



## 2.2.050

# Use of College Facilities and Properties Policy

Date of last board of trustees review: October 9, 2024

The originator of this policy is Finance and Administration. Questions regarding this policy may be directed to the originator by calling 801-957-4219.

## 1. Policy

Salt Lake Community College facilities, including all real property, are established and maintained primarily for use by college students, faculty, and staff for activities that support the essential college functions of teaching, research, and services related to educational, cultural, and recreational activities. Furthermore, the college permits 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 outlined in its Use of College Facilities and Properties Policy, which the college has enacted to:

1. preserve the college's interest in an undisturbed learning environment;
2. provide space for activities that support the college's mission;
3. protect the free exchange and diversity of ideas;
4. ensure safety and orderly usage of college facilities;
5. coordinate multiple uses of limited space;
6. ensure the preservation of college property; and
7. promote financial accountability for the use of college facilities.

## 2. References

- A. Campus Free Expression Act, Utah Code Ann. §§ 53B-27-201–205.
- B. Adjusted Utah Governmental Immunity Act Limitations on Judgments, Utah Admin. Code r. 37-4.
- C. Revenue-Generating Activities, Utah State Bd. of Higher Ed. r. 553.

- D. Providing Facilities, Good and Services in Competition with Private Enterprise, Utah State Bd. of Higher Ed. r. 555.
- E. Capital Facilities Space Scheduling and Assignments, Utah State Bd. of Higher Ed. r. 751.

## 2.2.050

# Use of College Facilities and Properties Procedure

Date of last executive cabinet review: August 27, 2024

The originator of this procedure is Finance and Administration. Questions regarding this procedure may be directed to the originator by calling 801-957-4219.

## 3. Definitions

- A. **Camping:** sleeping between the hours of 10:30 p.m. and 8:00 a.m. in college facilities or on college property with or without bedding, tents, or other similar equipment.
- B. **College Entity:** any group or person funded by the college and covered by the state of Utah Risk Management insurance. For the purposes of this policy, a student organization is considered a college entity.
- C. **College Facility:** all the real property, including all buildings, grounds, sidewalks, and roads that are owned, controlled, leased, or maintained by the college.
- D. **Designee:** a person who has been officially chosen by the vice president or president, in writing, to do or be something. Persons responsible for receiving, reviewing, and approving applications for use of college facilities are ineligible to be assigned as designees due to conflicts of interest.
- E. **Event:** Any organized gathering, activity, or occurrence that brings people together for a specific purpose. This includes, but is not limited to, scheduled social gatherings, meetings, fairs, concerts, tournaments, games, camps, intramurals, practices, and exhibitions. This definition also includes occasions space is booked for use by an external entity, including partnerships.
- F. **Event Scheduling Office:** an office in the Academic Affairs division responsible for receiving, reviewing, and routing to the appropriate scheduling office for approval event requests.
- G. **Fronting:** when a college or non-college entity uses a college facility or services under false representation to the Event Scheduling Office that the activity is a partnership event.
- H. **Hard Costs:** any costs incurred by the college for a party's use of a college Facility,

exclusive of rent, which may include, but is not limited to, costs associated with additional staffing, equipment use, security, traffic control, and waste collection.

- I. **Non-College Entity:** any non-Salt Lake Community College (“SLCC”) group or person that is not covered by the state of Utah Risk Management Insurance or receives no operational funding from SLCC.
- J. **Partnership:** a professional and formalized relationship between a college entity and a non-college entity.
- K. **Student Organization:** a group of SLCC students who are established and organized for economic, educational, political, religious, social, or other lawful purpose which is registered with, approved by, and compliant with the college’s office of Thayne Center for Student Life, Leadership, & Community Engagement requirements.
- L. **Use Agreement:** written contract for the use of a college facility requiring a college or non-college entity to comply with contract terms and conditions, this policy, and other college policies, procedures, and guidelines.

## **4. Procedures**

### **A. Purpose**

- 1. To provide a space usage policy that sets forth a process for college and non-college entities to request the use of college facilities to promote consistency when scheduling, supporting, hosting, billing, and other use conditions for events.
- 2. This policy applies to the use of all college facilities by college and non-college entities for educational, community, and commercial purposes.
- 3. This policy does not prohibit the Lifetime Activities Center, Grand Theatre, Miller Conference Center, the Mill and Student Centers from establishing more stringent, site-specific rules, procedures, fees and providing services that support their unique function at the college in addition to the rules and procedures outlined in this policy. These site-specific policies and procedures must be approved, in writing, by the appropriate vice president or designee.

