

# FACILITY USE GUIDELINES AT HILLSBOROUGH COMMUNITY COLLEGE

## I. Political Activities

- A. College facilities and services may not be used by or on behalf of an outside organization/individual whose purpose is to further the cause of a particular candidate or political party.
- B. Official (recognized) organizations may sponsor political discussions/meetings.
- C. No campus political activities, including services and materials may be paid for with College funds.
- D. Funds or contributions for political candidates or campaigns may not be solicited in the name of HCC or on a HCC campus/site, and College resources may not be used in soliciting such funds. HCC students, faculty or staff who make political contributions, do so as individuals and not on behalf of HCC.
- E. Political Campaign-Related Activities, Permitted Events
  - 1) Conducting voter education, registration and training programs designed to increase general understanding of the electoral process and encourage participation. Training must be non-partisan.
  - 2) Distributing voting records on major legislative issues/topics without political opinions.
  - 3) Circulating unbiased questionnaires to all candidates for an office.
  - 4) Conducting public opinion polls on issues/not candidates, provided questions are fair/neutral.
  - 5) Participating in non-partisan voter registration activities, provided the activities are not intended to help a particular candidate or target certain voters.
  - 6) Providing opportunities to speak on equal basis to all legally-qualified candidates for public office. Legally qualified candidates for an office must be invited if one candidate is asked to speak. A statement must be made at the beginning of such forum or event that HCC is not supporting or opposing any candidate. No campaign fundraising may occur at an event at HCC.
  - 7) Sponsoring forums with all legally qualified candidates for a public office invited and given equal access to speak, as long as the format and content of forum are presented in a neutral manner. HCC should make sure that appearance includes speeches, question/answer or similar communication, but it should not be conducted as a political rally.
  - 8) Inviting a candidate to appear in a non-candidate capacity provided the person is chosen to speak for reasons other than his/her candidacy and no reference to election is made.

## F. Prohibited or Questionable Activities

- 1) Providing questionnaires that are limited to a narrow range of issues or written to favor one candidate/political party.
- 2) Expressly endorsing or implying endorsement of a candidate for public office, which includes putting up signs on campus that support a particular candidate. An example of implied endorsement would be an HCC representative making statements praising a candidate at a college event.
- 3) Conducting voter education activities with campaign events.
- 4) Coordinating HCC fundraising with a candidate's fundraising.
- 5) Sponsoring an event to help a particular candidate.
- 6) A candidate using an HCC sign or message board.

G. Student groups may use HCC facilities for partisan political activities, provided that such groups pay the normal charge, if any, for use of HCC facilities by student groups. If fees are waived for the student group, costs may still be charged. Administrators and faculty should be careful to avoid the appearance of institutional endorsement of a political activity/candidate.

H. Any questions on the use of facilities for political activities should be directed to the College Attorney's office.

## II. Risk Transfer

- A. When scheduling use of College facilities, whether by an HCC faculty or staff member, or HCC organization such as SGA, the principles of risk management at every level should be applied in order to:
  - Identify and evaluate risk for use of facility;
  - Avoiding or eliminating these risks where practical;
  - Minimizing, controlling or contractually transferring these risks to others, where possible.
- B. For HCC facility uses or where the Campus President (Vice-President) has authorized a College-sponsored event, it is good practice to retain those risks that can be self-assumed by HCC's self-assured fund and if need, purchase additional coverage at HCC's cost where:
  - The risk is of possible catastrophic nature or beyond the capacity of the organization to absorb from current funds and where the purchase of insurance is permitted for HCC as public entity.
  - The expenditure for premiums is justified for expected benefits.
  - It is required by law or contract.
- C. To purchase additional insurance for College use or College-sponsored use, the campus facility office must contact the Risk Management office. The College Risk Manager has direct responsibility for coordinating HCC's Risk Management and Safety Program, as well as, responsibility for establishing district-wide guidelines for any questions/concerns about coverage. The procurement of additional insurance will be limited to the availability of coverage at reasonable cost and subject to ability to acquire coverage, with consideration to

probable frequency, severity and impact of losses on the College and the self-insurance program provided through Florida Community College Risk Management Consortium.

When considering how a group/organization will utilize HCC facilities, the campus should give consideration to all ramifications of the occurrence including:

- Direct property damage
- Loss of use
- Additional expenses to continue operations
- Liability to employees
- Liability to others

- D. Certificates of Insurance - A Certificate of Insurance must list the District Board of Trustees of Hillsborough Community College as an additional insured. It is **not** sufficient to simply accept a copy of a Certificate of Insurance. You need to ensure that the policy is extended to cover the College.

