

## College Operating Procedures (COP)



**Procedure Title:** Use of College Facilities  
**Procedure Number:** 04-0601  
**Originating Department:** Office of Financial Services

**Specific Authority:**

Board Policy **6Hx6:7.01**  
Florida Statute **§1001.64 (4)(b); 1001.65(6); 1013.10**  
Florida Administrative Code **6A-14.0261**

**Procedure Actions:** Adopted: 05/09; 06/09; 11/7/2012

**Purpose Statement:**

To provide for consistent application of procedures, processes and risk management with regards to the use of College facilities outside of academic scheduling.

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It is the College's intent to use College facilities as efficiently and effectively as possible, giving priority to events that are solely managed and coordinated by College faculty, staff or student groups for College business. The College has established event classifications and requirements related to facility use and service fees, contract and insurance requirements. The College will apply consistent procedures as they relate to the event classification requirements and board approved rate structures.

**DEFINITIONS:**

**ACADEMIC SCHEDULING:** Scheduling of instructional spaces, such as classrooms and laboratories, for credit courses of Florida SouthWestern State College. Academic Scheduling does not include the scheduling of Continuing Education programs.

**CAMPUS CENTRAL SCHEDULING:** Offices responsible for the scheduling of all facilities, grounds and services for events and activities other than credit courses of Florida SouthWestern State College.

**COLLEGE SPONSORED EVENT:** Events that are managed and coordinated by an outside group, but a College department has agreed to sponsor the event by paying for all or a portion of applicable facility use and service fees associated with the event.

**EVENT FEE FORM:** Written cost of service charges associated with a College Event.

**EXTERNAL USER:** Any outside person, group, organization or entity not affiliated with the College using College facilities OR any College employee, faculty, staff or student using College facilities for non-related College activities.

**FACILITIES:** College-owned or operated buildings, equipment, or property, including grounds and College services.

**FACILITY USE AGREEMENT:** Agreement signed by an EXTERNAL USER and others for College-Sponsored or Outside Events.

**FACILITY USE FEE:** The facility use fee is the cost associated with the use of a College facility. This fee includes Florida SouthWestern administrative support for event service coordination, one basic set up of tables and chairs available in the facility, basic utilities during normal operating hours, use of A/V already available in the room/facility, basic custodial including prepping of room and normal trash removal after event. The fee DOES NOT include room set up changeovers during the event, any technical support for the A/V equipment or additional A/V equipment not already available in the facility, additional custodial and/or security services either requested by the event coordinator OR required by Florida SouthWestern State College. The fee also does not include any additional services provided by Florida SouthWestern State College that are not listed here.

**GOVERNMENTAL ENTITY:** Federal, state, county, city or other agencies and its affiliates.

**NON-PROFIT ORGANIZATION:** Group or entity with a valid 501(c)(3) certification.

**SERVICE FEES:** Service Fees include any services provided and/or coordinated by Florida SouthWestern State College in support of an event.

### **GENERAL GUIDELINES**

Use of Florida SouthWestern State College facilities is the use of a public resource and as such is regulated through the following procedures. Florida SouthWestern State College is not obligated to permit use of facilities for any activity that the District President or applicable Campus President determines is contrary to the mission of the College or the safety of persons or property.

This procedure does not include the Barbara B. Mann Performing Arts Hall, which comes under separate rental and use provisions. Requests for use of the Barbara B. Mann Performing Arts Hall by College departments should be made to the Office of Auxiliary Services. Any requests for use by External Users shall be made directly to the Barbara B. Mann Performing Arts Hall Management.

Florida SouthWestern State College has the right to approve any advertising concerning outside events by External Users using College facilities. Any use of the College's trademarks and logos must be in accordance with College Operating Procedure.

Any delivery and removal of items into a College facility for use during an event must be coordinated through Campus Central Scheduling. This will ensure that delivery and removal of such items does not conflict with any other events scheduled in and around College facilities. Items may include but are not limited to; audio-visual equipment, table/chair/equipment rental,

catering and/or delivery of materials for an event.

External Users must obtain prior written approval from the Office of Auxiliary Services to bring in any outside food and/or beverage or to operate any concession and/or sales activity while using facilities at Florida SouthWestern State College.

### **SCHEDULING OF FACILITIES**

Florida SouthWestern State College classes, programs and activities for students, faculty and staff have priority over all use. College events may be scheduled in non-instructional spaces up to two (2) years in advance. External Users may reserve non-instructional spaces up to six (6) months in advance. Instructional spaces may be reserved when released by the Academic Schedulers, generally on the first day of open registration for each term.

All use of College facilities must be scheduled through Campus Central Scheduling. In order to provide for appropriate time to coordinate services associated with an event and to comply with the procedures outlined here, it is recommended that events be scheduled at least three (3) weeks in advance of the date of the event. All efforts will be made to accommodate events requested with less notice, but if Campus Central Scheduling determines that these procedures could not be accommodated in the lesser time frame the event will not be scheduled.

