Expenses for approved District club events are covered through the General Fund budget of the Event Services Office. (See AP 6625 on College Fund-raising for requirements that apply to generating net income.)~~

~~3. Performing Arts Center District Instructional Event:~~

~~A Performing Arts Center District instructional event is a public performance that takes place within the Performing Arts Center that is part of the baseline instructional schedule for music, theater, and dance established for the Performing Arts Operations Office which~~

~~budgets for the direct cost of these events. Although admission is charged for these events, the admission charges are returned to the Performing Arts Operations Office General Fund budget to help offset the cost of public performances. Additional instructional events that are not included in the baseline schedule require additional funding to cover the expense of technical and logistical support for the event. Such funding requests are made through existing budget processes.~~

~~4. Performing Arts Center District Event:~~

~~A Performing Arts Center District event is a public meeting or performance that takes place within the Performing Arts Center that is part of the baseline schedule for District events for the Performing Arts Operations Office. Generally, admission fees may not be charged for these events, however Festivals and other types of events held to recruit new students to performance programs may collect and retain entry fees to cover expenses. Approved baseline District Events that do charge admission, such as the Holiday Wassail concert, are required to reimburse specified District costs and are allowed to retain the balance of the generated revenue. Subject to budget constraints, expenses for Performing Arts Center District events are covered through the General Fund budget of the Performing Arts Operations Office. Additional events that are not included in the baseline schedule require additional funding to cover the expense of technical and logistical support for the event. Such funding requests are made through existing budget processes.~~

~~5. District Instructional Competitive Event:~~

~~A District instructional competitive event is an event that takes place as part of the regular season schedule of College intercollegiate athletic teams or a sponsored event among intercollegiate competitive academic or vocational teams. Such events are part of the instructional program. Admission for these events may be charged and retained by the sponsoring team; however, all admission and ticketing procedures must be controlled by the central box office. All expenses for technical and operational support of District athletic events are covered through the General Fund budget of the Event Services Office, by approval through the Stars of Excellence fund, or other identified sources. Expenses for additional athletic events as a result of post-season playoffs and championships require additional funding to cover the cost of technical and operational support. Such funding is allocated from the Stars of Excellence fund following existing practices.~~

~~6. District Revenue-Generating Event to Cover Direct Costs:~~

~~A District revenue-generating event is a special event that is peripheral to the core instructional program that generates revenue through admission charges, entry fees, or registration fees. Such revenue must, at a minimum, cover the direct cost of the event. Events that charge only for direct cost of food or materials such as handouts are not considered revenue-generating. The primary function of a revenue-generating event is to promote the program of the sponsoring organization; the generation of revenue is a secondary, although necessary, result. District revenue-generating events do not require the approval of the Mt. SAC Foundation. These events must reimburse the District for the actual direct costs related to the operational and technical support for the event before any~~

~~income may be retained by the sponsoring organization. These costs will be calculated at actual College cost following the event. (See AP 6625 on College Fund-raising for requirements that apply to generating net income.)~~

~~7. District Fund-raising Event:~~

~~A District fund-raising event is a special event that is conducted principally to generate revenue through sponsorships, admission charges, entry fees, or registration fees. District fund-raising events require the prior approval of the Mt. SAC Foundation. These events must reimburse the District for all direct labor, utility, and supply costs before any income may be retained by the sponsoring organization. These costs will be calculated at actual College cost following the event. (See AP 6625 on College Fund-raising for requirements that apply to generating net income.)~~

~~8. District Budgeted Major Event:~~

~~A District-budgeted major event is a new or regularly scheduled event that requires substantial technical, logistical, or operational support from the Event Services Office and operates under a separate restricted or unrestricted fund budget to cover direct costs of the event. Examples of District-budgeted major events include the annual Cross Country Invitational, the Mt. SAC Relays, and the LA84 Grant Youth Days event as well as the annual College commencement ceremony. Admission charges, entry fees, or registration fees may be charged for these events and retained by the sponsoring organization; however, all admission and ticketing procedures must be controlled by the central box office. All expenses for these events are covered under separate budgets established specifically for these events. These costs will be calculated at actual College cost following the event. (See AP 6625 on College Fund-raising for requirements that apply to generating net income.)~~

~~When the Event Services Office receives an approved request for a new major event, the estimated support costs will be calculated and the Director of Technical Services will send the estimated expenses and a recommendation for action to President's Cabinet for review. President's Cabinet may act to deny the request, fund the request on a one-time basis, or establish the event as a District-budgeted special event. Requests for District major events must fully disclose any proposed income generation through admission, registration, or service charges, and this proposed income will be considered as part of the approval process.~~

~~9. District Special Event:~~

~~A district special event is a one-time or occasionally scheduled meeting, event, or competition that is sponsored or co-sponsored by a Mt. SAC unit. These events typically involve both on and off-campus participants and support the mission of the College. Examples include Chancellor's Office workshops, Regional Speech and Debate Competitions, Regional Workforce meetings, Regional Science, Technology or Agriculture Competitions and Academic Senate Area meetings. Such events are to be fully funded either by the external co-sponsor, by the Mt. SAC sponsoring unit, or through special funding provided through normal administrative processes. The Mt. SAC sponsoring unit~~

~~will be responsible for coordinating all event details with the Event Services Office. If a Special Event becomes a regularly scheduled District Budgeted Major Event, the normal funding process for a new major event must be followed.~~

~~10. Contract Event:~~

~~A contract event is any event that is conducted by an outside organization under the terms of California Education Code Sections 82537-82548.~~

