

ARTICLE XI: Use of Grounds and Facilities

Section 1.0 General Statement

Although the College strives to make every attempt to accommodate the needs of all community constituencies, recent security and safety concerns have necessitated certain restrictions on the use of the College premises.

Section 2.0 Priority for Building Usage

- a. Priority for use of the buildings and grounds will be, in the following order:
 - (i) Credit classes or graduate classes brought to the College for staff development purposes.
 - (ii) Non-credit College-sponsored classes (except those requiring use of the gym).
 - (iii) Official College boards, councils, committees and related groups, as well as, student activities and the concert/lecture series.
 - (iv) Outside public groups, organizations, and people.
- b. When the College is officially closed, only those individuals who are engaged in administrative assignments or involved in supervised activities or classes or otherwise have secured written permission will be allowed access.

Section 3.0 Procedures in Scheduling

- a. All credit classes and special graduate courses are to be scheduled through the Office of the VP/Dean of Academic Affairs.
- b. All non-credit classes, as well as, all other activities, meetings, gallery exhibits, and events, are to be scheduled and supervised by the Community Services Office. Room requests shall be processed according to the priorities in Section 2.0 except:
 - (i) All athletic home games and practices in the gym and athletic fields are to be scheduled by the Office of the Athletic Director.
 - (ii) The Board Room is scheduled through the President's Office.
 - (iii) Foundation Gallery is scheduled and supervised by the Chairperson of the Arts and Humanities Division.
 - (iv) Room 217 is scheduled by the Student Activities Office. Preference for use shall be given to all student organizations.

Section 4.0 Outside Group/Public Usage/Designated Limited Public Forum

- a. The College's facilities are available primarily for programs offered by and intended for the campus community's educational, cultural and charitable benefit. No social, fund-raising, or for-profit oriented group, organization or person will be permitted on College property. No individual or organization may use the college buildings and/or grounds without filing the appropriate application with the College, as specified in Section 6.0 below.
- b. The College makes available as an area designated for use as a limited public forum that part of the campus identified on the attached Exhibit "A", which is generally located around the 911 Memorial and flag pole area. The purpose of such designation is to permit non-college groups and members of the public to exercise their rights of speech and assembly. To the extent possible, the designated area shall be made available to members of the general public between the hours of 9:00 am and 4:30 pm, Monday through Friday. Any use of the designated limited public forum shall comply with all federal, state, county, local and College laws, rules and ordinances, and shall be limited to the times and circumstances granted in writing by college officials after consideration of the application and other planned college activities.
- c. Shouting, the use of loudspeakers, bullhorns, microphones or other sound-enhancers may not be used in the limited public forum designated area so as to interfere with regularly scheduled activities of the College or specially-planned events held by the College. The President or his designee shall have sole discretion in determining whether or not said sound-enhancers interfere with College activities or events.
- d. The activity shall not conflict with regularly scheduled activities of the College or specially-planned events held by the College.
- e. The group and/or member(s) of the public shall have adequate leadership and supervision to ensure adherence to college regulations and ensure the safety of the faculty and staff of the College.
- f. No political campaigning by any political party representative or advocate shall be allowed on College property. This policy is a "blanket exclusion" not to be used to discriminate against any speaker's viewpoint to the advantage of another speaker's viewpoint. This policy shall apply to recognized student political clubs and activities hosted by student clubs acting in accordance with College procedures.

Section 5.0 Outside Group Fees and Taxes

- a. Outside groups, organizations or individuals shall reimburse the College in full for all of the expense of operation, maintenance, and depreciation of the facility associated with such use. Schedule of appropriate fees shall be established by the Office of Community Services from time-to-time, and approved by the President and Board of Trustees.

- b. The cost of personnel, including applicable fringe benefits, required by the College for security or custodial maintenance (or requested by the applicant) shall be in addition to the rental fees.
- c. The Office of Community Services shall, in their sole discretion, have the authority to waive the fees for governmental or educational programs that are of benefit to the College community.
- d. If an admission or other fee is charged for an event utilizing College facilities, the applicant is responsible for the payment of any taxes (including sales tax) required by law directly to the appropriate tax collection agency or agencies.

Note: Applicable personnel costs are in addition to facility fees; Minimum staffing for Theater use: Site Coordinator, Maintenance personnel present during the performance, Theater Technician present at all rehearsals and performances; and personnel charges are calculated at the current college rate plus applicable fringe benefits are charged for a minimum of four hours.

Section 6.0 Application Contents and Application Procedures

- a. The applicant shall file a written application for use of the College's grounds and/or facilities on a form to be supplied by the college and annexed hereto as Exhibit "C." Such request shall specify with particularity the location, dates, times and intended purpose (s) for use. The request shall also designate one contact person who shall be present at all times throughout the event.
- b. The application shall be filed at least five (5) days in advance with the appropriate scheduling office list above in Section 3.0.
- c. The applicant shall submit a Certificate of Insurance if an event or class will be attended by more than fifty (50) people. Said Certificate of Insurance will name the Columbia-Greene Community College, Columbia County, Greene County, and the State of New York as insured. The amount of coverage of said Certificate of Insurance is subject to approval by the College.
- d. The applicant shall submit an indemnity and hold harmless agreement indemnifying and holding harmless the College, Columbia County, Greene County, the State of New York, their agents, servants or employee from any and all claims arising out of, or in any way connected with the function and activities for which application is made.
- e. The applicant shall agree to assume all responsibilities for damage or liability including theft of any kind whatsoever and further agrees to reimburse the College for any expense or cost in connection with use of College facilities in accordance with the policies and procedures of the College.
- f. The applicant shall agree to comply with all appropriate federal, state, county and municipal laws, regulations, ordinances, College policies, and code in effect.

