

Foothill College Facility Use Policy

Pursuant to Educational Code 82537-82548, the governing board of any community college district may grant the use of college facilities or grounds for public, literary, scientific, recreational, educational, or public agency meetings, or for the discussion of matters of general or public interest upon terms and conditions which the Board deems proper, and subject to the limitations, requirements, and restrictions set forth in this article.

Facility Use Authorization

Pursuant to Foothill-De Anza Community College District Board Policy 3205, the use of college facilities by outside groups shall be for short-term, temporary needs. No possessory interest is intended by any permitted use of a college facility. No use shall be permitted under the authorization of this policy that constitutes a monopoly for the benefit of any person or organization. The District strives toward fair and equitable treatment of all persons and will revoke any contract should discrimination of fundamental human rights be evidenced.

In conjunction with District Board Policy 3205, it is the policy of Foothill College to allow community groups and organizations the use of our facilities on a first come, first served basis, only when that use does not interfere with, infringe on, or impede the educational process.

Categories of Rental

Category 1: Student Clubs and Organizations

Student organizations are encouraged to utilize facility resources at Foothill College. Club advisors are authorized to make requests for facilities; no student in the club has the authority to make a facility request. Club advisors must be on site when the facilities are in use. Student organizations that are approved by the governing board of the District are exempt from charges as stipulated below.

- Facility application processing fee
- Hourly rental fee
- Utility usage fee
- Specialized equipment usage fee
- Direct fees for custodial, maintenance, and security are only charged on weekends, holidays, and when extra hours are required
- Extra hours may be required for special set ups and their removal

Category 2: Non-Profit Organizations

Organizations (excluding churches and religious groups), clubs, associations, and other public agencies organized for general character building or welfare purposes.

Documentation of legal non-profit status from the Internal Revenue Service must be provided to qualify. The following must be paid:

- \$50 application fee
- Hourly rental fee, minus 20%, rounded to the nearest dollar
- Utility usage fee
- Use of specialized equipment
- Custodial, maintenance and security, and any additional personnel as deemed necessary by the Facilities Rental Coordinator and the Campus Security Records Specialist

Category 2: Conditions of Non-Profit Discount

Non-profit organizations having fundraising entertainment or meetings where admission fees are charged or contributions, or any type of donation, are solicited must be for the benefit of the students of the Foothill-De Anza Community College District, otherwise the private fee schedule applies to their rental contract.

Category 3: Religious Organizations and Private or Commercial (for Profit) Groups

The governing board may charge an amount not to exceed its direct costs or not to exceed fair rental value of college facilities and grounds under its control for activities other than those specified above. Fair rental value is determined by evaluating rates and comparability of other facilities in the surrounding area and taking market trends into consideration. The following must be paid:

- \$50 application fee
- Hourly rental fee based on fair market value
- Use of specialized equipment
- Custodial, maintenance and security, and any additional personnel as deemed necessary by the Facilities Rental Coordinator and the Campus Security Records Specialist

Campus Representation

An authorized Foothill College employee must be assigned to each event and shall act as the campus representative for that event. The campus representative is assigned at the discretion of the Facilities Rental Coordinator. The assigned campus representative for the event is responsible for checking and verifying the condition of the facility at the beginning and end of each event through the use of the online check list. This verification shall constitute authoritative proof for any damage incurred by the authorized requestor or any of its participants of the event. Additional campus staff may be assigned based the needs of the event.

Summary of Charges and Fees

The following direct costs will be assessed to all outside organizations or groups renting facilities at Foothill College. All fees are listed in Exhibit A.

- Open/close facility if no college employee would otherwise be present
- Campus representative
- Special event or room set up and takedown
- Custodial services
- Grounds Services
- Specialized support staff (e.g. AV technician, electrician, IT specialist)
- Campus police security

Parking

Parking permits are required at all times at Foothill College. Parking is not included in the use of college facilities and participants of a scheduled event wishing to park their vehicles must pay for a daily parking permit. If an outside group or organization is interested in securing prepaid parking for their event, the requestor should notify the Facilities Rental Coordinator. Any request for a fee waiver or reduction must be Board approved. Requests for parking permit waivers must be submitted in writing to the Facilities Rental Coordinator which will be forwarded to the College President for submission to the Board of Trustees for approval.

