

FORM OF ORDER AND TRANSMITTAL BY BOARD, COMMISSION, OR COUNCIL

State of Washington

BOARD OF TRUSTEES

(name of governing body)

CLARK COLLEGE

(name of institution)

Resolution No. 79-04

Administrative Order No. 79-04

(1) Be it resolved by the board of trustees of the Clark Community College District #14 acting at Vancouver, Washington that it does promulgate and adopt the annexed rules relating to:

Rental Regulations-Campus Facilities

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on Such rules shall take effect: pursuant to RCW 28B.19.050(2) at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, the Clark College Board of Trustees find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Clark College is currently without rules pertaining to rental of its facilities.

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of WAC 1-13-040 that each order shall set forth an appropriate statement of state statutory authority (fill in statement (a), (b), or (c) as appropriate):

(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

(institution)

has authority to implement the provisions of

(name of act or RCW citation)

XX (c) This rule is promulgated under the general rule-making authority of the Clark College

(institution)

as authorized in RCW 28B.50 and 28B.10

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order, after being first recorded in the order register of this governing body is herewith transmitted to the Code Reviser for filing pursuant to chapter 28B.19 RCW and chapter 1-13 WAC.

APPROVED AND ADOPTED September 18, 1979

OCT 15 1979

By Yvonne M. Antcholine Chairman, Board of Trustees Title

CODE REVISER'S OFFICE WSR 79-11-045

NOTE

Pursuant to WAC 13.040, each rule making order adopted by an institution of higher education shall incorporate the most specific, but in no case omit all of the following language alternatives when adopting or amending rules:

(a) The most specific reference shall be to a section of law which the rule is implementing, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ and is intended to administratively implement the statute."

(b) The next specific reference, and one which shall be used only if paragraph (a) of this subsection is not applicable, shall be to that portion of an act which directs an agency to adopt rules and regulations as necessary to implement the act, and shall be quoted as follows: "This rule is promulgated pursuant to RCW _____ which directs that the (agency) has authority to implement the provisions of (name of act or RCW citation)."

(c) The least specific reference, and one which shall be used only if paragraphs (a) and (b) of this subsection are not applicable, is one which indicates that the rule is promulgated under the agency's broad rule-making authority — either in the agency enabling legislation or chapter 34.04 RCW, and shall be quoted as follows: "This rule is promulgated under the general rule-making authority of the (agency) as authorized in RCW _____."

AMENDATORY SECTION (Amending Order 77-3-b, filed 8/29/77)

WAC 132N-144-010 BOARD POLICY STATEMENT--RENTAL REGULATIONS (CAMPUS FACILITIES). Clark College is committed to providing quality educational and cultural services to the people of its district. On this basis, campus facilities are made available for use by ((non-profit)) organizations conducting educational, cultural, civic or community activities. College related activities of ((an)) public educational, cultural or community service nature shall be given first priority consideration for the use of college facilities. Exemptions to the rental fee must be authorized by the president, or designee, if deemed to be in the best interests of Clark College, its faculty, staff or students.

~~((The contractee shall accept full responsibility for liability claims of personal injury or personal theft, and shall be responsible to the college for any destruction, mutilation, theft or damage to college property. Every contract for the use of campus facilities shall contain a provision recognizing acceptance of responsibility.))~~

College facilities may not be used for religious worship, exercise, or instruction (Washington State Constitution, Article 1, section 2). ~~((College facilities may not be used for private or commercial benefit unless the activities are for educational purposes or have been explored or undertaken at the request of an appropriate college unit and have received approval of the president, or designee.))~~ College facilities may not be used in ways which interfere with the college's teaching, research, public service or support programs or interfere with the flow of pedestrian or vehicular traffic.

The college reserves the right to deny any application or to revoke any permit at any time if actions resulting from such application or permission constitute unlawful activity or, if in the judgment of the administration, present imminent danger of unlawful activity or, if a prospective user has previously violated the provisions of the Clark College User's Handbook, other written rules or regulations of Clark College, or if activities which, in the judgment of the president or designee conflict with, directly compete with, or are incompatible with the programs or mission of the college.

