

Chapter 132S-500 WAC
FACILITY USE FOR OTHER THAN FIRST AMENDMENT ACTIVITIES

Last Update: 1/9/20

WAC	
132S-500-100	Title.
132S-500-105	Statement of purpose.
132S-500-110	Facilities use for first amendment activities.
132S-500-115	Request for use of facilities.
132S-500-120	Scheduling and reservation practices.
132S-500-125	Limitations of use.
132S-500-130	Denial of use.
132S-500-135	Other requirements.
132S-500-140	Facility rental/use fees.

WAC 132S-500-100 Title. WAC 132S-500-100 through 132S-500-140 will be known as facility use for other than first amendment activities.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-500-100, filed 5/25/16, effective 6/25/16.]

WAC 132S-500-105 Statement of purpose. Columbia Basin College reserves its facilities, buildings and grounds for those activities that are related to its broad educational mission. At other times, the college facilities may be made available to other individuals and organizations as stated in this chapter. The purpose of these regulations is to establish procedures and reasonable controls for the use of college facilities for noncollege groups and for college groups where applicable.

In keeping with this general purpose, and consistent with RCW 28B.50.140 (7) and (9), facilities should be available for a variety of uses which are of benefit to the general public if such general uses substantially relate to and do not interfere with the mission of the college. However, a state agency is under no obligation to make its public facilities available to the community for private purposes.

Primary consideration shall be given at all times to activities specifically related to the college's mission, and no arrangements shall be made that may interfere with, or operate to the detriment of, the college's own teaching or public service programs.

Reasonable conditions may be imposed to regulate the timeliness of requests, to determine the appropriateness of space assigned, time of use, and to ensure the proper maintenance of the facilities. Subject to the same limitations, college facilities shall be made available for assignment to individuals or groups within the college community. Such arrangements by both individuals or groups within the college community must be made through the facility use request system through the executive assistant for the vice president for administrative services.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-500-105, filed 5/25/16, effective 6/25/16.]

WAC 132S-500-110 Facilities use for first amendment activities. This chapter does not apply to those individuals or groups using the college facilities for first amendment activities. Use of the campus

for first amendment activities, as defined by law, is governed by the rules set forth in WAC 132S-400-100 through 132S-400-130.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-500-110, filed 5/25/16, effective 6/25/16.]

WAC 132S-500-115 Request for use of facilities. Requests to use college facilities shall be made to the executive assistant for the vice president for administrative services, who shall be the agent of the college in consummating use agreements.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-500-115, filed 5/25/16, effective 6/25/16.]

WAC 132S-500-120 Scheduling and reservation practices. The primary purpose of college facilities is to serve the instructional programs of the college. However, the facilities, when not required for scheduled college use, may be available for use in accordance with current fee schedules and other relevant terms and conditions for such use.

College facilities may not be used by individuals or groups from outside the college unless the facilities including buildings, equipment and land have been reserved.

In determining whether to accept a request for the use of college facilities, the executive assistant shall use as guidelines the mission of the college and the following items, listed in priority order:

(1) Columbia Basin College instruction, scheduled programs and activities.

(2) Major college events.

(3) Noncollege (outside individual or organization) events.

Arrangements for use of college facilities must be made through the executive assistant. Application for the use of facilities and grounds shall be made no later than ten working days prior to the date the event is scheduled to occur.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-500-120, filed 5/25/16, effective 6/25/16.]

WAC 132S-500-125 Limitations of use. (1) Where college space is used for an authorized function (such as a class or a public or private meeting under approved sponsorship, administrative functions or service-related activities), groups must obey or comply with directions of an authorized representative of the college.

(2) If at any time actual use of college facilities by an individual or group constitutes an unreasonable disruption of the normal operation of the college, such use shall immediately terminate, all persons engaged in such use shall immediately vacate the premises, and leave the college property upon command of the appropriate college official.

(3) Any individual or group granted permission to use college facilities shall agree in advance to abide by all college rules and regulations. The college reserves the right to deny use of college facilities to any individual or group whose past conduct indicates likelihood that college rules and regulations will not be obeyed. The col-

lege may also deny use to a requesting individual or organization which has used the facilities in the past and has damaged college property, left college buildings and grounds in excessive disorder, or failed to cooperate with college staff concerning use of the facilities.

(4) No person may enter onto college grounds or facilities possessing a visible firearm or other dangerous weapon, except specifically as allowed by law under WAC 132S-200-140.