- g. The applicant shall meet all conditions established by the College approving the requested facility use. These conditions must be met by the applicant prior to the actual facility use.
- h. The College President and/or his designees shall review the application and have sole authority to execute their discretion in granting or denying said application, or otherwise acting upon same.

Section 7.0 Limitations, Conditions and Restrictions of Applicant's Use

- a. The applicant may not transfer or sublet its rights and privileges to any other individual, group or organization.
- b. The administration of the College reserves the right for the college cafeteria operator or an appropriate student organization to operate all concessions on campus.
- c. Use of specialized facilities (i.e. theater, gym, etc.) requires the presence of College staff familiar with the specific facility and its equipment, and is subject to the availability of said staff.
- d. College Officials and designated employees may not be refused admission and/or access at any time during the applicant's use of College facilities and/or grounds.
- e. There shall be no installation of equipment or alterations to existing facilities by the applicant without prior permission of the administration.
- f. Loudspeakers, bullhorns, microphones and other sound-enhancing devices that increase the outside sound level of speech so that it can be heard inside any College building are not permitted at anytime on campus without the express written consent of the College.

Section 8.0 Limitations on Use of Decorations and Sets

- a. Any and all decorations and sets to be used must be fireproof and subject to the approval of the administration of the College. No open flame decorations shall be used anywhere in any building. No decorations or sets shall be fastened to any walls, ceilings, stages or floors.
- b. Any and all decorations, furnishings, sets and equipment shall be installed and removed by the applicant. All such decorations, furnishings, sets, equipment and debris shall be removed within such time periods, as the College administration shall direct.

Section 9.0 Alcohol and Smoking Policy

- a. Alcohol beverages may not be consumed, distributed, or served on campus, except at special College events that have been granted specific approval by the President or his/her designee. Only nonalcoholic beverages may be served and/or sold at student sponsored events on campus. The College administration interprets this section to exempt lawful alcohol consumption provided by licensed vendors on their premises with approval by the President or Designee.
- b. Smoking is only permitted in the parking lot areas of the College campus, and is not permitted inside any campus building or in any other area of the campus.

Section 10.0 Use of Athletic Field

The Athletic Fields may not be used outside groups, organizations or individuals for recreational purposes except with express written permission of the administration, and subject to the remaining provisions of this Article X.

Section 11.0 Use of the Gym and Fitness Center

The priority for use of the gymnasium and fitness center always will be given to physical education classes and inter-collegiate athletic practices and games. Varsity practice in the gym will be scheduled by the Athletic Department and will be generally held from 3-7 pm daily.

The college fitness center is utilized for credit and non-credit classes as well as special programs. When the fitness center is not scheduled for instructional purposes it is available for use by **current** students and employees as per posted hours. Everyone using the fitness center must complete required paperwork and follow all published rules and regulations. The fitness center is NOT open to the general public.

Section 12.0 Reservations

- a. The Board of Trustees or Administration of the College reserves the right to refuse any applicant or to revoke an application that has heretofore been approved in their sole discretion.
- b. The Board of Trustees or Administration of the College reserves the right to deviate from the policy outlined herein to provide for any special circumstances and requests as they deem fit under the circumstances for the safety and well-being of the students, faculty and members of the college community.
- c. The College reserves the right to close the College and cancel activities and events with no notice due to weather or other conditions which, in the sole opinion of the College, are hazardous.

- d. The College will not be liable for any special damages incurred or sustained by an applicant due to any such cancellation or adjournment of any activity, event or grant of use of the college facility.

Section 13.0 Notice of Denial

In the event that an application is denied by the College, the applicant will be provided with notice of denial of the designated area or use for the proposed date and/or time, at least one (1) business day prior to the date of the proposed use. In the event two or more requests are made for the same area, preference will be given to the first request received, however, subject to the order of priority of scheduled events set forth in Section 3.0 above.

Section 14.0 Appeals

- a. Any applicant denied use of the facilities as herein provided shall have the right to appeal to the College President or the person designated by him for a review of the denial, by serving a written notice of any such appeal and include therein a statement setting forth the reasons why the applicant believes that the denial was improper.
- b. The notice of appeal must be filed with the office of the College President within ten (10) days after the mailing of the notification of denial. In the event a notice of appeal is not timely filed, it shall be a conclusive presumption that such denial was reasonable and appropriate.

Section 15.0 Amendments

The College President and Board of Trustees hereby reserve the right to amend, supplement or alter these rules, policies and regulations as they deem necessary appropriate for the security and safety of the students and staff, and the orderly operation of the College campus.