### **B. Scheduling Priorities**

- 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 roles assigned to the college by the state board of higher education consistent with its mission that are created or administered by college entities, including Salt Lake Community College Student

Association (SLCCSA) and registered student organizations;

- 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. Generally, 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 Event Scheduling Office.
- b. The vice president of Finance and Administration or their designee may deviate from this rule if it is determined to be in the best interests of the college after scheduling office staff and the involved parties have attempted, in good faith, to resolve the scheduling conflict.

## C. Scheduling Procedures

### 1. Event Scheduling Office Responsible for Scheduling Use of College Facilities

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

All internal and external events must be scheduled and managed using the college's primary space scheduling software, as determined by the Academic Scheduling Office. Any use of additional booking software must receive approval from the Academic Scheduling Office. Conference rooms exclusively used and managed by departmental offices are exempt and intended for internal use only.

### 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 Event Scheduling Office.
- b. Non-college entities seeking to use a college facility must have the partnering college department submit a completed Facility Scheduling Request Form or contact the Event Scheduling Office.
- c. Non-college entities seeking to use a college facility without a partnering college department must submit a completed Facility Scheduling Request form to the Event Scheduling Office.

### 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.
  - i. 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 the use of the facility which exceeds the scope of services identified in the use agreement.
  - j. If a non-college entity or partnership group seeks a rental fee discount, it must provide to the Event Scheduling Office, at the time of submission of its application, a copy of the following documentation:
    - (1) If the non-college entity claims to be tax exempt under section 501(c)(3) or 501(c)(6) of the Internal Revenue Code, it must provide a copy of its Internal Revenue Service Determination Letter identifying that it is a 501(c)(3) or 501(c)(6) tax-exempt entity.
    - (2) If a non-college entity is claiming to be a partnership group or entity with the college, written verification, or approval of partnership status from an authorized college official must be provided.
  - k. any other necessary information requested by the Event Scheduling Office.
- 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 Event Scheduling Office in a reasonable amount of time prior to the proposed date for the event. 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 Event Scheduling Office will review and decide on requests to use college facilities in a timely manner. This determination will be based upon the criteria set forth in section 4.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 Event Scheduling Office determines that the applicant has not fully disclosed its proposed use of the college facility, the Event Scheduling Office may cancel the proposed or scheduled event.
5. The use must not violate any applicable law, regulation, or college policy.

**F. Obtaining Partnership Status for Use of College Facility**

1. A non-college entity may be granted partnership status with respect to its use of a college facility if it complies with this policy's application requirements.
2. Upon receipt of the proposed partnership's application to use a college facility (in draft form, needs approval by owner of policy), appropriate Scheduling Office will coordinate the review with the appropriate vice president who will make the determination whether partnership status will be granted. In making this determination, the following criteria should be used to evaluate the request:
  - a. The event must be directly related to the college's mission or the services provided by the college.
  - b. The college entity (department or organization) must have a direct involvement and vested interest in the initiation, organization, and hosting of the partnership's use of the college facility.
3. If the appropriate college official, as stated above, determines that partnership status will be granted, the following actions will be required as terms and conditions of the use agreement between the college entity (department or student organization), partner, and Event Scheduling Office:
  - a. The partnering college entity agrees to be the primary point of contact for the

partnership event.

- b. The partnering college entity agrees to be financially responsible for the partnership event, in all instances, if the partnership fails to pay the college for costs related to the use and services related to the event. This liability shall include, but not be limited to, the following:
  - (1) The non-college entity fails to pay for use of the space or services related to the Partnership event.
  - (2) The non-college entity fails to pay for property damage caused to the college facility during the partnership event.
- c. The partnering college entity agrees to be physically present for the partnership event unless the Event Scheduling Office determines, after consultation with the partnering college entity (department or organization), that their presence is not required.
- d. The sponsoring college entity is required, if necessary, to perform the following activities related to the partnership's use of the college facility:
  - (1) working with the appropriate scheduling office to make the reservation(s);  
and
  - (2) coordinating billing transactions; and
  - (3) collect required proof of insurance.
- 4. If a non-college entity obtains partnership status and complies with all requirements set forth in this policy, terms and conditions of their use agreement, and any other reasonable requirements established by the Event Scheduling Office, the partnership will be subject to a reduced use fee as set forth in Section 4.G.2.e of this policy.

