

Chapter 132N-150 WAC

COLLEGE FACILITIES

WAC

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WAC 132N-150-010 General—Use of college facilities. The college is committed to providing quality educational and cultural services to the college district. On this basis, college facilities are made available for use by organizations conducting educational, cultural, civic, or community activities. College-related activities of public educational, cultural, civic, or community service nature are given first priority consideration for the use of college facilities.

College facilities may be rented by for-profit, private, or not-for-profit entities, provided that the activity does not conflict with college functions and that charges reflecting the full cost of the facility usage are paid.

College facilities may not be used in ways that interfere with the college's teaching, research, public service, or support programs; conflict with published rules or regulations; or interfere with the flow of pedestrian or vehicular traffic.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-010, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-020 Nondiscrimination. The college reserves the right to deny an application by any group, organization, or individual that discriminates in membership or limits participation in a manner inconsistent with the college's nondiscrimination policy.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-020, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-030 Administrative control. The board of trustees delegates to the president authority to establish policies and procedures for proper review and approval

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of the use of college facilities, to establish regulations governing such use, and to establish and revise fee schedules for facilities use. Such policies and procedures may include, but are not limited to, building security, advertising or promotion, signage, use of bulletin boards and display racks, and the sale or distribution of retail and public information materials.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-030, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-040 Reservations/fees. Reservations/fees and financial arrangements are made through the facilities use office and are not final until approved by that office. Exemptions to the published rental fee schedule may be authorized by the president or designee, if deemed to be in the best interests of the college, its faculty, staff, or students.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-040, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-050 Responsibility/hold harmless. All groups using college facilities must identify one person or representative who is legally responsible for theft, damage, or claims to college equipment and/or facilities. This representative must report any damage or claims to the facilities use office.

Permission to use college facilities is with the express understanding and condition that the individual or organization assumes full responsibility for any loss, damage, or claims 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 02-04-068, § 132N-150-050, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-060 Proof of insurance. When an event in or on college facilities or grounds involves physical activity, or otherwise increases the risk of bodily injury above the level inherent in the facility to be used, the college may require users to furnish proof of liability insurance naming the college as an additional insured, with limits of not less than one million dollars per occurrence, prior to approval for the requested use.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-060, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-070 Occupancy. At no time may the occupancy of a college facility exceed the maximum occupancy as defined by the fire marshal; the fire, life, and safety code; or as posted by the college.

Building occupants are required to comply with all fire, health, and safety rules and regulations. When a building is occupied, required exits and aisles may not be blocked or rendered inoperable.

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[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-070, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-080 Student occupancy and use. Students have the right of access to college facilities, subject to ordinary schedules, regulations, and administrative procedures governing each facility. When using college facilities, students have the responsibility to respect regulations and to comply with the spirit and intent of facilitating the educational purposes of the college. Students are subject to WAC 132N-120-065, Denial of access to Clark College.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-080, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-090 Commercial use/solicitation. The use of college grounds or facilities for commercial or private gain is prohibited except where commercial activity, such as the sale of books, instructional supplies, or food, directly supports an instructional program or purpose or where limited sale is specifically authorized by written permission of the president or designee for the benefit of an approved college activity.

The distribution of materials on college property is subject to reasonable limitations as to time, place, and manner that are consistent with applicable federal and state law. Material that contains or constitutes unprotected speech or expression is not permitted on college property.

Solicitation in or on college-owned or college-operated facilities is expressly prohibited (unless at the specific request of the person or group being solicited) except by written permission of the president or designee, or when conducted pursuant to a contract, lease, or other formal arrangement with the college.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-090, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-100 Bulletin boards. The college intends bulletin boards to be an effective means of communicating to students and employees important information from the college, college organizations, or public agencies serving students. Bulletin boards are not ordinarily to be used for commercial advertising.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-100, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-110 Campus building exteriors/promotional materials and banners. Hanging signs, banners, or flyers on campus building exteriors and grounds, or otherwise marking campus surfaces for advertising or promotion, is prohibited. The facilities use office may authorize the use of outside banners at specified locations.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-110, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-120 Responsibility for personal property. The college is not responsible for loss or damage to personal property brought onto the campus.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-120, filed 1/31/02, effective 3/3/02.]

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WAC 132N-150-130 Alcohol consumption. Consumption of alcoholic beverages in or on college-owned or college-operated facilities is expressly prohibited unless approved by the president or designee.

All groups qualifying for use of alcoholic beverages must adhere to the rules and regulations set forth by the Washington state liquor control board and the Clark College board of trustees.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-130, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-140 Food and beverages. Consumption of food and beverages may be prohibited in or on certain college facilities or grounds at the option of the administration.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-140, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-150 Children on campus. Other than usage associated with the college's services for children and families and other specific college-sponsored programs for children, the general policy of the college is that its facilities are not available for unrestricted usage by children under sixteen years of age. In no cases are children permitted in college-owned or college-operated facilities (including the library, food services areas, lounges, and study areas) without supervision by an adult.

