



# **Luna Community College**

## **Administrative Facility Use Procedures**

Luna Community College facilities, which include all of the real property, including all buildings, grounds, sidewalks, and roads that are owned, controlled, leased, or maintained by the college, are established and maintained primarily for use by college students, faculty, and staff for activities that support the basic college functions of teaching, research and services related to educational, cultural, and recreational activities. Furthermore, Luna Community College is dedicated to community engagement and will permit the surrounding community to use its facilities, when possible, in a responsible manner.

Any person, group or organization seeking to use a college facility must comply with the requirements set forth in its Use of College Facilities Use Procedures, which have been designed to:

- 1) Preserve the college's interest in an undisturbed learning environment;
- 2) Provide space for activities that support the college's mission;
- 3) Ensure safety and orderly usage of college facilities;
- 4) Coordinate multiple uses of limited space;
- 5) Ensure preservation of college property; and
- 6) Promote financial accountability for use of college facilities.

### **PROCEDURES**

#### **A. Purpose**

1. To provide a space usage procedure that sets forth a process for college and non-college entities to request the use of college facilities in order to promote consistency when scheduling, supporting, hosting, billing, and other use conditions for events.

2. This procedure applies to the use of all college facilities by college and non-college entities for educational, community, and commercial purposes.

#### B. Scheduling Priorities

### **Prioritization Order**

1. The general prioritization order for use of college facilities will be as follows:
  - a. regularly scheduled college courses;
  - b. college student, staff, faculty and administrative functions, events, or meetings that are central to supporting the colleges mission;
  - c. governmental entity, non-profit organization, community group, or individual(s) events or meeting; then
  - d. For-profit business sponsored commercial events.
2. Prioritization Rules
  - a. As a general rule, conflicting use of the same college facility at the same time will be resolved in favor of the first entity to submit a request to the Facilities department.

#### C. Scheduling Procedures

1. The facilities department is responsible for Scheduling Use of College Facilities

College and non-college entities must obtain approval of the use of a college facility by submitting an electronic or written request to the Facilities Department Office.

2. Submission of a Request to Use College Facility
  - a. College entities must schedule the use of a college facility by using the current online system or by contacting the Facilities Department Office.
  - b. Non-college entities seeking to use a college facility must have the partnering college department submit a completed Facility Request Form or contact the Facilities Department.
3. Required Information to be Provided in Request
  - a. the name of the college or non-college entity (i.e. organization, group or individual) requesting use of a college facility;
  - b. the date, time, and duration of the college facility to be used;
  - c. the name and location of the preferred college facility to be used;
  - d. contact information including name, physical address, phone number, and email address of individual representing college or non-college entity requesting use of the college facility;

- e. a clearly defined description of the intended use, purpose of the event, and intended audience at the requested college facility. This description must include, if applicable, the name of any speaker or speakers and the general topic of an address or presentation;
- f. the estimated number of persons who will attend the event;
- g. whether an admission fee will be charged and, if so, the amount and purpose of this fee; and
- h. any special set-up, teardown, or equipment required for the use of the facility.

The college or non-college entity seeking to use a college facility may be charged for the hard costs associated with any necessary set-up, tear-down, and or equipment provided by the college for use of the facility which exceeds the scope of services identified in the use agreement.

#### D. Time Requirements for Submission and Determination of Requests to Use College Facility

1. A request to use a college facility should be submitted to the Facilities Department in a reasonable amount of time prior to the proposed date for the event (preferably 30days). Given the demand for the use of some college facilities, requests for a particular venue may need to be submitted a significant time before the proposed event.
2. Approval or Disapproval of Requests:

The Facilities Department will review and make a determination on requests to use college facilities in a timely manner. This determination will be based upon the criteria set forth in section IV.E.

