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**TITLE: USE OF FACILITIES AND PREMISES**

**EFFECTIVE DATE:** May 26, 2011

**LAST REVISION:** February 26, 2015

Policy No. 9.1002

**PURPOSE**

- A. To state the policy of Baton Rouge Community College on the use of facilities and premises within its care and custody.

**POLICY**

- A. The facilities and premises include buildings and property belonging to or in the care and custody of the Baton Rouge Community College are established and reserved for use in accomplishing the instructional, research, and public service missions of the College, which must always be given first priority in the assignment of facilities and premises for use. Accordingly, scheduling of facilities and premises use should not preempt the use of facilities required for teaching, research, and other academic activities.

Departments and divisions of the college, recognized student organizations, affiliated organizations as defined by the regulations of the Board of Supervisors, or groups and organizations not otherwise affiliated with the System may be granted permission to use its designated facilities and premises when such does not interfere with the accomplishment of campus missions and programs, either specific or general, and is in accordance with established conditions which govern such use.

It is contrary to this policy for decisions regarding the use of designated College facilities and premises to deny the exercise of constitutionally protected rights, to discriminate unlawfully, or to knowingly result in unfair competition with private businesses; however, in all cases in which its facilities and premises may be used, the Vice Chancellor for Finance has the right to apply or formulate reasonable conditions as to the time, place, and manner in which such use may take place.

**PRIORITY IN FACILITY USE**

- A. Priority in the use of facilities and premises is established as follows:
1. Departments and Divisions of the institutions within the College in the conduct of assigned missions and programs.
  2. Recognized student organizations, organizations of faculty and staff, and college affiliated organizations for programs and activities conducted pursuant to the purposes of these organizations.



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3. Educational, religious, and non-commercial organizations not affiliated with the college may be granted permission to use its facilities and premises to conduct educational, informational, cultural, or religious programs for the benefit of their members or the community and the general public. Programs of these organizations for the college community and the general public must be sponsored by a college administrative unit or a recognized student or campus organization with a logical relationship to the sponsored program and which must have an active and meaningful involvement with the management of the program. For programs which are educational in nature and offered to the community and/or the general public, sponsorship must be by a unit of the college. If an admission fee is charged to such events, it must be on a ticketed or "pay-at-the-door" basis only. If funds are to be solicited otherwise, the programs will be considered under provisions relating to charitable fund raising.
4. Other individuals or organizations not associated with a System institution.

### **PROGRAMMING DEPARTMENTS**

- A. Certain departments and other components of the College are specifically charged with the development and presentation of educational, cultural, recreational, athletic, and other programs for the benefit of students, employees and the general public within facilities and premises assigned to or available to those programming units.

### **ATHLETIC FACILITIES**

- A. Athletic facilities including intercollegiate sports, recreational and leisure sports are subject to the following special provisions:
  1. Use of athletic facilities may be permitted by non-College groups for athletic events only with the sponsorship of a college administrative unit or recognized student or campus organization as provided for above.

### **INCIDENTAL USE OF FACILITIES AND PREMISES**

- A. Although, the College has no intent to knowingly permit the use of its facilities and premises so as to engage in unfair competition with private businesses, this policy recognizes that for certain kinds of activities and programs, the size, location, and specialized nature of some college facilities may make them the most suitable available facilities for use by individuals and groups not otherwise associated with the college. Under such circumstances and with the requirement that such use may not interfere with or hamper the conducting of college programs and activities, such incidental use may be approved by written agreement executed through the appropriate campus official. Such use might be based upon facility size or might be based upon the appearance or configuration of facilities and premises that might be used in filming or other purposes.



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### **FUND RAISING FOR CHARITABLE PURPOSES**

- A. With the sponsorship of an administrative unit of a campus or a recognized organization of students or employees, or an affiliated organization, facilities and premises may be used by a tax-exempt, charitable organization for the purpose of raising funds for charitable purposes. In all such cases, the charitable organization must conduct the activity itself with an active and meaningful College sponsor involvement and may not contract with a third party for the conduct of the fund raising event nor may the event be conducted in such a way as to provide private businesses with opportunities to engage in commercial solicitation within College facilities and premises. Normally, such events are limited to one for each organization during each year and federal-tax exempt status is required.

### **RELATIONSHIP WITH NON-COLLEGE ENTITIES**

- A. In granting the use of its premises and facilities to non-College entities, Baton Rouge Community College establishes certain conditions necessary to define its relationship with the entity using its facilities.
1. No agency or joint venture relationship may exist.
  2. Written indemnification against damages arising from or in the course of facility users use of its facilities and premises is required. The College reserves the right to require certification as proof of insurance. In the absence of specific written agreement to the contrary, no license or other approval is granted for the use of the name of any BRCC College campus or any other word or images associated with the College for purposes of direct or indirect endorsement or for any use other than to incidentally denote the location of an activity on its premises.
  3. In the absence of specific written authorization to the contrary, approval for the use of College facilities and premises grants no right for users of its premises and facilities to enter into third party agreements, which may involve the use of its facilities and premises.

### **FACILITY USE FEES**


- A. Use of College facilities is granted with the requirement that such use be at no direct cost to the College. Accordingly, reimbursement for services provided and other costs incurred may be required as a condition of using College facilities and premises. In addition, if the facility to be used is one in which all or a portion, of its operating costs are derived from use charges, the normal use charges shall be applied. If an admission charge is collected or funds are solicited, an additional fee may be assessed.



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**ADMINISTRATION**

- A. Authority for decisions regarding the use of College facilities and premises under this policy is vested in the LCTCS System President, Chancellor or his/her designee; however, review and action on routine requests by students and student organizations is assigned to the campus Chancellor or his/her designee.

Source of Policy:	<u>Finance</u>	Responsible Administrator:	<u>Vice Chancellor for Finance</u>
Related Policy:	<u></u>	LCTCS Policy Reference:	<u>4.005</u>
Approved by:		LCTCS Guideline Reference:	<u>N/A</u>
Chancellor	<u>Andrea Lewis Miller</u>	Date:	<u>02/26/15</u>