~~11. Covering Facility Direct Costs:~~

~~Use of a college facility requires direct costs for labor, utilities, equipment, and supplies depending on the nature of the event. Each event must identify a source of funds to cover these direct costs. That source can be an existing budget, event-generated revenue, and/or donations. The above categories of events cover all these possibilities. Organizers of events should carefully plan budgets to cover direct costs. Direct costs, as specified in the Facility Rental Fee Schedule, are built on data collected from typical use of each facility on campus. Actual direct costs used for campus and revenue-generating events may vary from the Fee Schedule as they are calculated at the conclusion of an event when all costs are known. When organizers anticipate that budget, revenues, or donations may not cover direct costs, scaling down facility needs should be considered. The Event Services Office can be of assistance in this process. For events utilizing campus personnel, it may be possible for services to be donated or for volunteers to perform some of the duties. Because College employees are represented by exclusive bargaining agents, such discussions should involve fair representation of all parties. Particularly for events designed to raise funds for the College and its students, creative solutions are encouraged.~~

~~12. General Provisions for District Events:~~

~~Requests for District use of College facilities should be made at least 10 working days in advance of the first date of use being requested. Requests must be submitted using the on-line submission system. The on-line submission system will forward the request through the approval process, which includes approval by the Division Dean or Departmental Director followed by approval of the appropriate Vice President. Requests for approved Associated Student club events must be submitted by a club advisor who agrees to be present for the duration of the club event. All approved club events and general Associated Students events must be reviewed and approved by the Director of Student Life.~~

~~The Director of Technical Services will review all approved events for conformance to established College policies and procedures and for impact on operational budgets.~~

~~13. General Provisions for Contract Events:~~

~~All contract use of College facilities is performed under the terms of California Education Code Sections 82537-82548. All provisions of Education Code Sections 82537-82548 are hereby incorporated in this regulation even though these provisions are not here duplicated.~~

~~College facilities are available for contract use when, in the opinion of the College, such use does not conflict with College programs and operations.~~

~~Except as provided in these regulations, no organization shall be denied the use of College facilities because of the content of the speech to be undertaken during the use.~~

~~The Director of Technical Services is responsible for the coordination and implementation of the contract rental process.~~

~~All user groups shall be required to provide the College with an indemnification agreement and liability insurance meeting current requirements.~~

~~The American Red Cross or other public agencies may use College facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The College will cooperate with these agencies in furnishing and maintaining services mutually deemed necessary to meet the needs of the community.~~

~~Permission to use College 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.~~

~~Any persons applying for use of College property on behalf of any groups shall be a member of the group and, unless he or she is an officer of the group, must present written authorization to represent the group.~~

~~The specific rules and charges for the contract use of different College facilities are detailed in the Facility Rental Fee Schedule. The Facility Rental Fee Schedule is reviewed and revised by the Director of Technical Services annually in August and submitted to President's Cabinet for review and approval. The revised Facility Rental Fee Schedule is then implemented on January 1st of each year. The rules and conditions for use of each facility listed in the Facility Rental Fee Schedule are hereby incorporated in this regulation even though these rules and conditions are not here duplicated.~~

~~Fees charged for the use of College facilities other than those included on the Facility Rental Fee Schedule, and charges for multiple events will be determined on an individual basis by the Director of Technical Services and approved by the Vice President, Administrative Services. Negotiated rates will be in conformance with Education Code Sections 82542 and 82544.~~

~~The collection of required parking fees for contract events will be coordinated with the Director of Public Safety.~~

~~Priorities for contract use of College facilities are established in Education Code Section 82542.~~

14. Overall Priority for the use of College facilities by all groups will be as follows:

- ~~A. direct instructional use;~~
- ~~B. use by student clubs and organizations;~~
- ~~C. district non-instructional use; and~~
- ~~D. contract use as determined by Education Code Section 82542.~~

General Provisions

College facilities identified as Civic Centers or as designated public forums are available for community use when such use does not conflict with College programs and operations. Facility use shall be limited to places and times identified by the Vice President of Administrative Services, 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, or as authorized by law, no organizations shall be denied the use of College facilities because of the content of the speech to be undertaken during the use.

Outside the designated public forum areas, the following shall apply: All user groups shall be required to provide the College 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 College and/or other proof of financial responsibility acceptable to the College.

Civic Centers

Eligible persons or groups may use College buildings or grounds designated as the Civic Center for public, literary, scientific, recreational, or educational meetings, or public agency meetings, or for discussion of matters of general or public interest, subject to this procedure.

The groups identified in Education Code Section 82542 subdivision (a) will be permitted, "when an alternative location is not available," as described in the statute, to use College facilities upon payment only of the following:

- the cost of opening and closing the facilities, if no College employees would otherwise be available to perform that function as a part of their normal duties;
- the cost of a College employee's presence during the organization's use of the facilities if it is determined that the supervision is needed, and if that employee would not otherwise be present as part of his/her/their 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 or not to exceed the fair rental value of College facilities and grounds under its control. Direct costs shall include costs of supplies, utilities, custodial services, services of any other College employees and contracted workers, and salaries and benefits paid to College employees necessitated by the organization's use of College

facilities. Additionally, except for classroom-based programs that operate after school hours and organizations retained by the College 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 College shall maintain a fee schedule adopted by the Board that includes the hourly fee for each specific school facility and grounds.

The following shall be charged fair rental value for the use of College facilities:

- Any church or religious organization for the conduct of religious services, which may be conducted 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 College or for charitable purposes.

The American Red Cross or other public agencies may use College facilities, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare, and the College 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.

Campus Event Requests and Use of Campus Facilities

Cabinet-approved definitions and standards for campus events and use of campus facilities will be available on the Event Services website. All event requests must be submitted through the College's master calendaring and scheduling system, managed by Event Services, and approved by the respective Executive Manager. Events where content, details, or requirements change must be resubmitted to the respective Executive Manager for approval or will be subject to cancellation.

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