

## College Operating Procedures (COP)



**Procedure Title:** Use of College Facilities  
**Procedure Number:** 08-0801  
**Originating Department:** Office of Auxiliary 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; 07/11/12; 03/30/15; 06/21/2021;  
06/07/2022

**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:**

**COLLEGE/DEPARTMENT MISSION RELATED EVENT:** Events that are managed and coordinated by an outside group but a College Department feels the event supports the College or Department's mission. The external group is charged a discounted facility rental rate, all or a portion of which may be paid by the College Department.

**EVENT:** Any activity, class, conference, meeting, banquet, tournament, concert, or like affair occurring within FSW facilities

**EVENT SERVICES:** The office within the Auxiliary Services Division that schedules facilities and coordinates services for all events and activities other than credit courses of Florida SouthWestern State College.

**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-College activities.

**FACILITIES:** College-owned or operated buildings, grounds, equipment, or property, as well as direct services provided by the College.

**FACILITY RENTAL FEE ESTIMATE FORM:** Written quote for all fees associated with an event that will be charged to External Users and/or College Departments.

**FACILITY RENTAL FORM – EXTERNAL:** FORM BO-077: Form filled out by External User to reserve a location for Outside Events.

FACILITY RENTAL FORM – INTERNAL: FORM BO-076: Form filled out by Internal User to reserve a location for College or College/Mission Related events. This form can be found in the College Portal home page under Additional Links as Room Reservation

FACILITY USE AGREEMENT: [FORM BO-035](#): Agreement with the EXTERNAL USER for use of a facility. This form can be found on the FSW Event Services home page as Request Form.

FACILITY USE FEE: The fee charged for the use of College facilities. This fee includes administrative costs for event service coordination, basic room set up of tables and chairs, normal utility usage, basic custodial service. Depending on event needs, the College reserves the right to charge additional SERVICE FEES to cover event related costs.

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

INSTRUCTIONAL SPACES: Locations whose primary function is scheduled for education purposes. This includes the arena and baseball/softball fields when utilized for athletic activities in support of the education and enrichment of FSW athletes.

INTERNAL USER: Any College Department, College Organization, or the Student Government Association using College facilities for College or College/Mission Related activities.

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. Examples include security expenses, additional janitorial expenses, equipment/furniture rental, and direct labor expenses in support of an event.

## **GENERAL GUIDELINES**

- I. 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 event that the College President determines is contrary to the mission of the College or the safety of persons or property.
- II. 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 Event Services. Any requests for use by External Users shall be made directly to the Barbara B. Mann Performing Arts Hall management.
- III. Memoranda of Agreement may supersede this procedure.
- IV. Florida SouthWestern State College has the right to approve any advertising of events by External Users using College facilities. Any use of the College's trademarks and logos must be in accordance with [COP 08-0106](#): Use of College Name Marks and Seal.

- V. Any delivery and removal of items into a college facility for use during an event must be coordinated through Event Services. 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.
- VI. External Users must obtain prior approval from Event 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**

- I. Florida SouthWestern State College classes, programs and activities for students, faculty and staff have priority over all external 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 are open to reserve for external events as follows:
  - Academic instructional locations are released on the first day of open registration for each term.
  - Suncoast Arena is released by July 1<sup>st</sup> for reservation. Only the Director of Auxiliary Services may allow scheduling outside of these parameters.
- II. All use of College facilities must be scheduled through Event Services. 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 in all locations other than the arena at least one month in advance of the date of the event. Due to the large scale of most events scheduled within the arena, it is recommended that events be scheduled at least two months in advance of the date of the event. All efforts will be made to accommodate events requested with less notice, but if Event Services determines that the event could not be accommodated in the lesser time frame, the event will not be scheduled.

### **PRIORITY OF ARENA SCHEDULING**

- I. Tier One – Athletics Department
  - A. Practice and game schedules will be provided to Event Services for the upcoming season as follows:
    - i. Volleyball – April 15th
    - ii. Basketball – June 30th
  - B. Note - If athletic schedules are not released by the dates above, Event Services will use the prior season schedule to hold dates on the calendar for athletics.
  - C. Any changes or additions to Athletic schedules after April 15th (Volleyball) or June 30th (Basketball) should be submitted utilizing the Facility Rental Form – Internal (BO-076).
- II. Tier Two – Events provided by Professional Facilities Management, Inc. (PFM)

- A. Any athletic game, practice, study hall, team meetings, etc. may be reassigned from its primary location.
- B. If practice was scheduled prior to PFM addition of event and Athletics is displaced, Event Services must find an alternate practice location.
- C. The affected Athletics coach will provide a desired alternate location. If no location is provided, Event Services will procure and schedule based upon known given options.
- D. If alternate location has an associated charge, Auxiliary Services will pay for the services.
- E. Coaches affected by movement of study hall, team meetings, etc. will be accommodated to a new location if desired by request via email to events services.

