



## **POLICY ON FACILITY USE BY EXTERNAL ENTITIES**

Westchester Community College has well-maintained buildings and grounds in Mount Vernon, Ossining, Peekskill, White Plains, and Yonkers and a bucolic 218-acre main campus centrally located in Valhalla, New York, for the primary purposes of delivering educational instruction and conducting college business.

### **POLICY STATEMENT**

The College's facilities are available for use by external entities on a fair, equitable, and space-available basis while providing safety and security for people and equipment and maintaining the facilities in excellent condition. All requests are granted at the discretion of the president of the college. This policy applies to one-time use of college facilities and not long-term arrangements, leases, or partnerships involving college facilities.

### **ACCEPTABLE USE GUIDELINES**

1. All college facility use shall comply with local, state, and federal laws and regulations, including those of Westchester Community College and the State University of New York.
2. All college facility use shall be open to the public and encourage attendance by Westchester Community College students and employees, with exception for commercial filming or photographing by permit, which should engage WCC students and faculty in corresponding academic programs to the extent possible.
3. Curricular or co-curricular meetings or lectures that are intended for SUNY Westchester students and faculty, sponsored by a college department, and open to the public should be referred to a vice president for approval and subsequent scheduling.
4. The order of priority for use of college facilities shall be as follows:
  - a) College instructional purposes (both credit and noncredit).
  - b) Activities sponsored by the college, Westchester Community College Foundation, and the Faculty Student Association.
  - c) Activities sponsored by federal government, New York State, and county agencies within New York.
  - d) Activities sponsored by non-profit or community service organizations.
  - e) Activities sponsored by for-profit community organizations.
  - f) All other activities.
5. All facility reservations are subject to change based upon the college's instructional needs and the size and scope of the facility use request.

6. Applicable ancillary fees (such as custodial, security, and media) will be charged to organizations in categories (c) through (f) and according to the Facility Use Fee Schedule. These service requirements will be determined by the college and provided by the college.
7. Actual facility use exceeding the agreed upon duration by more than thirty (30) minutes shall be billed accordingly in one-hour increments for room and ancillary fees.
8. Facility use requests to film, photograph, and/or record any material may be subject to review by the Office of Strategic Marketing and Communications.
  - a) Requests for film or television production or other commercial purposes require a permit from Westchester County.
  - b) Requests for video or photo production for non-commercial purposes should not include any SUNY Westchester student or employee without prior permission.
9. Any use of the college name, seal, logo, or brand identity in advertising and promotional notices shall be approved in advance, except for disseminating information about event location, directions, and parking.
10. Guests shall be held liable for any damages arising from facility use.
11. Facility use requests shall not be granted for activities that could lead to riot, civil disorder, divisiveness, or undue controversy in the community.
12. Guests should be aware of the following policies.
  - a) Due to unforeseen circumstances, such as inclement weather, the college may close. If the College is closed, facility use is not permitted. The college website ([www.sunywcc.edu](http://www.sunywcc.edu)) announces all delays or closures.
  - b) Use of tobacco products and vaping devices is prohibited.
  - c) Sale, distribution, or consumption of alcohol, beer, and wine is prohibited..
  - d) Guests shall comply with the State University of New York Child Protection Policy. Responsible adults shall always accompany children under 18 years old.
  - e) Guests shall comply with the college's pandemic health and safety plans while present at a college facility.
  - f) Guests may not hang or attach signage to any exterior college structure, fence, post, or sign without prior approval. (Temporary lawn signs are permitted for the duration of an event.)
13. Guests shall ensure that activities do not interfere with instructional purposes, learning activities, and other regular activities.
14. No activities shall exceed the maximum capacity for rooms as determined by the college.
15. All organizations must designate a safety monitor. The college must have the information on the safety monitor (name, telephone number, email address) prior to approval of

facility use. The safety monitor must be on site monitoring and enforcing safety rules for the entire duration of facility use.

16. Westchester Community College's Faculty Student Association has the right of first refusal for all catering needs at all College locations.
17. Fee payment schedules and arrangements shall be determined by the College and stated on the Facility Use Conditions and Indemnification form. Failure to adhere to the fee payment schedules and arrangements may result in the loss of facility use.
18. No facilities use will be reserved and confirmed until the following are received and approved: signed and notarized Facility Use Conditions and Indemnification form, proof of insurance, and any other special requirements as determined by the College.
19. Any changes to a confirmed reservation must be requested in writing at least 30 days prior to facility use. Westchester Community College cannot guarantee that changes will be accommodated.