#### E. Scheduling Criteria and Standards

1. The use must be appropriate for the nature and purpose of the facility.
2. The use should not unreasonably interrupt or interfere with regularly scheduled college courses, programs, or events.
3. The use must not subject college facility, personal property, participants or spectators to an unacceptable risk of harm, damage or injury.
4. If, during review of the application and continuing until the date of the event, the Facilities Department determines that the applicant has not fully disclosed its proposed use of the college facility, the Facilities Department may cancel the proposed or scheduled event.
5. The use must not violate any applicable law, regulation, or college policy.

#### A. Costs and Expenses Related to Use of College Facility

1. Execution of Written Use Agreement

The Event Scheduling Office is responsible for the negotiation and execution of a written and signed contractual use agreement for external events.

2. Rental or Use Fee

a. Use by College Entity

1. Rental fees for use of a college facility by a college entity is not required under normal use circumstances. However, rent, fees, or hard cost expenses may be assessed by the Event Scheduling Office, with oversight by the President of Luna Community College.
2. Some of the factors which the Event Scheduling Office may consider in charging rent, fees, or hard costs, include, but are not limited to the following:
  1. An admission fee is charged for the event;
  2. The event requires special custodial services, equipment, or support services;
  3. The event is scheduled beyond normal operating hours for the particular college facility; or
  4. Any other circumstances where the use imposes additional costs on the college.

b. Use by Non-College Entity

Rental fees and hard costs are required to be paid for the use of college facility by a non-college entity. The amount charged will be set forth in the fee rate schedule established by the Facilities Office. This office shall provide an itemized receipt of the fees charged.

c. Use by Partnerships

1. This amount will be set forth in the fee rate schedule established by the Event Scheduling Office. A partner will be required to pay for all hard costs related to their use of the college facility.

B. Use Agreement Conditions Imposed on Use of College Facility

1. Liability Insurance (Property Damage and Personal Injury Liability Insurance)

- a. College entities, excluding student organizations, are covered by the **New Mexico Public Schools Insurance Authority** and are not required to provide additional liability insurance coverage.
- b. Student organizations may be required by the Facilities Department Office to provide liability insurance for their use of the college facility depending on the amount of risk that the student organization's proposed use of the college facility present to the college.
- c. Non-college Entities may be required to provide property damage and third-party liability insurance ("liability insurance") during their use of a college facility. As evidence of this coverage, a certificate of liability insurance must be provided to the Facilities Department Office. This certificate must list the college as an additional insured, and provide an additional insured endorsement. Minimum insurance limits will be **\$1,000,000.00**. If the proposed use of the college facility involves

increased risk, the Facilities Department Office, after consultation with the college's director of Risk Management may increase this minimum liability coverage to an appropriate amount.

2. Event Ending Times
  - a. Ending times of events on campus may not go past 10:00 p.m., unless otherwise approved by the Facilities Department Office, or by an authorized college official.
  - b. The college expressly reserves the right to require that any event end at an earlier time for any reason.
  - c. There shall be no overnight usage unless the President or Facilities Director approves.
3. Restrictions Regarding Use of College Facilities to Solicit or Conduct Sales and Advertise Events.
  - a. Postings: Any postings by a college or non-college entity must comply with the current LCC Advertising and Posting Policy.
  - b. Solicitations: The sale of goods, food, or services by a non-college entity is not allowed in or on any campus facility, unless written authorization is provided.
    1. The sale of goods, foods, or services by college employees is not allowed unless the president provides written authorization.
    2. The sale of goods, foods or services by college students is not allowed unless written authorization is provided by the President or Facilities Director.
  - c. Advertisement of College Events
    1. The college entity or non-college entity who has contracted to use a college facility will be identified on all paper based, electronic and digital advertising including, but not limited to, newspaper, television, radio, websites, social media accounts, posters, brochures, and announcements.
    2. Furthermore, this advertisement will include a clear disclaimer that the college does not sponsor the event.
4. Sound Amplification Equipment
  - a. In the event that sound amplification equipment is to be used at a college facility, the college entity or non-college entity using it must first obtain permission from the Facilities Department Office.
  - b. Sound equipment shall only be used at sound levels that does not unreasonably disturb teaching, research, or other duly authorized meetings or activities. Violations of this restriction shall constitute grounds for revocation of the permission to use the sound amplification equipment.
  - c. Sound Amplification: Levels of sound from big band speaker systems, or other amplification equipment, shall not exceed noise levels as specified by the Facilities Department. Measurements may be taken at any college boundary or at any point within the property (facility) affected by the noise.
5. Security and Additional Security Costs
  - a. The college may require appropriate police, public safety, and security measures for any event within the scope of this policy. The Life Safety

Director will determine the appropriate security measures for the event.