### III. Tier Three – Non-FSW Sporting Events

- A. Practice, study hall, team meetings, etc. may be reassigned from its primary location.
- B. If practice was scheduled prior to addition of event and Athletics is displaced, Event Services must find an alternate practice location.
- C. The affected Athletics coach will provide a desired alternate location. If no location is provided, Event Services will procure and schedule based upon known given options.
- D. If alternate location has an associated charge, the event organizer displacing Athletics will pay for the services.
- E. Coaches affected by movement of study hall, team meetings, etc. will be accommodated to a new location if desired by request via email to event services.

### IV. Tier Four – Non-FSW Community Events

- A. Depending on event, practice, study hall, team meetings, etc. may be reassigned from its primary location.
- B. If practice was scheduled prior to addition of event and Athletics is displaced, Event Services must find an alternate practice location.
- C. The affected Athletics coach will provide a desired alternate location. If no location is provided, Event Services will procure and schedule based upon known given options.
- D. If alternate location has an associated charge, the event organizer displacing Athletics will pay for the services. See Item G in this section for exceptions.
- E. Coaches affected by movement of study hall, team meetings, etc. will be accommodated to a new location if desired by request via email only to event services.

### V. Tier Five – Open Gym Time for Faculty, Staff, and Students

- A. The arena will maintain the flexibility to allow for open gym time for the benefit of all faculty, staff, and students
- B. Open gym time will be scheduled by Event Services at the request of any FSW Department or Organization point of contact

## **EVENT CLASSIFICATIONS AND REQUIREMENTS**

### I. College Events:

- A. 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. This includes FSW athletic team practices, games, camps, clinics, and like events where instruction would be led by FSW Athletics.

- B. 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.
- C. Events coordinated and managed by the College or a College Department in partnership with an External User. The College Department must be actively involved in the planning and coordinating of the event. The College Department will be the sole contact for Event Services and be present during the entire event. The event attendance must intend to include at least 50% participation by FSW students, faculty and/or staff of the College. These events must be related to the mission of the College.
- D. For events scheduled on College official college closure days, direct labor charges and services will be applied. The College Department requesting use of facilities on that day will be responsible for the payment of any incurred expenses.

**Requirements:**

- 1) College Departments will schedule reservations utilizing the BO-076. The College Department or a member of the department acting on the behalf of the department must attend the event. Event Services will not communicate directly with any outside entity or organization participating in the event.
- 2) Proof of insurance for External Users, if any, involved in co-sponsoring/co-hosting the event.
- 3) If there are service fees associated with an event, a Facility Rental Fee Estimate Form must be signed by the appropriate budget administrator 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.
- 4) College employees scheduling any event for non-related College activities will be required to fill out BO-075 Employee Space Reservation – Supplemental Form as outlined in COP 09-0103 College Sanctioned and Non-Sanctioned Camps, Clinics, and Activities Administered by College Employees. See COP 09-0103 for further information.

**II. College/Department Mission Related Events:**

- A. Mission related events are those activities or events coordinated and managed by an External User in which the College and/or College Department(s) feels the purpose of the event and/or organization falls within the mission of the College and/or Department and will provide a benefit to the College and/or Department.
- B. College Departments may choose to sponsor External Users at a discounted rate for facility fees. The College Department may be responsible for all or a portion of the appropriate facility use fees as agreed upon between the College Department and External User. All associated service or insurance fees are the responsibility of the External User.
  - Examples of Mission Related activities and events would include the following: meetings of professional organizations related to a staff member's role at the College, professional association conferences related to the staff member's role at the College, athletic camps, tournaments, or invitationals.

- C. For events scheduled on College official college closure days, direct labor charges and services will be applied. The College Department and/or external client requesting use of facilities on that day will be responsible for the payment of any incurred expenses as agreed upon by those parties.