Insurance

All outside groups and organizations must provide the college with a Certificate of Insurance for \$1 million dollars per each occurrence, listing Foothill-De Anza Community College District as additionally insured. Vendors and caterers must provide evidence of general liability and workmen's compensation insurance if they have any additional employees on site. Food trucks must provide evidence of general liability and auto liability and workmen's compensation insurance if they have any employees on site.

Deposits and Billing

In accordance with Educational Code 82540, all fees are due and payable prior to the event. A \$50.00 application fee is required at the time the application is submitted. Completion of the online application does not constitute an agreement. After conferring with the Facilities Coordinator, a contract is constructed and agreed upon. A deposit of 50% of the total estimated fee and signature is required within ten (10) business days of receiving the contract. Failure to pay the deposit and sign the contract within the stated time period may cancel reservations. Final payment is due two weeks prior to the start date of the scheduled event. All payments must be remitted in person or by mail to Foothill College 12345 El Monte Road, Los Altos Hills, CA 94022, Attention Diana Cohn, in the form of a check, cashier's check, or money order.

Event Cancellations

By the requester

If it is necessary to cancel an event, the Campus Facilities Rental Coordinator must be notified no less than five business days prior to the scheduled event. If the five business day minimum notification is received and acknowledged by the Campus Facilities Coordinator, all monies except for the \$50 facility application fee will be refunded. Refunds will not be given for events cancelled within five business days of the event. Refunds will not be given to groups or organizations that fail to show for scheduled events.

By the College

Foothill College reserves the right to cancel any event scheduled by a community group or organization if the scheduled facility is needed for a college program. Although rare, if it is necessary for the college to cancel an event, the college will make every effort to notify the sponsoring group of the cancellation at least five business days in advance of the scheduled activity. In the case of cancellation by the college, all monies collected will be refunded for each application processed, including the \$50 application fee.

Cancellation due to Inclement Weather

Reservations are made rain or shine and cancellations due to weather are not refundable unless the area is deemed unusable by local weather service or authority.

Timeline for placing a Facilities Application

All requests should be filed at least one month in advance of the proposed event. Community groups and organizations can schedule events no more than six months in advance of the proposed event; however due to academic scheduling requirements, no contract will be extended more than one academic quarter in advance.

Classroom, Lecture, and Indoor Physical Education Spaces

Food and beverages are not allowed in classrooms, lecture halls, and indoor Physical Education spaces without express permission. Food and beverages served in any of these facility types will cause custodial support to be on staff at the renter's expense.

Food Consumption and Vending Policy

Allowable Food Consumption and Vending Options

Pacific Dining:

District catering is made possible by Pacific Dining and whenever possible, an outside party should contact Pacific Dining for a non-binding food services quote. The Facilities Rental Coordinator will notify Pacific Dining of any upcoming events that require food service or the requestor may contact them directly by calling Richard McMahon at:

Pacific Dining - Food Service Management
P.O. Box 6789 San Mateo, CA 94403
408-406-8487

Outside Catering

Unless the food is “pre-boxed” and is sealed for distribution, in order to adhere to the procedures defined in the California Retail Food Code, your caterer must be onsite for the event to serve. To minimize food contamination, all caterers are required to provide the following documentation two weeks prior to the event start date.

Truck Caterers

- 1) Evidence of a current Health Inspection Certificate
- 2) General liability insurance certificate
- 3) Auto liability insurance certificate
- 4) If employees are on site instead or in addition to the owner of the catering company, workmen’s compensation insurance must be provided.

Food Trucks must receive approval of their parking location from the Facilities Rental Coordinator and Police Records Specialist.

Non-Truck Caterers

- 1) Evidence a current Health Inspection Certificate
- 2) General liability
- 3) If employees are on site instead of the owner, workmen’s compensation insurance must be provided.

Other Food Vending Options

In accordance with California Retail Food Code, if a renter wants to vend food, all items must be pre-packaged and fully sealed by the food manufacturer.

