

# Chapter 132I-140 WAC

## USE OF FACILITIES

### WAC

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**WAC 132I-140-010 Purpose.** The trustees of Highline Community College believe that educational and community service opportunities are extended to the community when the college's buildings, grounds, and facilities are made available for use by the students, faculty, administration, staff, and the community. This use shall not interfere with regular college activities and shall be in accordance with the public interest, welfare, laws of the state of Washington, and in the best interest(s) of the college as interpreted by the administration of Highline Community College and/or the board of trustees.

Intended or actual use in conflict with these policies or construed to be in any way detrimental to the college's best interests and/or original intent for that facility are strictly prohibited.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-010, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-015 Trespass.** (1) Individuals who are not students or members of the faculty or staff and who violate these regulations will be advised of the specific nature of the violation, and if they persist in the violation, they will be requested by the president, or his or her designee, to leave the college property. Such a request prohibits the entry of and withdraws the license or privilege to enter onto or remain upon any portion of the college facilities by the person or group of persons requested to leave. Such persons shall be subject to arrest under the provisions of chapter 9A.52 RCW, as not law or hereafter amended.

(2) Members of the college community (students, faculty, and staff) who do not comply with these regulations will be reported to the appropriate college office or agency for action in accord with established college policies.

(3) Persons who violate a district policy may have their license or privilege to be on district property revoked and be ordered to withdraw from and refrain from entering upon any district property. Remaining on or reentering district property after one's license or privilege to be on that property has been revoked shall constitute trespass and such individual shall be subject to arrest for criminal trespass.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-015, filed 7/21/92, effective 8/21/92.]

(7/21/92)

**WAC 132I-140-016 Prohibited conduct at college facilities.** (1) State law governs the use or possession of intoxicants on campus or at college functions. The use or possession of unlawful drugs or narcotics, not medically prescribed, on college property or at college functions, is prohibited. Students obviously under the influence of intoxicants, unlawful drugs, or narcotics while in college facilities shall be subject to disciplinary action.

(2) The use of tobacco is restricted by law and by regulations of the smoking policy to designated smoking areas.

(3) Destruction of public property is prohibited by state law.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-016, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-110 Right to deny use of facilities.** (1) The trustees reserve the right to deny facility use to individuals or groups of a private nature whose activities, be they secret or otherwise, are inconsistent with the open and public nature of Highline Community College and where such use would conflict with the purpose of state and federal laws against discrimination.

(2) If at any time actual use of college facilities by the 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 a likelihood that college rules and regulations will not be obeyed.

(4) No single group shall be allowed use of facilities on a regular or continuing basis.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-110, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-120 Basis of fee assessment.** (1) The basis for establishing and charging use fees reflects the college's assessment of the present market, the cost of operations, and an evaluation of the intended purpose and its relationship to the purposes of this college. The position of the board of trustees is that groups or organizations affiliated with the college should be permitted access to facilities at the lowest charge on the fee schedule which may include complimentary use. A current fee schedule is available to interested persons from the office of continuing education.

(2) The college does not wish to compete with private enterprise. Therefore, the college reserves the right to deny applications for facility use when the administration and/or the board of trustees believes a commercial facility can be

patronized. At no time shall facility use be granted for a commercial activity at a rental rate, or upon terms, less than the full and fair rental value of premises used.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-120, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-130 Application procedures.** (1) At least seven college working days prior to date of intended use of any college facility, an authorized representative of the requesting organization must submit proper and complete written application on a "use of facility" form which may be obtained through the college's office of community services. A single application may be sufficient for a series of meetings by an organization unless those meetings vary significantly in some substantive way; then separate applications will be required.

(2) Upon approval of the application, an authorized representative of the using organization shall sign the rental agreement. By affixing a signature as representing the using organization, the signatory specifies he or she has authority to enter into agreement on behalf of the organization and if the organization fails to pay the amount due, the signatory becomes responsible for all charges which may include interest payment for overdue accounts as specified on the rental form but not less than one percent per month.

(3) Large events, events requiring expenditures on the part of the college, or where significant areas are made available to the renter; a minimum of up to fifty percent advance deposit may be required at the time of application.

(4) The college reserves the right to make pricing changes without prior written notice.

(5) Use of a facility is limited to the facilities specified on the agreement.

(6) The priorities for facility use place primary emphasis on regular college events and activities. The board of trustees reserves the right to cancel any permit and refund any payments for use of college facilities and equipment if the groups use of college facilities and/or equipment would violate any federal, state, local, or school law, regulation, or rule or when the planned use could subject the college to any liability.

(7) In the event of a cancellation of a facility use permit by the applicant, that organization is liable for all college costs and expenses in preparing the facility for its use.