**Requirements:**

- 1) The College Department will schedule reservations utilizing BO-076. The College Department will be the initial point of contact for Event Services.
  - a. The College Department or a member of the department acting on the behalf of the department must attend the event.
  - b. the appropriate budget administrator is aware of all sponsored events prior to reserving of location as this will affect the department's annual budget.
- 2) A signed Facility Use Agreement or License Agreement for Use of Suncoast Arena is required by the External User.
  - a. Facility Rental Fee Estimate Form reflecting an estimate for fees will be provided at time of agreement signing.
  - b. Agreement must be received no less than 15 business days prior to the first date of the event to allow for execution of agreement.
  - c. Agreements received after this date may be in jeopardy of not being executed prior to event therefore nullifying the reservation.
- 3) Proof of Insurance, as defined by this procedure, by the External User.
- 4) 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.
- 5) College employees scheduling any event for non-related College activities will be required to fill out BO-075 Employee Space Reservation – Supplemental Form as outlined in COP 09-0103 College Sanctioned and Non-Sanctioned Camps, Clinics, and Activities Administered by College Employees. See COP 09-0103 for further information.

**III. 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:**

- 1) External Users will schedule reservations utilizing the Facility Rental Form – External (BO-077).
- 2) A signed Facility Use Agreement or License Agreement for Use of Suncoast Arena is required by the External User.
  - a. Facility Rental Fee Estimate Form reflecting an estimate for fees will be provided at time of agreement signing.
  - b. Agreement must be received no less than 15 business days prior to the first date of the event to allow for execution of agreement.
  - c. Agreements received after this date may be in jeopardy if not being executed prior to event therefore nullifying the reservation.

- 3) Proof of Insurance, as defined by this procedure, by the External User.
- 4) 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).
- 5) College employees scheduling events for private use will be considered External Users and are not required to fill out BO-075 Employee Space Reservation – Supplemental Form.

#### **IV. Elected Officials, Campaigning and Political Fundraising**

- A. Events coordinated and managed by municipal, county, state and federally elected officials who are conducting business related to their elected office for the benefit of their constituents are permitted and will be coordinated through Event Services. These events will not require a Facilities Use Agreement, facility rental fees, or insurance but may require service fees. Any associated service fees will be discussed with the VP of Operations/CFO for proper payment of fees.
- B. Campaigning and Political Fundraising: Section 106.15(4), Florida Statutes, provides that “No person shall solicit or knowingly accept any political contribution in a building owned by a governmental entity. For purposes of this subsection, “accept” means to receive a contribution by personal hand delivery from a contributor or the contributor’s agent. This subsection shall not apply when a government-owned building or any portion thereof is rented from a specific purpose of holding a campaign fundraiser.” Events which fall in the category of campaign fundraiser will be classified as Outside Events; they must meet all requirements in Section III of this procedure and will be charged at the External User Rate with no discounts to be applied.

#### **V. Voter Education, Registration, Get-Out-The-Vote Activities and Candidate Appearances and Debates**

- A. Nonpartisan voter registration activities are permissible so long as they do not target voters of a particular party or transparently help specific candidate.
- B. When a candidate is invited to campus by the College or a College Department, the College must provide an “equal opportunity” to other candidates for the same office. “Equal” must mean equal. In determining whether candidates are given an equal opportunity to participate the nature of the event to which the candidate is invited will be considered, in addition to the manner of presentation. For example, a department/organization that invites one candidate to speak at its well- attended annual banquet but intends to invite the opposing candidate to speak at a sparsely attended general meeting, will likely be in violation. Political fundraising cannot occur at these events.
- C. Multi-Candidate Debates: When hosted by the College or College Department, the following must apply:
  - a. Questions for the candidates are prepared and presented in an independent nonpartisan panel.
  - b. Topics must cover a broad range of issues and are of interest to the public.
  - c. Each candidate is given equal opportunity to present his or her view on each

of the issues discussed.

- d. Candidates cannot be asked to agree or disagree with positions, agendas, platforms, or statements of the College.
  - e. The moderator cannot imply approval or disapproval of the candidates by commenting on answers or editorializing.
- D. The College may invite a candidate to appear or speak in a non-candidate capacity.
- E. Scheduling of these events will be the responsibility of the inviting department or Event Services as directed by the Director of Auxiliary Services.

## **VI. Facility Use and Service Fees**

- A. 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 internal and External Users for use of facilities and services as per the approved schedule.
- B. External Users sponsored by the College and/or College Department as College/Department Mission Related events will be given a 50% discount for their portion of facility use fees. College Departments will receive a 75% discount for their portion of facility use fees. Governmental agencies and non-profit organizations with proof of 501(c)(3) status are given a 25% discount on facility use fees. For all other entities no discount will be provided.
- C. Services Fees are not eligible for discounting.
- D. For facility rentals other than the arena, payment for all charges and fees are due at time of agreement signing. External users with activities or events showing additional fees due upon closing of event will be invoiced for the balance due. College Departments will have all fees journal transferred upon closing of event.
- E. For arena rental, half of the total facility rental fee is due at time of agreement signing. The remaining balance plus all service fees are due upon closing of event. External Users with activities or events showing additional fees due upon closing of event will be invoiced for the balance due. College Departments will have all fees journal transferred upon closing of event.