Alcoholic Beverages

Alcoholic beverages are not allowed to be consumed at Foothill College without expressed permission. Should you prefer to have alcoholic beverages at your event the following procedures are required.

The District's primary concern is to protect the health and welfare of our guests. Alcoholic beverages are not allowed to be consumed on campus without a permit. Only beer and or wine are allowed on campus. All requestors who are permitted to serve beer and or wine and their event are expected to promote responsible consumption.

Type of Event

Issuance of a **Campus Beer and/or Wine Permit** is dependent on the purpose of the proposed event, such as weddings and other, celebratory events and fundraisers.

- The application must clearly state the purpose of the event and describe the program or activity with the stated purpose.
- Participants under 21 years of age may not be served, so requestors will be required to describe the group and their guests for consideration.
- Permits will not be issued for any coming of age parties such as youth birthdays, bar or bah-mitzvahs.
- Permits will be issued to private events only; these are not open to the public.
- The permitted requestor must demonstrate how the number of attendees of the private event will be monitored. Some examples are limiting printed invitations or tickets to establish the number of attendees.
- A minimum of 45 days is required to process a permit and the request must prove sufficient planning has occurred to avoid potential problems.

Location of Event with Beer and/or Wine

Beer and or wine are allowed with permit at the following locations:

1. Physical Sciences Engineering Center Courtyard
2. Krause Center for Innovation
3. Main Campus Quad
4. Smithwick Courtyard
5. Campus Center Dining Room
6. Campus Center Patio
7. Horticultural Patio Area
8. Japanese Cultural Center

Hours of Events with Beer and/or Wine

Requests for Permits will only be approved if they fall within the following time periods:

- There are no instructional or student activities in the facility
- After 5 pm on weekdays, 4 pm on Fridays
- After 10 am on Saturday and Sunday
- Serving cannot exceed a four hour time limit, the event can be longer

- If a full meal is served and there is a dancing component following, a longer time may be negotiated with the Facilities Rental Coordinator.

Designated Responsible Person

- The person applying for the permit must be the same person who applies for the facility and must be over 21 years of age. This person will be on site for the entire event and will be responsible for compliance with applicable laws, facilities rental policies and procedures.

Serving the Beer and/or Wine

- Beverages must be served by a licensed caterer
- Equal amounts of non-alcoholic beverages must be available for consumption
- There shall be no sale of alcoholic beverages; exchanging any consideration for alcoholic beverages constitutes a sale
- Caterer is required to check identification to insure proper age

Fees Security and Approval

- Approval of permit to serve alcohol must be signed by the Facilities Rental Coordinator and the Vice President of Finance and Administration Services
- Additional security personnel will be required
- A \$150.00 application fee is required by the state of California which is obtained by the Facilities Rental Coordinator

Any violations of these policies may result in forfeiture of future rental privileges of Foothill College facilities, and additional fees.

We reserve the right to amend these policies as deemed necessary without advance notice.