Campus Central Scheduling offices are located in and managed by the following campus departments:

- Lee Campus – Auxiliary Services
- Collier Campus – Administrative Services
- Charlotte Campus – Administrative Services
- Hendry/Glades Center – Student Services

### **EVENT CLASSIFICATIONS AND REQUIREMENTS**

#### ***COLLEGE EVENTS:***

Events coordinated and managed solely by the College or a College department(s) conducting official College activities. These events must be pertinent to the daily operation and mission of the College, as determined by Campus Central Scheduling.

Events coordinated and managed solely by the Student Government Association and College Student Organizations officially registered through the Office of Student Life or those groups pending registration who have been authorized by the Office of Student Life.

Events coordinated and managed by the College or a College department(s) in partnership with an External Users. The College department must be actively involved in the planning and coordinating of the event, the sole contact for Campus Central Scheduling and be present during the entire event. The event attendance must intend to include at least 50% participation by

Florida SouthWestern students, faculty and/or staff of the College. These events must be related to the mission of the College.

Events that fall under and comply with College Operating Procedure: Community Service Events, where the event is planned and implemented by the College, which pertains to the College's educational mission and whose intended audience included community members. These events will require tracking and assessment as outlined in the Community Service Events COP.

**Requirements:**

- A contact from the College must schedule and coordinate the event with the Campus Central Scheduling. The College contact must be in attendance at the event and serve as liaison to Campus Central Scheduling. Campus Central Scheduling will not communicate directly with any outside entity or organization participating in the event.
- Compliance with the College Operating Procedure on Community Public Service Events, if applicable.
- Proof of insurance for External Users, if any, involved in co-sponsoring/co-hosting the event.
- If there are direct costs associated with an event, a College account number must be provided on the Event Fee Form (BO-043) no less than five (5) business days prior to the first date of the event. Payment for any fees will not be accepted by an External User. The Event Fee Form (BO-043) must be signed by the appropriate budget administrator.

***COLLEGE SPONSORED EVENTS:***

Events coordinated and managed by an External User but the College or a College department(s) has agreed to sponsor the use of College facilities. The sponsoring department may be responsible for all or a portion of the appropriate facility use and service fees as agreed upon between the College department and External User.

At the discretion of the District or Campus President, the College or College Department may receive benefits in consideration/exchange of the sponsorship. Those benefits are to be briefly described in the sponsorship request form (BO-036).

**Requirements:**

- Campus Central Scheduling can work directly with the External User; however, a contact from the College must be designated for Campus Central Scheduling in the event that additional facilities and/or services are requested by the External User.
- The Sponsorship Request Form (BO-036) must be completed by the sponsoring College department and signature approval must be obtained by the external user, sponsoring College department representative, appropriate budget administrator.

- The District or Campus President signature is also required for any waiver of fees in consideration of benefits provided by External User.
- The Florida SouthWestern department must provide an Florida SouthWestern Index/Account number for charge back of any and/or all charges for which the department is sponsoring.
- A Facility Use Agreement (Form BO-035), signed by the External User.
- Proof of Insurance, as defined by this procedure, by the External User.
- Any other applicable documents with regards to the External User including, proof of 501(c)(3) status or Certificate of Exemption from Florida Sales and Use Tax, if applicable.
- Facility Use and Service Fees as outlined in this procedure.

***OUTSIDE EVENTS:***

Events that are managed and coordinated by any External User, defined as an outside person, group, organization or entity not affiliated with the College using College facilities OR any College employee, faculty, staff or student using College facilities for non-related College activities.

**Requirements:**

- The External User must provide contact information to Campus Central Scheduling for the organization's representative on site during the day of the event. This will be the only person authorized to provide change requests to Campus Central Scheduling.
- A Facility Use Agreement (Form BO-035), signed by the External User.
- Proof of Insurance, as defined by this procedure, by the External User.
- Any other applicable documents with regards to the External User including, proof of 501(c)(3) status or Certificate of Exemption from Florida Sales and Use Tax (if applicable).

**FACILITY USE AND SERVICE FEES:**

- I. Annually, during the budgeting process, the Florida SouthWestern State College Board of Trustees reviews and approves the SCHEDULE OF FACILITY USE AND SERVICES FEES. The College will charge for use of facilities and services as per the approved schedule.
- II. College sponsored events are given a 75% discount on all facility use fees. Governmental agencies and non-profit organizations with proof of 501(c)(3) status are

- given a 50% discount on facility use fees. For all other entities no discount will be provided.
- III. A College department may agree to provide sponsorship to reduce expenses to an External User as defined in this procedure.
  - IV. For College Sponsored Events and Outside Events, fees will be charged, at the current Florida SouthWestern State College Board of Trustees approved rates, for services that are requested and provided. Examples of these services may include but are not limited to; instructional technology services, facilities/custodial services, security services, equipment rentals, copy services, long-distance telephone fees, utility costs above normal use or outside of College operating hours, or any other additional services provided by the College to support the event.
  - V. College Events may be charged at the current Florida SouthWestern State College Board of Trustees approved rates for any direct costs assumed by a College Department in support of an event. Examples include, but are not limited to, direct costs for moving furniture, equipment rentals or for services provided outside of normal College operating hours such as instructional technology, custodial or security support.
  - VI. Campus Central Scheduling must obtain a copy of an External User's Certificate of Exemption from Florida Sales and Use Tax in order to remove sales tax from a Facilities Use Agreement and Invoice. The name on the certificate must match the name on the Facilities Use Agreement.
  - VII. Payment of all fees by the External User, as provided in the Facility Use Agreement and reflected on the College generated invoice are due to Florida SouthWestern State College no later than five (5) business days prior to the first date of use provided in the Facility Use Agreement. If payment is not received five (5) business days prior to the first date of use provided in the Facilities Use Agreement, the event will be cancelled and all facilities and services scheduled will be released.
  - VIII. At the end of each month, any fees sponsored by the College department will be transferred to the appropriate campus auxiliary facility rental index via journal transfer from the sponsoring department's budget.