## **V. Facility Use Agreement (Form BO-035)**

- A. All College/Department Mission Related Events and Outside Events require a Facility Use Agreement to be signed by the External User. The Facility Use Agreement ([Form BO-035](#)) 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.
- 1) Note that date stated for return of required agreement and documentation is indicative of the time needed for the College to fully execute agreements.
  - 2) Time is not inclusive of any time needed to hire, coordinate, or manage any vendors (stagehands for conversions, special effects lighting vendors, security services, etc.) that may be needed to facilitate the event.
  - 3) Events requiring additional services should provide signed agreements and documentation at their earliest ability.

- 4) Facilities are not considered reserved for use until a Facility Use Agreement or License Agreement for Use of Suncoast Arena has been completely executed by all signing parties.

B. The Office of Risk Management must review and approve all Facility Use Agreements.

#### **V. License Agreement for Use of Suncoast Arena**

A. All College/Department Mission Related Events and Outside Events utilizing the arena require a License Agreement for Use of Suncoast Arena to be signed by the External User. The agreement must be signed and returned no less than 15 business days prior to the first date of use provided in the License Agreement.

- 1) Note that date stated for return of required agreement and documentation is indicative of the time needed for the College to fully execute agreements.
- 2) Time is not inclusive of any time needed to hire, coordinate, or manage any vendors (stagehands for conversions, special effects lighting vendors, security services, etc.) that may be needed to facilitate the event.
- 3) Events requiring additional services should provide signed agreements and documentation at their earliest ability.
- 4) Facilities are not considered reserved for use until a Facility Use Agreement or License Agreement for Use of Suncoast Arena has been completely executed by all signing parties.

B. The Office of Risk Management must review and approve all Facility Use Agreements.

#### **VI. Proof of Insurance**

- A. Insurance will not be required for College events or events held by Elected Officials unless the event contains an activity which the Office of Risk Management deems requires different and/or additional insurance.
- B. Before any External User may use any College facility it must supply a certificate of insurance evidencing the required insurance coverage. See COP 09-0101 Insurance Coverage & Requirement for Vendors, Service Providers, and Professional Services for additional information.

#### **VII. Administrative Procedures**

- A. All use of College facilities will be scheduled through Event Services and reserved through the College's central scheduling software system.
- B. Event Services will prepare and collect all relevant documents, including Facility Rental Fee Estimate Forms, Agreements, 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).
- C. Event Services will monitor payment due dates 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 Event and Conference Services with a Cash and Check Deposit Form (Form BO-042) with appropriate invoice number.
- D. All fees charged to an External User or College Department for the use of College

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facilities will be credited to the appropriate index and be available through approved budget procedures. Fees collected for Information Technology, Facilities/Custodial, and Security Services will be provided to the respective campus departments via non-mandatory budget transfer on a quarterly basis or as deemed appropriate by Finance Department.

E. Any exceptions to this Operating Procedure must be reviewed and approved by the Vice President Operations/CFO.

Event Classification Matrix

<b>Requesting party and qualifying terms:</b>	<b>Type of Event</b>	<b>Requesting Form</b>	<b>Examples</b>
Event coordinated and managed by College or College Department conducting official College activities and event will include <b>attendance of AT LEAST 50% FSW students, faculty, or staff</b>	College Event	BO-076	Athletic Team Practices Basketball Lead by FSW Faculty/Staff FSW Team Building Events
Event coordinated and managed by <b>Student Government Association</b>	College Event	BO-076	Leadership Development Seminars Career Programming Workshops Social Events
Event coordinated and managed by <b>College Organization as officially registered through the Office of Student Life</b> or pending registration and have been authorized by the Office of Student Life	College Event	BO-076	Book Club Meetings Sustainability Club Planning Troops and Students Connect
Event coordinated and managed by an External User in which the College and/or College Department feels the <b>purpose of the event and/or organization falls within the FSW mission</b>	Mission Related Event	BO-076	Athletics Camps for Recruitment Sports Invitationals/Showcases FSW/Health Provider Co-Hosted Events
Event coordinated and managed by an <b>External User that does not meet requirements set forth to qualify as College or Mission Related</b>	Outside Events	BO-077	Wine Fest City of Palms Tournament Home Care Association of Florida
Event coordinated and managed by an <b>FSW Employee that does not meet requirements set forth to qualify as College or Mission Related</b>	Outside Events	BO-077	Private Mentoring Sessions Private Coaching Sessions Wedding Shower