Essex County College
College Regulation

REG 1-5 USE OF COLLEGE FACILITIES

Purpose:

Essex County College makes its facilities available to outside organizations and entities for educational, civic, cultural and recreational purposes when they are not needed for College programs. This regulation sets the requirements and procedures for that use.

Definition(s):

- **College use**: any class, program, event or activity sponsored, operated or held by a College recognized unit.
- **Outside organization:** any group, business, agency or individual that is not a College recognized unit.
- **Sponsoring unit**: a College department/unit that co-sponsors or hosts an event for or with an outside organization.
- **Rental**: use of College facilities by an outside organization, whether or not a fee is charged. Use by a College recognized collective bargaining unit under Section 11 is not a rental.

1. PRIORITY OF USE

College use has priority over all rentals. The College will try to honor confirmed rentals, but it may relocate or reschedule a rental when the space is needed for College use, with at least **10** days' notice when possible. If no suitable alternative is available, the renter will receive a full refund of fees paid.

2. ELIGIBILITY

To be eligible to rent College facilities, an applicant must be one of the following:

(1) An incorporated organization or government entity (including public schools and school districts) with a Federal Tax Identification Number (TIN); or

(2) An organization with 501(c)(3) tax-exempt status; or

(3) An individual or unincorporated group approved for conditional use, as described below.

Conditional use. Individuals and unincorporated groups that do not meet eligibility item 1 or 2 may be approved on a case-by-case basis by the Office of Auxiliary Services. Approval requires a refundable security deposit in an amount set by the fee schedule and any additional insurance Risk Management requires. The deposit is due with full payment under Section VI and will be returned within fifteen (15) business days after the event, less any charges for damage, additional personnel or custodial time, or other costs.

The College reserves the right to accept or reject any request, applying the same content-neutral criteria to all applicants.

3. APPLICATION PROCESS

Applicants must submit the following to the Office of Auxiliary Services at least **30** calendar days before the event:

(a) A completed and signed Facility Rental Application;

(b) A formal request letter describing the applicant, the event and its setup needs, on letterhead if the applicant is an organization;

(c) Proof of eligibility. Individuals must provide a government-issued photo ID; unincorporated groups must name a responsible adult who signs the application and provides a government-issued photo ID; and

(d) A Certificate of Insurance.

Requests received with less notice may be accepted at the discretion of Auxiliary Services. Submitting an application does not reserve space. A rental is confirmed only when the College issues written confirmation.

4. FEES AND CHARGES

Charges are based on a schedule approved by the President or a designee and administered by the Office of Auxiliary Services. In addition to the rental fee, charges may include:

(a) General operating costs of the facility;

(b) Personnel required, as determined by the College;

(c) A minimum of four (4) hours where overtime is involved;

(d) Extra custodial hours used for preparation and cleanup; and

(e) Any other costs incurred by the College, including repair of damage beyond normal wear.

Full payment is due **10** business days before the event unless Auxiliary Services agrees otherwise in writing.

5. INSURANCE

Every renter must provide a Certificate of Insurance showing:

(a) Commercial general liability coverage of at least **$1,000,000** per occurrence and **$2,000,000** aggregate.

(b) Essex County College, its Board of Trustees, officers, employees and agents named as additional insureds; and

(c) Additional coverage: The College may require for higher-risk events, such as liquor liability when alcohol is approved, or physical activity or athletic events.

The certificate must be received at least **10** business days before the event. Risk Management may adjust limits based on the size and nature of the event. Government agencies that self-insure may provide a letter of self-insurance instead.

6. INDEMNIFICATION

The renting organization agrees to defend, indemnify and hold harmless Essex County College, its Board of Trustees, officers, employees and agents from any claims, damages, losses or expenses arising from the organization's use of College facilities, except those caused by the sole negligence of the College. The renter is responsible for any damage to College property caused by its members, guests, vendors or contractors.

7. CANCELLATION

By the renter. Written notice received **10** or more days before the event: full refund less a **non-refundable processing fee of $100.00**.

Notice received fewer than **10** days before: **50**% of the rental fee is retained, plus any costs already incurred.

By the College. The College may cancel or suspend a rental for College use, weather or other emergencies, public safety concerns, or the renter's failure to meet this regulation. When the College cancels for reasons other than the renter's non-compliance, it will refund all fees paid. The College is not liable for any other costs or losses the renter incurs.

8. CONDUCT AND COMPLIANCE

Renters, their guests and vendors must follow all College policies and regulations while on College property, including:

(a) Non-discrimination: renters may not discriminate in admission to or participation in their event on any basis prohibited by federal law or the New Jersey Law Against Discrimination.

(b) REG 5-23, Anti-Harassment Policy.

(c) Minors: events with minors must provide adult supervision of at least 1 adult per 10 minors throughout the event, and minors may not be left unattended (see also REG 2-13, Unattended Children in College Buildings).

(d) Alcohol: alcoholic beverages are prohibited at rental events unless approved in advance and in writing by the President, served by a licensed vendor, and covered by liquor liability insurance (see also REG 4-17, Drug and Alcohol-Free Workplace).

(e) Security and parking: Public Safety determines security staffing for each event, and its cost is charged to the renter. Parking must follow REG 2-1, Public Safety and Parking Services.

(f) REG 2-14, Health and Safety Emergencies.

(g) Food and beverage must be arranged through the College's approved catering process.

Violation of these requirements may result in immediate termination of the event without refund and denial of future requests.

9. POLITICAL AND OTHER EXPRESSIVE EVENTS

The College reviews all rental requests using content-neutral criteria: space availability, eligibility, insurance, safety and the operational requirements of this regulation. The College does not approve or deny a request based on the viewpoint of the organization or its speakers.

Rental of College facilities does not mean that the College endorses the renter, its speakers or its views. Renters may not state or imply College sponsorship or endorsement in any promotion unless a College department/unit is an approved sponsor. Events held for a political candidate, party or campaign are subject to the same fees and terms as all other rentals and must follow applicable election and campaign laws.

10. COLLEGE DEPARTMENT/UNIT SPONSORSHIP

A College department/unit may not act as a Sponsoring department/unit for an event benefiting an outside entity without the written approval of the Area Head and the Office of Auxiliary Services. A department/unit may not lease space without the written consent of the Area Head and the approval of the President or designee.

11. USE BY COLLEGE RECOGNIZED COLLECTIVE BARGAINING UNITS

College recognized employee bargaining units may use College facilities for meetings as provided in their collective bargaining agreements. Such use is not a rental under this regulation. The Association must reserve space through the College's normal reservation procedures.

Responsible Official(s): Office of Auxiliary Services, 973-877-4446	**Reference:** *NJ Rev Stat § 18A:64A-11*
Regulation History: App. 10/92, Rev. 10/01, 7/11, 3/17, 10/26	**Attachment(s):**