### **FACILITY USE AGREEMENT**

- I. All College Sponsored Events and Outside Events require a Facility Use Agreement to be signed by the External User. The Facility Use Agreement must be signed and returned no less than five (5) business days prior to the first date of use provided in the Facilities Use Agreement.
- II. The Office of General Counsel must review and approve any requested changes to the standard terms and conditions of the Facility Use Agreement.

**PROOF OF INSURANCE**

- I. Insurance will not be required for College events unless the event contains an activity which the Office of Risk Management deems requires different and/or additional insurance.
- II. Before any External User may use any College facility it must supply a certificate of insurance, evidencing the required insurance coverage, naming the Certificate Holder and Additional Insured as:

District Board of Trustees  
Florida SouthWestern State College  
Attn: Risk Manager  
8099 College Parkway  
Fort Myers, Florida 33919

*Governmental agencies will be required to supply a Certificate of Insurance as proof of coverage only; no additional insured requirements will apply.*

The Certificate of Insurance from the External User must show proof of comprehensive general liability insurance, insuring against liability for bodily and personal injury to; or wrongful death of persons, or damage or loss of property occurring in or about the facilities arising out of External User's use or occupancy thereof, in an amount not less than:

\$1,000,000	Bodily Injury
\$1,000,000	Personal Injury Liability
\$1,000,000	Property Damage Liability
\$1,000,000	Liquor Liability (if applicable)

If a certificate of insurance cannot be provided as specified, the External User must purchase the required insurance either through a carrier of their choosing, or may elect to purchase the required insurance through the College's TULIP Program. The Tenants' and Users' Liability Insurance Policy (TULIP) provides low-cost special event insurance to the External User. TULIP is event-specific and protects both the External User and the College against claims by individuals who could be injured or experience damage to property as a result of participating in the event.

- III. The College's Office of Risk Management may determine that the activity for which the facility will be used requires other types of insurance coverage, or that additional or reduced levels of insurance are appropriate. The Office of Auxiliary Services will coordinate those additional/reduced requirements with Risk Management and the External User.
- IV. All event classifications that may have a "vendor style" component, that is, the event may have additional External User(s) that are participating in a "fair" or "tradeshow" style event; the College reserves the right to require insurance as specified in this

procedure from any and all of those External Users. Any External User participating who may be providing food and/or beverage, as approved through this procedure, or is providing services of a medical nature, those External Users will be required, without exception to provide insurance as specified in this procedure.

**PROCEDURES:**

- I. All use of College facilities outside of academic scheduling will be scheduled through Campus Central Scheduling and reserved through the College's central scheduling system, Resource 25.
- II. Each Campus Central Scheduling Office will prepare, collect and submit all relevant documents to the Office of Auxiliary Services, including Event Fee Forms (BO-043), Facilities Use Agreements (Form BO-035), Certificates of Insurance (with the exception of those provided by TULIP), and any other applicable documents including, proof of 501(c)(3) status or Certificate of Exemption from Florida Sales and Use Tax (if applicable).
- III. Upon receipt of all required documentation, The Office of Auxiliary Services will:
  - Obtain signatures of Director of Auxiliary Services, Risk Management, General Counsel and the Vice President of Administrative Services, where applicable.
  - Post Charges to the External User's Banner Account and process Journal Transfers according to this procedure.
  - Generate an Invoice with a printed due date that is in compliance with this procedure.
  - Forward complete packet of documents back to the appropriate Campus Central Scheduling Office.
- IV. The Campus Central Scheduling Office will obtain the External User's signature on appropriate documents and forward back to the Office of Auxiliary Services.
- V. The Campus Central Scheduling Office will monitor payment due dates applicable to their respective campuses and will notify External Users of cancellation of event if payment requirements are not met per this procedure. Payment will be submitted to the Cashier's office by Campus Central Scheduling Office with a Cash and Check Deposit Form (Form BO-042) with appropriate invoice number.
- VI. Facility use fees charged to an External User or sponsoring College department for the use of College facilities will be credited to the appropriate campus facility rental index and be available through approved budget procedures. Service Fees charged will be credited to the district facility rental services budget. Quarterly, fees collected for Instructional Technology, Facilities/Custodial and Security Services will be reviewed by the Vice President of Administrative Services and may be provided to the respective campus departments via non-mandatory budget transfer.