#### **G. 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 and Facilities, with



oversight by the vice president of Finance and Administration or designee.

- (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:
  - (a) an admission fee is charged for the event;
  - (b) the event requires special custodial services, equipment, or support services;
  - (c) the event is scheduled beyond normal operating hours for the particular college facility; or
  - (d) 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 Appropriate Scheduling Office over the space in consultation with the Business office. This office shall provide an itemized receipt of the fees charged.

**c. Use by 501(c)(3) or 501(c)(6) Non-Profit Organization**

- (1) Non-profit organizations will be charged a 50 percent rental fee for any use of college facilities.
- (2) The amount charges will be set forth in the established fee rate schedule.
- (3) These organizations are required to submit documentary proof of their IRS 501(c)(3) or 501(c)(6) status at the time of the application. These organizations will be required to pay for all hard costs related to their use of the college facility.

**d. Use by Federal, State, or Local Government**

- (1) Federal, state, or local government will be charged a 50 percent rental fee for use of a college Facility.
- (2) The amount charges will be set forth in the established fee rate schedule.
- (3) These organizations will be required to pay for all hard costs related to their use of the college facility.

**e. Use by Partnerships**

- (1) Non-college entities who obtain partnership status, as set forth in Section 4.F. of this policy, will be charged a 50 percent rental fee for use of the college facility.
- (2) The amount charges will be set forth in the established fee rate schedule. A partner will be required to pay for all hard costs related to their use of the college facility.

f. **Authority to Waive, Revise, or Negotiate**

With the written approval of the vice president that entered the partnership, or designee, the college reserves the right to waive, revise, or negotiate, as needed, the following:

- (1) rental or fee schedules; and
- (2) site specific guidelines for rental and service fees.

3. **Grievance Procedure for Purported Violation of Utah System of Higher Education Policy entitled Providing Facilities, Goods and Services in Competition with Private Enterprise.**

- a. The college complies with Utah System of Higher Education (USHE) policy r. 555 entitled Providing Facilities, Goods and Services in Competition with Private Enterprise.
- b. If an individual or non-college entity seeks to assert a grievance related to USHE policy r. 555, the requirements are as follows:
  - (1) The grievance must be in writing and submitted to the Event Scheduling Office;
  - (2) The grievance must set forth sufficient facts and documentation supporting the allegation that the college has violated USHE policy r. 555;
  - (3) Within 10 business days, the Event Scheduling Office shall review the facts and circumstances surrounding the grievance and provide a written summary of its investigations to the vice president of Finance and Administration or designee;
  - (4) Within five business days, the vice president of Finance and Administration or designee shall issue a written finding outlining the facts behind the complaint, the college's findings, and appropriate relief if a violation of the policy has occurred;
  - (5) As part of the college's deliberation on the matter, the vice president of Finance and Administration, in their discretion, may invite both the grievant

and the appropriate college staff to present information in an informal process to support or oppose the grievance. If the vice president of Finance and Administration elects this informal process, an additional five business days will be allowed for the vice president of Finance and Administration to render a final written determination;

- (6) Following the issuance of the final written determination by the vice president, the non-college entity or individual shall have the right to appeal, within 15 business days, the vice president of Finance and Administration's determination to the college's executive cabinet. The appeal shall be in writing and state the grounds for the appeal and the relief requested; and
- (7) If an appeal is made to the executive cabinet, the cabinet, at its next regularly scheduled meeting or another reasonable time, will consider it. Upon evaluating the appeal, the board of trustees will issue a written determination regarding the appeal. The board of trustees' appeal determination shall be final.