AMENDATORY SECTION (Amending Order 77-3-b, filed 8/29/77)

WAC 132N-144-020 ADMINISTRATIVE PROCEDURES--RENTAL REGULATIONS (CAMPUS FACILITIES). (1) Arrangements and conditions. Outside groups making arrangements to reserve facilities are to make them with the Student ((center)) Programs Office, Gaiser Hall. Outside groups using campus facilities on weekends and school holidays must pay custodial services and appropriate rental charges for a minimum of four hours ~~((and off-period heating costs))~~. The only exception will be when a faculty member or administrator is designated as the person responsible for damage or theft of equipment and/or facilities and no special clean-up or set-up services are required.

If special clean-up and/or set-up services are required, the outside group will be billed for extra custodial services.

The contractee shall accept full responsibility for liability claims of personal injury or personal theft, and shall be responsible to the college for any destruction, mutilation, theft or damage to college property. Every contract for the use of campus facilities shall contain a provision recognizing acceptance of responsibility.

The outside groups must name one person to be responsible for any theft or damage to equipment and/or facilities.

All reservation commitments will not be final until approved by the Director of ~~((Student Services and Auxiliary Enterprises))~~ Financial Aid/Student Programs or designee.

Financial negotiations with regard to custodial expense and rental expense ((is)) are the responsibility of the Director of ((Student--Services--and--Auxiliary--Enterprises)) Financial Aid/Student Programs or designee.

Under normal circumstances, the college is obliged to charge a basic rental fee plus any "out-of-pocket" costs. However, related college groups may be allowed the use of facilities without charge at the discretion of college officials, provided the college is not liable for, or incurs any additional expense or liability by reason of said use. Under most circumstances any group, including college related groups (except student clubs or organizations) using facilities for fund raising activities will be required to pay the minimum rental fee.

(2) Food service. All food service shall be arranged with the ((Director--of--Student--Services--and--Auxiliary--Enterprises)) Foods Program Coordinator. In providing food service for any outside organization, the college will not compete with regular commercial enterprises able to provide such services.

(3) Supervision. A custodian or other authorized representative of the college must be on duty when facilities are being used by any organization. The student programs office is responsible for supervising all school events; club advisors are responsible for supervising club events; and a faculty or staff member is responsible for supervising or providing acceptable supervision of meetings or events which he or she has scheduled. Ordinarily, faculty or staff members are responsible for the supervision of meetings or events sponsored by groups or organizations of which they are members and/or active supporters.

The college may hire one of its faculty or staff members to supervise a meeting or event not otherwise described ((above)) in this subsection. The charge for such services will be added to the facilities use contract, along with the basic rental fee and "out-of-pocket" costs.

(4) ((-Minimum-Fee-Schedule-

Student-Center-or-Gymnasium

\$30-minimum,-or-,40-per-person
whichever-is-greater---{Evening}

\$50-minimum,-or-,40-per-person
whichever-is-greater---{Full-Day}

Penguin-Playhouse

\$25

Faculty-Dining-Room

\$40-{Evening}-\$20-{Full-Day}

Foster-Hall

\$40-{Evening}-\$20-{Full-Day}

BT-201,-202

\$40-{Evening}-\$20-{Full-Day}

Classroom-\$-5-{Evening}-\$40-{Full-Day}

Den-{Gaiser-Hall}

\$40-{Evening}-\$20-{Full-Day}

Conference-Rooms-and-Alcoves

{Gaiser-Hall}

\$-5-{Evening}-\$40-{Full-Day}

Public-Address-System

\$-3-50)

Rental fee schedule. The fee schedule for rental of available college space shall be available in the Student Center Office.

Rental rates for college organizations may differ from those charged for noncollege organizations and for usage which involves fund raising either through solicitation of donations or by admissions charge. The fee schedule shall be established by the Board of Trustees. The college reserves the right to change the rates without notice, provided that such changes shall also be available in the Student Center Office.

These basic rental rates shall cover utilities except for off-period heating costs (~~and depreciation and regularly scheduled cleaning~~).

The Director of ~~((Student-Services-and-Auxiliary-Enterprises))~~ Financial Aid/Student Programs or designee will normally require a signed contractual agreement.

Exceptions to the ~~((above))~~ procedures in this section may be made by the president or designee.