Exhibit A: 2014 – 2015 Facility Rental Rates

Exhibit B: 2014 – 2015 Parking Waiver Document

Exhibit C: 2014 – 2015 Insurance Requirements

Exhibit D: 2014-2015 Guidelines for Food Related Events and Food Sales

Exhibit A

2014-2015 Foothill College Facility Rental Rates

**For-Profit
Hourly Rates****Non-Profit
Hourly Rates****Classroom Facilities**

Room Capacity	Rate	Rate
50 and under	\$65.00	\$52.00
51-100	\$70.00	\$56.00
101-180	\$85.00	\$68.00
181-325	\$110.00	\$88.00
Library Central Garden	\$110.00	\$88.00
Campus Center Conference and Patio	\$110.00	\$88.00
PSEC Quad	\$110.00	\$88.00
Athletic Facilities		
Main Gymnasium	\$150.00	\$120.00
Small Gymnasium	\$100.00	\$80.00
Football Stadium	\$130.00	\$104.00
Futsal Field	\$75.00	\$60.00
Pool	\$150.00	\$120.00
Soccer Field	\$115.00	\$92.00
Softball Field	\$115.00	\$92.00
Softball Batting Cages	\$88.00	\$70.40
Tennis Court (Each)	\$30.00	\$24.00
Track	\$60.00	\$48.00
Practice Field	\$90.00	\$72.00
Direct Costs		
AV Technician	\$60.00	\$60.00
Custodian	\$70.00	\$70.00
Electrician	\$90.00	\$90.00
Grounds Maintenance Person	\$70.00	\$70.00
Sergeant	\$80.00	\$80.00
Police Officer	\$70.00	\$70.00
Community Service Officer	\$55.00	\$55.00
IT Technician	\$75.00	\$75.00
Life guard (1per each15)	\$50.00	\$50.00
Staff Support	\$50.00	\$50.00
Staff Support (Weekends)	\$75.00	\$75.00
Stadium Lights	\$70.00	\$70.00
Table and Chair set up/take down	\$70.00	\$70.00
Other		
6 ft. Table (each)	\$5.00	\$5.00
Folding Chairs (each)	\$1.00	\$1.00
Additional Services/Special Fees		
Beer and/or Wine Use Fee	\$150.00	\$150.00

Exhibit B

Foothill College Parking Waiver Policy

According to the October 2013 update of the District Police Department Parking & Traffic Regulations, Chapter 8, both internal and external requests for parking fee waivers must be ratified by the Board of Trustees.

External “No Fee” Parking Waiver Request Procedure

If a request for a parking fee waiver from an external company, please forward the requesting party directly to the President’s Office. If a “no fee” parking waiver is granted, the President’s Office will place this item on the Board of Trustees agenda for ratification.

Exhibit C

Foothill College Insurance Requirements 2014-2015

All outside groups and organizations must provide the college with a Certificate of Insurance for \$1 million dollars listing Foothill-De Anza Community College District as additionally insured. The policy must be on file two weeks prior to the event start date, the same date as final payment is due.

1. A minimum of \$1,000,000.00 general liability coverage is required of all renters who are not affiliated with Foothill-De Anza Community College District.
2. On a separate piece of paper, with the heading "Additional Insured", the certificate must contain the following additional insured statement worded in its entirety and exactly as follows:

"Foothill-De Anza Community College District its Board of Trustees, and the individual members thereof, all District officers and servants are named as additional insured." must be named as additionally insured."

3. The certificate holder is:
Foothill-De Anza Community College District
12345 El Monte Road
Los Altos Hills, CA 94022

Exhibit D

Guidelines for Food Related Events and Food Sales

To comply with the Santa Clara County Health Department's regulations related to the preparation, handling, and distribution of food on campus, as well as to guarantee the health and safety of all campus constituencies, the following guidelines for food sales have been established for students, employees, and renters at Foothill College:

- Food items must be prepackaged. Prepackaged items are food items packaged at a licensed bakery, restaurant, or grocery store, **OR**
- Food items must be prepared by a licensed food service provider and a current Environmental Health Permit must be provided to the Facilities Rental Coordinator in order to receive event authorization.
- No foods or perishable beverages can be prepared or stored in a private home due to possible contamination.
- All food and perishable beverages shall be protected at all times from unnecessary handling and possible contamination (i.e. gloves must be worn by servers and items refrigerated)
- Additional Points of Clarification
- Pizza can be sold by the slice if purchased from a licensed food service provider and is distributed by the slice to the public, by a certificated Food Handler, and that the pizza is protected at all times from unnecessary handling and possible contamination (i.e. gloves must be worn by servers and items refrigerated as needed). The food handler's certificate must be on file with the Facilities Rental Coordinator.
- Baked goods be separated in single servings for sale if they are purchased from a licensed food service provider and are distributed individually to the public, by a current certificated Food Handler, provided the baked goods are protected at all times from unnecessary handling and possible contamination (i.e. gloves must be worn by servers and items refrigerated as needed).
- The food policy applies to food in baskets assembled for fundraising unless the food items are prepackaged.

Internal Potlucks

Potlucks are permissible for internal events **ONLY** and must meet the following guidelines:

- The meeting or event must be closed to the general public. Instead, the event is open to a specific target population,
- There can be no charge for the event
- The event cannot be advertised to the general public