**HANKIN ACADEMIC ARTS BUILDING THEATRE ACCEPTABLE USE GUIDELINES**

1. All fire and safety regulations shall be strictly enforced.
2. Only qualified personnel shall operate stage lighting and sound reinforcement systems.
3. All props, scenery, costumes, etc. brought into the theater shall be removed from the building immediately after the last show.
4. Guests are responsible for supervising children attending auditions, set construction, rehearsals, etc.
5. The use of candles or other open flames while using the facility is prohibited.

**COLLEGE EQUIPMENT ACCEPTABLE USE GUIDELINES**

1. All equipment and tools shall be turned off and locked when not in use.
2. Only college trained personnel shall operate special equipment.
3. No unauthorized person shall handle lights, lift, batten, sound, or set construction equipment.
4. Any alteration of the basic theater setup shall be conducted by college personnel only.
5. If the audio set-up in the theater must be altered, a college audio/visual technician must review and approve the alterations.
6. The control booth must be kept locked when not in use, and only authorized personnel will occupy the control booth.
7. Facility reservations for evenings or weekends of the Davis Auditorium, Hankin Academic Arts Theater, Computer Labs, Culinary Arts Teaching Kitchen, or any other space with specialized equipment, will include fees for a college technician to operate specialized equipment and to ensure items are restored to original settings preventing interruption of any classroom instruction.

**INSURANCE REQUIREMENTS**

I. Insurance - Westchester Community College requires a Certificate of Insurance from any external organization using College facilities. This original certificate (a copy is not acceptable) must be received by the college prior to the event. Failure of the Licensee to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Licensee from any liability under this license, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Licensee concerning indemnification. The insurance coverage required is as follows:

Commercial General Liability Insurance: with a combined single limit of \$1,000,000 (c.s.1) per occurrence and a \$2,000,000 aggregate limit naming the "County of Westchester," "Westchester Community College," "Faculty-Student Association," and "Westchester Community College Foundation" as additional insured on a primary and non-contributory basis. This insurance shall include the following coverages:

- Premises - Operations.
- Broad Form Contractual.
- Independent Contractor and Sub-Contractor.
- Products and Completed Operations.

Commercial Umbrella/Excess Insurance: \$2,000,000 each Occurrence and Aggregate naming the "County of Westchester" and "Westchester Community College" as additional insured, written on a "follow the form" basis.

NOTE: Additional insured status shall be provided by standard or other endorsement that extends coverage to the County and College for both on-going and completed operations.

Workers' Compensation: Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law. State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."



## **POLICY ON FACILITY USE BY EXTERNAL ENTITIES**

Where an applicant claims not to be required to carry either a Workers' Compensation Policy or Disability Benefits Policy, or both, the employer must complete NYS form CE-200, available to download at <http://www.wcb.ny.gov>.

If the employer is self-insured for Workers' Compensation, he/she should present a certificate from the New York State Worker's Compensation Board evidencing that fact (Either SI-12, Certificate of Workers' Compensation Self-Insurance, or GSI-105.2, Certificate of Participation in Workers' Compensation Group Self-Insurance).

Additional Insurance: Depending on the activity, additional insurance may be required.

Cancellation Notice: Insurance Company (Carrier) must notify Westchester Community College of any insurance cancellation within 10 days of such cancellation.

NOTE: Westchester Community College and the County of Westchester must be named as additional insureds on the Certificate of Insurance. In addition, for any sports activity the Certificate must state, "Coverage includes opposing team players."

### **INDEMNIFICATION REQUIREMENTS**

Completion of the Facility Use Conditions and Indemnification form is required. In order to ensure adequate time to review, approve, and prepare for facility use, it is recommended that the form be signed, notarized, and received by the facility use coordinator, along with insurance documentation and nonrefundable deposit, at least sixty (60) days prior to facility use.

**PROCEDURES**

1. Submit a Facility Use Request form on the college website.
2. Upon receipt of the Facility Use Request form, the facility use coordinator will advise on the availability of space and provide a fee estimate.
3. If the terms and conditions of the facility use are acceptable, the facility use coordinator will obtain approval from the president of the college.
4. If approved by the president and at least 60 days prior to the event, submit the Facility Use Conditions and Indemnification Form, Certificates of Insurance or proof of self-insurance (the name of the insured must match the name on the Request form), nonrefundable 50% deposit, and any other required documentation.
5. Upon verification of the required documents and deposit, the facility use coordinator will confirm the facility use in correspondence containing the contact information for campus services (custodial, security, and media). Note: facilities are not reserved and held for client use until verification of the required documents and deposit.
6. Payment of the remainder of fees is due seven (7) calendar days before the facility use commences.