

Chapter: Facilities

Modification No. 001Subject: **Use of Facilities**

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**I. Primary Use of Facilities**

The primary use of the College's facilities shall be to accommodate the educational programs and services of the College.

**II. Use of Facilities for Other Than Instructional Purposes**

- A. The Board of Trustees approves and encourages maximum use of its facilities by College and community organizations and groups during those times when such use will not interfere with the regular educational program or other bona fide College activities. The views of any college or community group using the College's facilities are not necessarily those of the Board of Trustees nor does such a group have any endorsement from the Board for its views and expressions of opinion.
- B. No single organization or group may preempt the use of any space. All spaces are to be made available to the community in an equitable manner.
- C. The use of College buildings and facilities is authorized for the presentation and discussion of public questions, public speaking, lectures, or for other civic, educational, political, social, recreational, business or church affiliated civic purposes, provided, however, that such gatherings or meetings shall:
  - 1. be open to the communications media, and
  - 2. not be likely to provoke or add to a public riot or breach of the peace, or create a clear and present danger to the peace and welfare of the College, County, or the State.
- D. College buildings and facilities may be used for religious activities, upon the usual application and conditions, while buildings in which such activities are usually conducted are being renovated, repaired, or built, provided the use of such facilities is to be temporary only, not to exceed two years, and shall cease as soon as the buildings ordinarily used are renovated, repaired, or built.
- E. The persons, groups or organizations making application for the use of College facilities for a public meeting shall be responsible for any damage to the College property occurring at such meeting, ordinary wear and tear excepted. Upon failure of the person or persons to properly repair or pay for the damages to such property, the College may refuse all future applications by those concerned for the use of the property until such damage is repaired without expense to the Board of Trustees.

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- F. In the event property loss is incurred by the College as a result of the use of the facility by any group or organization, the amount of reimbursement to be requested from the user shall be decided by the President or the President's designated representative(s).
- G. For any persons, groups or organizations that are not required to reimburse the College for facilities or services, it shall be the responsibility of the person or persons making application for the use of College facilities for that group to restore the facilities to their prior state of cleanliness and orderliness. Failure upon the part of the concerned person or persons, to whom permission has been granted to hold a meeting, to leave the facilities reasonably clean and orderly after the meeting will be cause to refuse to allow any further use of the facilities by the same parties.
- H. The President is authorized to develop and implement a uniform fee for the use of the College's facilities. The fee shall cover the cost of utilities and personnel expenses incurred by the College.
- I. Any persons, groups or organizations using College property shall agree prior to using College facilities that it will indemnify and hold harmless Montgomery College, its agents and employees, from any and all liability, damage, expense, cause of action, suits, claims, or judgment arising from injury to person or personal property or otherwise which arise out of the act, failure to act, or negligence of that group or organization in connection with or arising out of the group's or organization's activity.
- J. The College President is authorized to develop procedures in order to provide for the safety of participants, protection of the College plant and equipment, and applicable reimbursement.
- K. Policies and related procedures published herein are not applicable to the use of facilities by the Board of Trustees, or to individual members thereof when in the performance of their public duties as members of the Board.
- L. The President of the College, or his/her designee, hereby is authorized to approve the sale and/or consumption of appropriate alcoholic beverages on the premises of College property, in accordance with applicable local ordinances and State laws and State regulations, and in accordance with approved College procedures.

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Board Approval: February 25, 1985.

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Chapter: FacilitiesModification No. 002Subject: **Use of Facilities**

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**I. Primary Use of Facilities**

The Academic Vice President, through the campus provosts, is charged with the primary responsibility for coordinating and scheduling the use of facilities to accommodate the educational programs and services of the College.

**II. Use of Facilities for Other Than Classroom Instruction**

The Administrative Vice President, through the Director of Facilities, is charged with the primary responsibility for coordinating and scheduling the use of facilities for other than instruction. Non-instructional use cannot be scheduled until the class schedule is completed.

**A. Postponement or Cancellation of Meetings**

1. When the College is closed for classroom instruction due to emergency reasons, all non-instructional use will be canceled.
2. When a group or organization has received approval to schedule an activity or event in a College facility, this activity or event may not be preempted by any other activity or event.

**B. Use by College and Community Groups or Organizations**

1. The Director of Facilities shall develop and publish specific guidelines governing the use of facilities by College and community organizations or groups. Copies of these guidelines shall be available from the Facilities Office on each campus.
2. A College group or organization desiring to use a facility must submit a request on Form FAC-3. This form requires sponsors be responsible for the conduct and the activity of the group. This request must be approved by the provost before it is submitted to the Facilities Office.
3. A community group or organization desiring to use a facility must submit a request on Form 8.113. This form requires that a member of the group assume responsibility for the conduct and activity of the group as well as the responsibility for the costs associated with the use. This request is submitted directly to the Facilities Office. The form will be transmitted by the Facilities Office to the provost for review, if appropriate.