#### H. 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 State of Utah Risk Management Fund and are not required to provide additional liability insurance coverage.
- b. Student organizations may be required by the Event Scheduling 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 will be required to provide property damage and third-party liability insurance ("liability insurance") during their use of a college facility. The requirements for such insurance coverage are:
  - (1) a certificate of liability insurance must be provided to the Event Scheduling Office.
  - (2) This certificate must list the college as an additional insured and provide an additional insured endorsement.
  - (3) Minimum insurance limits will be set by the college's director of Risk Management and will generally be aligned with the Governmental Immunity Act limits as adjusted by the State Office of Risk Management.
    - (a) If the proposed use of the college facility involves increased risk, the

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

- (b) In circumstances where a non-college entity's use of a college facility creates a minimum risk as established by the college's office of Risk Management, the Event Scheduling Office may waive the liability insurance requirement if the college's director of Risk Management authorizes the waiver of this liability insurance requirement.

## 2. Event Ending Times

- a. Ending times of events on campus may not go past 10:00 p.m., unless otherwise approved by the Event Scheduling 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 vice president of Finance and Administration or designee provides authorizations, after consultation with the provost for Academic Affairs, associate vice president of Public Safety, assistant vice president of Student Affairs, and other college administrators whose programs may be affected by such authorization.

## 3. Restrictions Regarding Use of College Facilities to Solicit or Conduct Sales and Advertise Events.

- a. Any postings by a college or non-college entity must comply with the current SLCC [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 appropriate assistant vice president, dean, or vice 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 vice president of Student Affairs or designee.
- 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 Event Scheduling 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 [Noise Control Regulations of the Salt Lake County Health 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 associate vice president of Public Safety 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. In making the determination as to whether to impose additional security costs on the speaker, the Event Scheduling Office, associate vice president of Public Safety, and the dean of Students shall consult with the college's legal counsel to ensure that the speaker freedom of expression rights are not infringed upon in violation of federal or state law or college policy.

6. Restrictions Regarding Use of College Facilities for Events Where Alcohol is Served

- a. Alcohol possession and consumption is generally prohibited on campus; however, possession and consumption of alcoholic beverages may be allowed in limited circumstances.
- b. Advanced permission and approvals must be obtained where events involve

alcohol being served on campus. Refer to “Rule for the Use of Alcoholic Beverages in College Facilities” for further information.

**7. Additional Restrictions Regarding Use of College Facilities and Grounds Related to Demonstrations**

- a. The use of tents on college property is prohibited unless authorized by the Scheduling Office after consultation with the associate vice presidents for Public Safety and Facilities Services or designees.
- b. Camping is prohibited in college facilities and on all college properties.
- c. No structures or construction shall be allowed or erected on college property unless approved by the Scheduling Office after consultation with the associate vice president for Facilities Services or designee outlined in the [Facilities Renovation, Remodeling & New Construction policy](#).
- d. College officials may remove unauthorized construction, structures, tents, or other personal property provided that:
  - (1) The college makes a request for the personal property to be removed from college Grounds and that request is not immediately complied with.
  - (2) The vice president for Finance and Administration authorizes the removal of the property after consulting with the associate vice presidents for Public Safety and Facilities Services.
- e. The failure to comply with the directions of an authorized college official to vacate college facilities or property or remove personal property may result in disciplinary sanctions, corrective action, or other legal action.

**I. Miscellaneous Provisions**

**1. Prohibition Against Fronting**

- a. Fronting for any purposes, including reserving space and receiving a discount, is prohibited.
- b. If the college determines 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 Event

Scheduling 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 is not permitted.
  3. Approved filming on campus includes:
    - a. student filming or photo shoot activities which are part of class requirements;
    - b. filming or photo shoots of college sponsored campus speakers;
    - c. media entity conducting filming or photo shoot of news event occurring on college campus;
    - d. filming or photo shoots of athletic events on college campus;
    - e. all filming or photo shoots conducted for internal department purposes;
    - f. all filming or photo shoots conducted on a handheld personal electronic device that are taken for personal purposes; and
    - g. all filming or photo shoots conducted through a college partnership in coordination with the Institutional Marketing and Communications and/or Public Relations departments.
  4. 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. Applicants for use of a college facility must obtain authorization from the Event Scheduling Office, to permit a limited number of vehicles to traverse or park on campus sidewalks, fire lanes, plazas, etc., for purposes of unloading or loading materials.
    - c. Any vehicle parked illegally may be subject to ticketing and/or removal to impound facilities at the owner's expense.
    - d. Any other specific parking needs for a college or non-college entity must be communicated to the Event Scheduling Office prior to entry into a use agreement so the Event Scheduling Office can facilitate a parking plan with Parking Services and the associate vice president of Public Safety.