

CP 1.9.1 Facility Use by Outside Organizations

Related Board of Trustee Policy: BP 1.9

Responsible Official Vice President for Finance and Administration
Approvals 1/5/2024
Revision

Procedure

Outside organizations may be granted permission to use College facilities under certain conditions listed below. Whether a fee is charged for such use is determined by the category of the organization, the day and time of use, whether admission is charged, and special services required.

Facility use by outside organizations applies to two types of users.

1. MTCC allows use of its facilities (typically classrooms) to certain other educational institutions for their offering of entire courses under the semester or quarter system used by that institution. The instruction (and subsequent student credit) is totally under the direction of that institution. As this use entails a commitment of space for a significant time, such use must be carefully scrutinized to ensure that MTCC-use has priority.
2. MTCC allows use of its facilities to organizations needing space for a short time period. While there can be more flexibility in this type of use, applications are carefully considered to ensure that the College's interests are protected.

All potential users are required to complete and submit a *Facility Use Application* to facilitiesres@go.mcdowelltech.edu. All users must abide by the Regulations Governing Use of College Facilities.

1. Groups Permitted to Use the Facilities

McDowell Technical Community College shall have priority in the use of the College facilities at all times. The College reserves the right to deny the use of facilities to any group. Outside organizations requesting use of MTCC facilities will be classified as one of the following:

- Category 1. McDowell County agencies and McDowell County Schools.
- Category 2. Non-profit, active 501c3 groups; state and federal agencies.
- Category 3. All other groups that do not fit the definition of Categories 1 or 2.

2. Regulations Governing Uses of College Facilities

- a. The MTCC educational program has priority in the use of College facilities at all times. No activity will be scheduled for a use that interferes with the College instructional programs or activities.
- b. College facilities may be available for outside use during the week and on weekends. However, no College facilities will be made available during certain periods. These include day designated in the College calendar as holidays or day when the College is closed and may include related weekend days. This calendar is located on the website at <https://www.mcdowelltech.edu/apps/events>, published in the *MTCC*

Catalog and Student Handbook and the *MTCC Schedule of Classes* (published each semester).

- c. Approved *Facility Use Applications* shall be issued for all non-college functions.
- d. Applications for use of facilities can be found on the college website at <https://www.mcdowelltech.edu> or requested through email facilitiesres@go.mcdowelltech.edu. Completed applications must be submitted to the College a minimum of two weeks (10 working days) in advance of the proposed use. Facilities will not be reserved/scheduled until the educational programs have been scheduled for that academic term (approximately six weeks before the start data of that term). If requested before that time, permission to use the facilities cannot be granted and will be not guaranteed.
- e. All groups, agencies, or organizations shall designate a person to be held responsible for the group and its activities in the facility.
- f. The *Facility Use Application* should include all technical requirements, plans, ideas, and program content pertaining to the event. All equipment brought by the User will be inspected by an MTCC Security Officer to ensure safety and MTCC will have the final approval and authority for the use of such equipment.
- g. MTCC may be able to assist facility Users by providing certain audio-visual equipment. There is a section in the *Facility Use Application* for the User to select available equipment. If audio-visual equipment, or other aides, is provided to any groups or individuals representing the facility User shall be held personally responsible for the material or equipment. It is the responsibility of this person to ensure that the equipment is returned to the College in the same condition in which it was received.
- h. The College reserves the right to request that payments for any applicable fees be submitted in advance (at least five working days) for the use of facilities. All checks shall be made to McDowell Technical Community College and presented to the Business Office.
- i. The College may require, as a condition of approval, that compensation is provided for additional security officers, custodial personnel, or other staff members deemed to be necessary for the use of the facilities. The User (all categories) must pay for technical support, if required for facility use.
- j. The College shall require proof of copyright license fee payment in the event of a videoconference.
- k. Move-out must be completed no later than on-half hour after the schedule end time. Failure to comply with the move-out deadline may result in the User's effect being considered abandoned. In this case, the Vice President for Finance and Administration will dispose of them as he/she deem advisable.
- l. Organizations using College facilities and planning for catering services need to contact the Executive Assistant to the President for a list of approved caterers. The contract for providing catering services is between the user of the facility and the caterer.
- m. Approval for use of any college facility shall be revoked when the use interferes with regular College use, when facilities are misused, or when the foregoing rules are violated. Future use shall not be considered for organizations which have misused facilities.
- n. The use of and College property shall be under the direction of an authorized member of the College staff. Keys to the college buildings shall be assigned only to College employees, and buildings shall be opened only by such employees. The facilities are not opened, nor does any event begin, without the express permission of the Vice President for Finance and Administration. The right is reserved at all times for any and all employees of MTCC so designated to enter the premises.
- o. Authorization shall be given for entrance to specific areas and use of specific facilities only, within a building.