Children are not to be left unattended on campus grounds or in vehicles.

Children are permitted in classrooms only with the specific approval of the faculty member responsible for the class, on an emergency basis and for a specified, limited period of time.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-150, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-160 Animals on campus. All animals (other than laboratory animals) on campus must be under the immediate physical control of the owner at all times, e.g., on leash or carried. Animals cannot be tied to buildings or fixtures, left unattended, or permitted to run at large on campus. Animals must remain outside campus buildings, with the exception of guide or service dogs and laboratory animals. Large animals are not allowed on campus grounds unless specifically approved by the president. A formal complaint may be filed with Clark County animal control authorities against violators of these rules.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-160, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-170 Climbing on college buildings. College buildings, structures, and grounds may not be used for climbing, rappelling, jumping, or other such activities.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-170, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-180 Electronic devices. Radio transmitters, bull horns, amplifiers, and other electronic devices that disrupt college programs or operations are prohibited on college property.

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[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-180, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-190 Fireworks. The use or discharge of fireworks as defined in RCW 70.77.126, Definitions—"Fireworks," is prohibited on or in facilities and grounds owned or operated by the college except in limited areas designated by the president or designee.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-190, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-200 Overnight use. No person shall remain overnight on or in college property or facilities without the express written permission of the president or designee. This policy does not apply to employees specifically directed by their supervisors to work a graveyard shift. Individuals remaining on or in college property or facilities overnight must contact the security/safety office.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-200, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-210 Temporary structures. The erection of tents, awnings, canopies, or similar structures must be cleared with the security/safety office.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-210, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-220 Recreational devices. The use of skateboards, snowmobiles, roller skates, snow sleds, snow boards, scooters, roller blades, and other recreational devices that present a safety hazard or have the potential to damage college property is prohibited.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-220, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-230 Smoking. The inhaling, exhaling, burning, or carrying of any lighted smoking equipment, including cigarettes, cigars, or pipes, is prohibited in the interior of all buildings and vehicles owned or operated by the college. The use of other tobacco products, such as smokeless or chewing tobacco, in college facilities is also prohibited. In addition, smoking is prohibited at any outside areas or locations that may directly or indirectly affect the air supply of buildings or carry smoke into buildings.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-230, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-240 Weapons on campus. Weapons, unless otherwise permitted by law, are not permitted on the college campus, at any other facilities leased or operated by the college, or at any activity under the administration or sponsorship of the college.

Exceptions to this policy are permitted when the weapon is used in conjunction with an approved college instructional program or is carried by a duly commissioned law enforcement officer or campus security officer.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-240, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-250 Denial/revocation. The college reserves the right to deny any application or to revoke any

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rental agreement at any time if actions resulting from the application or permission constitute unlawful activity or, in the judgment of the administration, present imminent danger or unlawful activity; or if a prospective user has previously violated the provisions of rules and regulations of the college; or if activities, in the judgment of the president or designee, conflict with, directly compete with, or are incompatible with the programs or mission of the college.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-250, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-260 Denial/trespass. When faced with a situation that he/she judges to be disruptive to the order of the college, to impede the movement of persons or vehicles, or to interfere with the ingress and/or egress of persons from college facilities, the president or designee has the authority to: Advise individuals or groups of the specific nature of any violation; request such individuals to leave college premises; or prohibit the entry or withdraw the license, privilege, or permit of any individual or group to enter or remain in or on any portion of a college facility. Individuals who persist in disruptive or unlawful conduct or remain upon college premises will be subject to arrest under chapter 9A.52 RCW, Burglary and trespass.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-260, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-270 Violation and/or termination of facilities use agreement. The college, at its discretion, has the right to cancel and terminate a contract or revoke any permit for facilities use immediately and without notice upon its discovery of a violation of any term, condition, or provision listed within college procedures. Individuals in violation will be advised of the specific nature of the violation. If they persist in the violation, they will be requested to leave college property. Failure to comply with the request to leave may subject such individuals to arrest under provisions of the criminal trespass statute or other applicable laws and civil sanctions.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-270, filed 1/31/02, effective 3/3/02.]

WAC 132N-150-280 Appellant process. A facilities use decision may be appealed to the vice president of administrative services. This section applies only if a specific appeal procedure has not otherwise been provided, e.g., chapter 132N-156 WAC, Parking and traffic rules and regulations, or chapter 132N-120 WAC, Code of student conduct.

Upon receipt of an appeal, the vice president will conduct a brief adjudicative proceeding.

[Statutory Authority: RCW 28B.50.140. WSR 02-04-068, § 132N-150-280, filed 1/31/02, effective 3/3/02.]