- b. The college may require a college entity or non-college entity to provide payment for costs associated with necessary additional security for the use of the college facility. This payment may be required to be made in advance of the event and as a condition precedent to use of the space.

#### C. Miscellaneous Provisions

##### 1. Prohibition Against Fronting

- a. Fronting for any purposes including reserving space and receiving a discount is prohibited.
- b. If it is determined, that a college and/or non-college entity has been fronting, the event may be canceled, and the entity may be charged the full rental fee for the event, if expenses have been incurred.
- c. Non-college entities that have engaged in fronting shall be prohibited from scheduling future events in the college facility.
- d. College and non-college entities that have engaged in fronting may be charged a rental fee for the reserved use of the college facility as determined by the Facilities Department Office.
- e. College employees that have engaged in fronting may face corrective action.

##### 2. Requests to Film or Perform Photo-Shoots on college Facility by non-college Entity

- a. Requests to film or perform photo-shoots on campus shall not interfere with any previously scheduled events or the delivery of educational services.
- b. All non-college entities requesting to conduct filming or photo-shoots on college facilities are required to submit to the college's Public Relations Coordinator, at least 21 days before the proposed production date unless modified in writing by the Public Relations Coordinator, the following documentation or information:
  1. a script of the production;
  2. proof of insurance commensurate with the size of production and liability which is approved by the college's Life Safety Director;
  3. a detailed timeline that includes staging, logistics, vehicles, security, equipment, support, proposed temporary modification or movement of college property, craft services, and possible special conditions for the production;
  4. a proposed location agreement that includes a negotiated fee that is commensurate with the size, length and scope of the production; and
  5. any other information or documentation deemed necessary by the Public Relations Coordinator.
- c. Before any filming or photoshoot is conducted at a college facility, a written use agreement that has been reviewed in accordance with the college's contract review process, must be approved and signed by the president.

- d. The applicant(s) must submit these materials to the college no less than 21 days before the proposed production date. All filming requests will be reviewed by Public Relations, Facilities Department, Life Safety, Senior Administration, and other departments affected by the production before approval by the president.
- e. Exceptions:

This provision shall not apply to the following activities:

1. student filming or photo-shoot activities which are part of class requirements;
  2. filming or photo-shoots of college sponsored campus speakers;
  3. media entity conducting filming or photo-shoot of news event occurring on college campus;
  4. filming or photo-shoots of athletic events on college campus;
  5. all filming or photo-shoots conducted for internal department purposes; and
  6. all filming or photo-shoots conducted on a handheld personal electronic device that are taken for personal purposes.
- 3. Parking Requirements and Restrictions
    - a. All college and non-college entities using a college facility will comply with campus parking and security rules and guidelines.
    - b. Any vehicle parked illegally may be subject to ticketing and/or removal to impound facilities at the owner's expense.

#### **D. No Waiver of Facilities Usage Fees**

The waiving of these costs is precluded by the New Mexico Constitution's Anti-Donation clause, which forbids the college from donating money, goods or services to organizations that are not part of the college. Only LCC chartered groups/organizations, faculty/staff, and/or departments are allowed to use facilities free of charge. Their right to use facilities free of charge is limited to academic events or other uses that are directly related to the college's mission. LCC organizations and departments are not allowed to extend their allowance to use facilities free of charge to non-university individual(s)/organization(s) by co-sponsoring events, unless the event is clearly related to the college's mission and approved by the Facility department Office and the President.