- p. The User will become familiar with, and comply with, applicable fire and safety codes (fire escape routes with nearest exits, fire extinguisher locations, handicapped access, etc.) at the facility.
 - q. Persons will not be permitted inside any room in excess of the established seating capacity. No additional chairs may be placed in the hall, hallways, or any portion of the facility open to the public. No standing room may be utilized, nor is anyone permitted to sit in any aisle.
 - r. The college is a tobacco-free campus (including cigarettes, chewing tobacco, and e-cigarettes). Drinking or possession of alcohol and/or unauthorized controlled substance of College premises is prohibited. Food and beverages are prohibited in the College auditorium and the NCIH (interactive television) classroom.
 - s. Youth or children's groups shall be adequately supervised by responsible adults provided by the sponsoring organizations.
 - t. Users shall be responsible for the payment of any and all damages to the buildings, furnishing, fixtures, or equipment whether caused by the User or his patrons; normal wear and tear excluded. Nothing shall be affixed to any walls, curtains, seating, or other surfaces in any building without express written permission of the college. Damage to the premises shall be at the expense of the User. College furniture and/or equipment shall not be removed, rearranged, or displaced without permission from an authorized College employee.
 - u. The User shall not advertise any performance or the appearance of any performer prior to the signing of the facility use contract, or until contracts involving all parties have been properly executed and exhibited to the Vice President for Finance and Administration or the appropriate College official prior to the signing of this contract.
 - v. The User agrees that no recording of any kind, either audio or visual, will be made of the event covered by a contract without prior written approval from the Vice President for Finance and Administration. MTCC has the right to require payment for said privilege. The Vice President for Finance and Administration has the right to record any event conducted in College facilities solely for the College's records.
 - w. All groups, agencies, or organizations shall not permit any vendor to sell products, goods, or services on the College campus without the express approval of the President.
 - x. No collections of donations, whether for charity or otherwise, shall be made, attempted, or announced on the premises without the written approval of the vice President for Finance and Administration or appropriate College official. The Vice President for Finance and Administration shall make the determination whether this shall constitute "Admission Charged".
3. Regulations Governing Uses of Special or Non-College Facilities

Certain programs, such as Basic Law Enforcement Training (BLET) and Fire and Rescue utilize facilities which are used only for MTCC students or which are not owned by the College. Since such use is under the direction of the College for MTCC-enrolled students, this *Facility Use for Outside Organizations* policy does not apply. However, in the interest of clarifying existing practices, the following information is included in this policy:

- a. The firing ranges used by MTCC Basic Law Enforcement Training (BLET) students are owned by McDowell County and the City of Marion. Their use is governed by written agreement between the College and those entities and complies with current Criminal Justice Training and Standards.
- b. The obstacle course located at the Magnolia Building may be used only by enrolled BLET students and only when a certified physical fitness instructor is present.

- c. The Fire Training Center is owned and operated by McDowell County, and its use by appropriate MTCC students is governed by the agreement between the College and the county.

4. Fees for Facility Use

Fees for facility use are charged under certain conditions as shown in the chart below.



McDowell Technical Community College
 54 College Drive
 Marion, NC 28752
 (828)652-6021

Facility Use Application

Complete all applicable sections and return form to facilitiesres@go.mcdowelltech.edu

Name of Organization: _____

Organization Type (check one):

- McDowell County Agency/School
- 501c3 Non-Profit; State or Federal Agency
- All Other Groups

Federal Tax ID# _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Contact Name: _____ Title: _____

Email: _____ Phone: _____

Type of Facility Requested:

- Multi-Purpose/Conference Room
- Auditorium
- Classroom
- Computer Lab

Event Name: _____

Event Description: _____

of Attendees expected: _____ Will there be a charge to attend? Yes No

Meeting Dates: _____ Meeting Time: _____ to _____

Technology Needs: Data Projector Microphone/Sound System Computer

Insurance Requirements:

A Certificate of Insurance must be provided to McDowell Tech evidencing liability insurance is in force for the duration of lease of space at the College. McDowell Technical Community College must be named as Additional Insured on Lessee's general liability policy. Liability limits of no less than \$1, 000,000.00 per occurrence must be maintained by Lessee during the lease period. To the fullest extent permitted by law, Lessee shall indemnify and hold harmless McDowell Technical Community College against all claims, damages, losses and expenses arising out of the use of the lease premise. Furthermore, Lessee shall obtain from each of its insurers a waiver of subrogation on Commercial Liability in favor of McDowell Technical Community College with respect to losses arising out of or in connection with use of the leased premises. In the event Lessee does not carry general liability insurance, evidence of a Special Events liability policy with similar terms and conditions as above may be provided.