(8) The decision to issue permits is based on the assumption that any admission charges are to be specified and approved by the college.

(9) Organizations using Highline Community College's facilities shall conduct all activities in accordance with all applicable local, state, and federal laws including the rules and regulations adopted by Community College District 9 as stated in Title 132I WAC and in the use of facility form.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-130, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-134 Request for brief adjudicative proceeding over denial of facility use.** Any organization that is denied use of college facilities may challenge said denial by filing an appeal as specified in WAC 132I-140-135(2) with the president's designee.

Upon receipt of such appeal, the president's designee shall hold a brief adjudicative proceeding.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-134, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-135 Appeal of denial of facility use.**

(1) Any organization whose application for facility use has been denied may appeal such decision to the president.

(2) The appeal must be in writing and must clearly state errors in fact or matters in extenuation or mitigation which justify the appeal. The appeal must be filed within twenty-one days from the date of service upon appellant of the order denying use of facilities.

(3) The president's determination shall be final.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-135, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-140 Supervision during activity.** (1)

Signatories of the rental agreement as well as adult organization leaders are responsible for group conduct and are expected to remain with their group during activities. When the use of special facilities makes it necessary that supervision be provided, the trustees reserve the right to require a staff member represent the college at any activity on Highline Community College facilities. Such service shall be paid at the current rate, by the organization requesting use of the facility (see WAC 132I-140-160), and does not relieve the organization from safeguarding the college's property.

(2) The security staff or some other authority of the college will open and lock all rented facilities. Keys to buildings or facilities will not be issued or loaned on any occasion to any using organization with the exception of keys to designated off-campus locations.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140. 92-15-115, § 132I-140-140, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-150 Care and maintenance of facilities and equipment.** (1)

College-owned equipment shall not be removed from college facilities for loan or rental. Organizations wishing to use equipment in connection with a rental should make arrangements through the office of continuing education at the time of application. Further rental and operational restrictions may be outlined when the application is approved.

(2) Appropriate equipment is expected when using facilities when the absence of such special equipment may be detrimental to that facility (e.g., tennis shoes must be worn on gymnasium floors).

(3) Organizations allowed use of facilities are required to leave premises in as good condition as when the organization was admitted to its use. After facility use, organizations are required to arrange for proper disposal of decorations and other refuse when restoring the facility to its original condition for resumption of college use.

(4) Custodial and other services beyond those regularly scheduled to support normal college activities may be required for specific activities by outside groups, based on the size of group, the complexities of the event, or the facilities being used. Needed custodial services beyond that normally scheduled will result in that organization being charged at the established rate. All extra custodial time required as a result of the organization's use of the facility will be charged

to the organization, including those receiving complimentary usage.

(5) The security staff should be contacted for problems with facilities. The security staff will monitor any permit violations.

(6) All moving of college equipment for facility use will be under permission and supervision of the college.

(7) Any decoration or use of facility that may result in permanent damage or injury to the facility is strictly prohibited.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140, 92-15-115, § 132I-140-150, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-160 Athletic facilities.** (1) Highline Community College playing fields may be used by community members and groups provided such use does not interfere with regular college activities and that proper permits for use of college grounds have been secured for activities other than unorganized casual use.

(2) Highline Community College allows only highly restricted use in scheduling the use of the swimming pool. Permitted users shall comply with all pool regulations, as determined by the college. Such regulations may vary based on the anticipated use. Applications should be made on a use of facility form obtained through the college's office of continuing education. A condition of rental is the college's right to set forth the number of lifeguards and to select and hire these lifeguards on its own criteria. Cost of usage will include these employee's salaries and other personnel expenses.

(3) The pavilion may be used by community organizations subject to the same restrictions and regulations governing the use of other facilities. Because of the size of the facility, most users will be required to have college personnel on site during usage. Cost of usage will include these employee's salaries and other personnel expenses.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140, 92-15-115, § 132I-140-160, filed 7/21/92, effective 8/21/92.]

**WAC 132I-140-170 Liability for damage.** The lessee of college facilities, including agreement signatories and individual organizations leaders, shall be liable for any damage to college property occurring or having apparently occurred during the time the facility was being used by the organization. The lessee also agrees to hold harmless and indemnify Highline Community College, its agents, employees, officers, trustees, students and/or attorneys for any claim made against the college as a result of the lessee's use of college facilities. The college reserves the right to require using organizations to purchase insurance, naming the college as the insured, and may specify the amount of that insurance.

[Statutory Authority: Chapter 34.05 RCW et seq., RCW 28B.50.100 and 28B.50.140, 92-15-115, § 132I-140-170, filed 7/21/92, effective 8/21/92.]