

## **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. Short term is defined as no longer than one academic quarter. 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

Student clubs and organizations are responsible for the following fees:

- Direct fees for custodial, grounds and campus police 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 nonprofit rental fee
- Utility usage fee
- Use of specialized equipment
- Direct fees for custodial, grounds, and campus police will be applied

### **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 for Profit fee schedule applies to the 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 labor costs and fair rental value of college facilities and grounds under its control for activities other than those specified above. The following must be paid:

- \$50 application fee
- Hourly for profit rental fee
- Fees assessed for use of specialized equipment
- Direct fees for custodial, grounds and campus police

### **Campus Representation**

An authorized Foothill College employee must be assigned to each event and shall act as the campus representative for that event. 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. The campus representative may not be assigned to the event if already engaged in any other campus activity which coincides with the event. If the campus representative cannot work the event, the Facilities Rental Office must be contacted.

### **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
- Campus representative/Onsite Supervisor
- Specialized equipment
- Special event or room set up and takedown
- Custodial services
- Grounds Services
- Specialized support staff (e.g. AV technician, electrician, IT specialist)
- Campus Police
- Any additional resources such as Internet access and WIFI codes

### **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 must notify the Campus Police. Any request for a fee waiver or reduction must be Board approved a minimum of two (2) weeks prior to the event. Requests for parking permit waivers must be submitted in writing to the Facilities Rental Coordinator at least 45 days in advance which allows enough time for the request to 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. Evidence of workmen's compensation insurance must be additionally provided if there are employees on site. Food trucks must provide evidence of general liability and auto liability. Evidence of workmen's compensation insurance must be additionally provided if there are 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 and Rescheduling**

### **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 with less than five business days' notice of the event. Refunds will not be given to groups or organizations that fail to show for scheduled events.

### **Request for rescheduling of event**

If it is necessary to reschedule an event, the Campus Facilities Coordinator must be notified no less than five business days prior to the scheduled event. Each request for rescheduling will incur a \$20.00 change fee.

### **By the College**

Foothill College reserves the right to cancel any event scheduled by a community group, organization or individual 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 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 for no longer than one academic quarter. Due to academic scheduling requirements, events may not be scheduled for more than six months in advance.

### **Classroom, Lecture, and Indoor Physical Education Spaces**

Food and beverages are not allowed in classrooms, lecture halls, and indoor Kinesiology and Athletic spaces without express permission. Food and beverages served in any of these facility types will require custodial support to be on staff for the entirety of the event with no less than a four (4) hour minimum 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  
rick@pacific-dining.net

#### **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, a licensed 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 Environmental Health Inspection Certificate
- 2) General liability insurance certificate in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate
- 3) Auto liability insurance certificate in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate
- 4) If employees are on site instead or in addition to the owner of the catering company, statutory limits for workmen’s compensation insurance must be provided in the amount of \$1,000,000.00 stating it is the employer’s liability

Food Trucks must receive approval of their parking location from the Facilities Rental Coordinator and Police Records Specialist a minimum of five (5) days prior to the event start date.

#### **Non-Truck Caterers**

- 1) Evidence of a current Environmental Health Inspection Certificate
- 2) General liability insurance certificate in the amount of \$1,000,000 per occurrence and \$2,000,000 in the aggregate
- 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 on campus without a permit and are not allowed to be served at Foothill College without written permission. Should you want 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 all guests. Only beer and or wine are allowed on campus. All requestors who are permitted to serve beer and or wine at 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, celebratory events, fundraisers, etc.

- 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.
- The permitted requestor must demonstrate how the number of attendees of the private event will be monitored.
- A minimum of 45 days is required to process a permit and the request must prove sufficient planning has occurred to avoid potential problems.

### **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

### **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**

- Pursuant to Board Policy AP 3500 Alcohol on Campus, approval to serve alcohol must be granted and signed by the Foothill Director, Campus Center and Campus Police no less than 45 days prior to the event.
- Additional security personnel will be required
- A \$150.00 application fee is required

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: 2015 – 2016 Facility Rental Rates

Exhibit B: 2015 – 2016 Parking Waiver Document

Exhibit C: 2015 – 2016 Insurance Requirements

Exhibit D: 2015 – 2016 Guidelines for Food Related Events and Food Sales

**Exhibit A****2015-2016 Foothill College Facility Rates**

	<b>For-Profit</b>	<b>Nonprofit</b>
<b>Room Capacity</b>	<b>Rate</b>	<b>Rate</b>
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 Rooms and Patios	\$110.00	\$88.00
PSEC Quad	\$110.00	\$88.00
<b>Athletic Facilities</b>		
Main Gymnasium	\$150.00	\$120.00
Small Gymnasium	\$110.00	\$88.00
Football Stadium	\$143.00	\$115.00
Futsal Field	\$75.00	\$60.00
Pool	\$150.00	\$120.00
Soccer Field	\$127.00	\$102.00
Softball Field	\$115.00	\$92.00
Batting Cages	\$88.00	\$71.00
Tennis Court (Each)	\$30.00	\$24.00
Track	\$60.00	\$48.00
Practice Field	\$90.00	\$72.00
<b>Direct Costs</b>		
AV Technician	\$65.00	\$65.00
Custodian	\$74.00	\$74.00
Electrician	\$90.00	\$90.00
Grounds Maintenance Personnel and Pool Technicians	\$74.00	\$74.00
Sergeant	call for rate	call for rate
Police Officer	\$90.00	\$90.00
Community Service Officer	\$65.00	\$65.00
IT Technician	\$95.00	\$95.00
Life guard (1per each15)	\$50.00	\$50.00
On Site Supervisor	\$90.00	\$90.00
Stadium Lights	\$77.00	\$77.00
Table and Chair set up/take down (per hour)	\$74.00	\$74.00
<b>Other</b>		
6 ft. Table (each)	\$5.00	\$5.00
Folding Chairs (each)	\$1.00	\$1.00
<b>Additional Services/Special Fees</b>		
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 2015-2016**

All outside groups and organizations must provide the college with a Certificate of Insurance for \$1 million dollars per occurrence and \$2 million in the aggregate 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 per occurrence and \$2,000,000 in the aggregate of 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 "Additionally Insured", the certificate must contain the following additionally 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 additionally 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 may 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).
- This food policy also 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 and open to a specifically targeted population,
- There can be no charge for the event
- The event cannot be advertised to the general public