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4. A weekly list of scheduled events will be provided to the provost by the Facilities Office.

### **C. Commercial Sales Use**

The use of College buildings and grounds for private commercial sales or other profit-making enterprise is authorized only under all of the following conditions:

1. The enterprise is a business licensed, when appropriate, by the Government of Montgomery County or other governmental entity having jurisdiction.
2. The service provided is required for the operation of the College.
3. The sale is approved by the Director of Auxiliary Services.
4. A formal legal agreement or contract is entered into between the College and the enterprise.

### **D. Denial of Use to College or Community Groups or Organizations**

A College or community group or organization may be denied permission to use the College's facilities when any of the following conditions apply:

1. The activity or event is in conflict with the College's mission.
2. The spaces for which the request is made has already been committed to another use.
3. The space may not be used for the purpose requested.
4. The group or organization has a history of misuse of buildings or grounds. This determination will be made by the Director of Facilities.
5. The activity undesirably duplicates and/or conflicts with an activity or course offered by the College.
6. The group or organization does not adhere to approved procedures and guidelines at the time of application.

### **E. Priorities for Use**

1. Facilities shall be scheduled on a first-come, first-served basis.
2. Under certain extreme circumstances, the Director of Facilities may request the original requester who has scheduled an activity to reschedule or relocate the activity or event. Rescheduling or relocation will not be made without the concurrence of the original requester.

F. Use of Pools

1. In addition to the instructional program, the College will make the swimming pools available for open swim times for the students, faculty and staff.
2. The College may sell swim passes to the members of the community. These passes will permit holders to use the pools during the open swim times.
3. The Director of Facilities or designee shall coordinate the scheduling of the remaining time with the Montgomery County Public Schools and with the Montgomery County Recreation Department.

G. Use of the Performing Arts Building

The scheduling for the Performing Arts Building on the Rockville Campus shall be determined by a committee selected by the provost. This committee shall be chaired by a campus representative, and the Director of Facilities, or designee, who shall serve as an ex-officio member.

H. Use of Learning Resources Equipment

When a College or community group or organization using a College facility desires to use audio-visual equipment belonging to the College, arrangements shall be made through the Office of Facilities at the time a space reservation is requested. Final approval cannot be given to such requests until the Office of Educational Support Services has approved the request. Any time Learning Resources equipment is used a member of the Learning Resources staff shall be on the campus. (The cost of this service is not included in the uniform fee charged to community groups, and will be assessed separately.)

I. Use of Food Service

When a College or community group desires to serve food at an activity or event, arrangements for food service must be made through the Office of Auxiliary Services. The fee for this service is established by Auxiliary Services and the food service contractor.

J. Use of College Libraries

1. The Montgomery College libraries are available to serve the information needs of the community. The services of the libraries are governed by the nature and the size of the collections, the educational needs of the College students, the size of the staff, and the hours of operation.
2. The College libraries are budgeted for and function to serve the needs of the instructional programs authorized for each campus, and the programs

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offered by the Continuing Education office of the College. After meeting these instructional needs, the staffs of the libraries cooperate in every way possible to make the libraries' materials and services available to the community. The community is welcome to use the libraries, within the established schedule, and all of its materials on a space and/or resources available basis. The libraries provide reference assistance and library orientation to serve the needs of any individual using the library.

3. Within the capability of the campus library collections and the needs of Montgomery College students, all materials available for circulation may be loaned to those citizens who identify themselves as patrons of the Montgomery County Public Library System. Materials will be loaned and recalled on the same basis as for the College's students.

### **K. Reimbursement for Use of Facilities**

1. For reimbursement purposes there are two categories of users:
  - a. Group A includes College groups or organizations. College groups are those recognized as legitimate subgroups of the faculty, staff or administrative functions or by the Dean of Student Development as legitimate student groups.
  - b. Group B includes all other users.
2. Reimbursement by Users
  - a. Group A users shall not be charged the uniform fee. These users shall, however, pay any direct personnel costs associated with the activity or event.
  - b. Group B users shall pay the uniform fee. In addition this group shall also be charged all direct personnel costs associated with the activity or event which are over and above those included in the uniform fee.

### **L. Postponement or Cancellation of Meetings**

The President may postpone or cancel any meeting scheduled in College facilities or scheduled by College groups if and when such a postponement or cancellation is necessary to fulfill the responsibilities or other scheduled commitments of the College or its campuses, or, if and when such a meeting would unduly interfere with or prevent the fulfillment of the responsibilities or other scheduled commitments of the College or its campuses.

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Administrative Approval: February 4, 1975; February 25, 1985.