(5) Promotional materials or posting for any event being held in a college facility must follow the same procedure as applies to students outlined in chapter 132S-100 WAC.

(6) Use of audio amplifying equipment is permitted only in locations and at times that will not interfere with the normal conduct of college affairs.

(7) The college facilities may not be used for private or commercial purposes unless such activities clearly serve the educational mission of the college are either sponsored by an appropriate college unit or conducted by contractual agreement with the college.

(8) College facilities may not be used for purposes of political campaign events or rallies by or for candidates who have filed for public office. Rules, regulations, policies, procedures and practices regarding the use of college facilities shall not discriminate or promote discrimination among political parties, groups or candidates solely on the basis of their particular political viewpoint.

(9) Activities of commercial or political nature will not be approved if they involve the use of promotional signs or posters on buildings, trees, walls, or bulletin boards, or the distribution of samples or brochures outside rooms or facilities to which access may be granted.

(10) No person may solicit contributions on college property for political uses, except where this limitation conflicts with federal law concerning interference with the mail.

(11) No noncollege group shall, under any circumstances, use the college facilities as a permanent meeting place as the college's facilities must be readily available to advance the college's educational mission.

(12) Alcoholic beverages will not be served without the approval of the vice president for administrative services or designee(s). It shall be the responsibility of the event sponsor to obtain all necessary licenses from the Washington state liquor and cannabis board and adhere to their regulations including all state and local regulations and laws, and those of Columbia Basin College.

(13) Authorization for use of college facilities shall not be considered an endorsement of or approval of any group or organization nor the purposes they represent. The name of the college shall not be associated with any program or activity for which the college facilities are used without specific written approval from the president or his or her designee(s).

(14) Rental of college facilities carries no right of advertising on college premises other than the right to post a sign for the purpose of directing people to the place of assembly.

(15) Unless otherwise provided by contractual agreement, an authorized member of the college staff shall be required to be available at times when college facilities are in use by a group. If service beyond normal business hours is required as a result of any meeting, such time shall be paid by the using organization at the currently es-

established rate. The college may require and charge users for security services at the college's discretion.

(16) Audio-visual equipment and materials are intended to support and supplement the college's curriculum. Equipment shall not be rented to external users, unless official prior approval has been granted and currently established rates are charged. The existence of equipment in a rented space does not mean the user has the right to use it.

[Statutory Authority: RCW 28B.50.140. WSR 20-03-046, § 132S-500-125, filed 1/9/20, effective 2/9/20; WSR 16-12-039, § 132S-500-125, filed 5/25/16, effective 6/25/16.]

WAC 132S-500-130 Denial of use. Columbia Basin College is a state agency and exists to serve the public. However, the college may deny use of its facilities to any individual, group or organization if the requested use would:

(1) Interfere or conflict with the college's instructional, student services or support programs;

(2) Interfere with the free flow of pedestrian or vehicular traffic on campus;

(3) Involve illegal activity;

(4) Create a hazard or result in damage to college facilities; or

(5) Create undue stress on college resources.

The college president hereby delegates his or her designee(s) the right to cancel the facilities rental agreement at any time and to refund any payment to the college for the use of college facilities. If imminent danger exists or unlawful activity is practiced by the using organization, or if there is any violation of any term, condition or provision of the use arrangement, the college may terminate an agreement immediately and without notice.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-500-130, filed 5/25/16, effective 6/25/16.]

WAC 132S-500-135 Other requirements. When using college facilities, an individual or organization may be required to make an advance deposit, post a bond and/or obtain insurance to protect the college against cost or other liability.

When the college grants permission to an individual or organization to use its facilities, it is with the expressed understanding and condition that the individual or organization assumes full responsibility for any loss or damage resulting from such use and agrees to hold harmless and indemnify the college against any loss or damage claim arising out of such use.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-500-135, filed 5/25/16, effective 6/25/16.]

WAC 132S-500-140 Facility rental/use fees. Fees will be charged in accordance with the rates available from the executive assistant for the vice president of administrative services. The college reserves the right to make pricing changes without prior written notice, except that such price changes shall not apply to facility use agreements already approved by the administration.

The college reserves the right to have trained college staff operate any and all technical equipment at the user's expense. Rates and fees for use of facilities are available online at www.columbiabasin.edu and from the executive assistant for the vice president of administrative services.

[Statutory Authority: RCW 28B.50.140. WSR 16-12-039, § 132S-500-140, filed 5/25/16, effective 6/25/16.]