The undersigned hereby represents themselves as an authorized agent of the aforementioned organization and, as such, makes application to McDowell Technical Community College for the use of the College's facilities. The undersigned warrants that the applicant will observe all regulations of McDowell Technical Community College, agrees to the policies and procedures contained in the MTCC Policy Manual, Catalog and Student Handbook and accepts financial responsibility for all expenses associated with reserving and utilizing McDowell Technical Community College facilities, equipment, and services.

Signature, Authorized Representative of the Organization: _____

This section to be completed by McDowell Technical Community College

Applicable Fees:

Rental Fees day(s) \$
Custodial hrs \$
Security hrs \$
Other hrs \$
Total Fees \$_____

Fees Paid \$_____ (01-110-00-494300-10003)

Date Paid _____

Received by _____

Room Assignment



McDowell Technical Community
College 54 College Drive
Marion, NC 28752
(828) 652-6021

Facility Use Information

Request Procedures:

1. An inquiry to facilitiesres@go.mcdowelltech.edu should be submitted to determine if the desired date and time is available, and to request a Facility Use Application.
2. The Facility Use Application should be completed and returned to facilitiesres@go.mcdowelltech.edu.
3. Upon notification of acceptance of the request by the College, a check to cover the charges will be made out to McDowell Technical Community College and sent to the Business Office (54 College Drive, Marion, NC 28752) 10 days in advance of the event.

Contractual Obligations: (See "[CP 1.9.1 Facility Use by Outside Organizations](#) ")

- The User agrees to hold McDowell Technical Community College free, harmless, and indemnified from any claims, suits, or causes of action arising from or out of its use of a College facility.
- The College cannot assume responsibility for damage or loss to such property. Any group scheduling facilities on campus should have its own insurance to cover any property or materials it brings to the campus. All visiting groups are responsible for overseeing the activities and conduct of their members while utilizing College facilities. The College assumes no liability for injury incurred by any member of such a group while engaged in a group activity on College property
- A User shall not sign or transfer its permit to use College facilities to any other person or group without the express written permission of the appropriate College official.
- An agreement to use College facilities may be canceled or amended by either the User or the appropriate College official for good cause provided five days' notice is given to the other party. Amendments may be made only by mutual agreement of both parties involved. In addition, refund of the usage fee or any portion thereof, where applicable, will be made at the discretion of the President or his/her designee.
- Violations of any of the College rules and regulations shall be grounds for the suspension of a User's privilege to use school facilities.
- The User shall leave the College premises in a clean, neat, and orderly condition. In the event that College property is damaged, the organization or entity booking usage shall be liable for the damages.
- If the User finds the facility unkempt or not fit for the intended use, he/she should notify the appropriate College personnel prior to the beginning of that use.
- The User is responsible for the supervision of the activity (class meeting or event), including the maintenance of order and the safety of the people present.



Fee Schedule for Facility Use

Category 1 McDowell County agencies and McDowell County schools	No charge for room rental; some fees may apply	
Category 2 Non-profit, active 501c3 groups; state and federal agencies		
	Full Day (4+ hours)	1/2 day (1 to 4 hours)
Multipurpose/Conference room	\$100	\$50
Auditorium	\$150	\$75
Classrooms	\$50	\$25
Computer lab	\$75	\$35
Category 3 All other groups		
	Full Day (4+ hours)	1/2 day (1 to 4 hours)
Multipurpose/Conference room	\$200	\$100
Auditorium	\$300	\$150
Classrooms	\$100	\$50
Computer lab	\$150	\$75

Rental fees are in place to protect the state's property, provide requested equipment, and ensure that energy costs are recovered.

Normal working hours	8:00am – 10:00pm Monday - Friday
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Fees:

Security - \$25 per hour/officer will apply to any event held during times when college security is not normally staffed. Events held after normal business hours require a three (3) hour minimum.

Custodial – normal and usual housekeeping is included with the facility rental during normal business hours. Additional custodial workers may be required due to clean-up above and beyond standard cleaning and are appropriated at the discretion of the College based on the needs of the event.

If the College is closed due to inclement weather, the Lessee will have to reschedule, as the College will not have staff on premises to provide access to classrooms and maintain the safety of the parking lots and walkways. Operating status can be verified by calling: 828-659-0419.