For health fairs, SGA events and similar activities where multiple vendors appear, make sure each vendor has a Certificate of Insurance with HCC named as an additional insured. This will ensure that the vendor is responsible for incidents occurring on their equipment and not the College.

A Certificate of Insurance **must** be on file with the campus/district facility office **PRIOR** to an event. The campus/district facility office is the custodian of the fully executed copy of the Facility Use Agreement, Certificates of Insurance, invoices, Request to Use College Facility forms and any related information.

- E. Florida Community College Risk Management Consortium (“Consortium”) - Facilities Use/Special Events Liability Coverage  
College functions and College-sponsored functions are provided coverage for facility uses that are covered by the Consortium’s Facility Use/Special Events Liability Program.

- 1) Any non-College group/organization that uses College facilities for non-College-sponsored activities are required to have a fully-insured program prior to any use, evidenced by a Certificate of Insurance with the College specifically named as an additional insured on the certificate. It is important that any non-College group/organization that uses HCC facilities non-College-sponsored activities have their own coverage, so that the risk for using HCC facilities is transferred to a full-insured program and away from HCC’s self-insured loss fund.
- 2) The Consortium does provide an optional Facilities Use/Special Events Liability coverage program for non-College groups/organizations and non-College-sponsored events that is designed to protect HCC against liability; coverage of \$100,000 per person, \$200,000 per occurrence. There is an aggregate limit of \$1,000,000.
- 3) The campus/district facilities office should contact the district Risk Manager if a non-College group/organization is interested in reimbursing HCC for purchasing coverage through the Consortium’s optional program as briefly explained above.
  - HCC will purchase this optional coverage for a non-College group/organization from the Consortium. The non-College group/organization will reimburse HCC for this cost.

- Faxing the information does not provide coverage.
  - All events are subject to carrier approval.
  - Coverage is in place once the request form is returned showing approval by the carrier.
- 4) The Consortium's Facilities Use Program covers premise liability (i.e., slip and falls, step in hole, etc.). It does not cover malpractice and products liability.

### III. Alcohol

- A. The sale and/or service of alcohol on HCC property is prohibited unless approved by the Campus/District President in writing prior to an event.
- No alcohol is permitted outside of a room scheduled for an event.
  - HCC must receive notice at least three (3) weeks prior to the event that alcohol is planned to be served.
  - A sponsoring organization must arrange for insurance coverage providing adequate coverage to serve alcohol. HCC insurance for College or co-sponsored events does not provide coverage for serving alcohol.
  - If alcohol is to be sold, it is the sponsoring organization's responsibility to obtain the required license and additional insurance coverage. HCC reserves the right to require additional security and/or off-duty law enforcement officers to provide security at the sponsoring organization's cost.
- B. The optional policy provided through the Consortium does **not** provide coverage for use of alcohol whether sold or served. If allowed to be sold or served it will negate coverage through a consortium policy.
- C. HCC Campus Presidents/Vice-President are the only administrators who can authorize a group or organization to sell or serve alcohol at an HCC campus/site. Their written approval is required on the Request to Use College Facilities form.
- A College organization can sell or serve alcoholic beverages with prior written approval by the Campus President/Vice-President.
  - A College-sponsored event for non-College groups/organizations can sell or serve alcoholic beverages with prior written approval by the Campus President/Vice-President.
  - However, all non-College groups/organizations **must** purchase at their cost insurance to provide coverage to sell or serve alcohol, **even** if they are using HCC facilities for College-sponsored events that provide general premise coverage.

### IV. Food and Beverage Service

- A. The College's food vendor has an exclusive food service contract for managing and operating facilities providing manual food and beverage service, and food and specified beverage vending services at HCC. HCC may use another licensed caterer for special events such as functions of HCC departments or outside groups but no caterer can use the equipment of the College's primary food vendor. For all other areas, any licensed food service caterer or the College's primary food vendor may be used.
- 1) In order to protect the health and welfare of HCC employees, students, visitors and agents, it is necessary to regulate the service of food to the public at HCC.

- 2) The sanitary standard for all food service on an HCC campus or site must comply with the standards established by the Florida Department of Health under Chapter 381, Florida Statutes.
  - 3) Food, while being transported, stored, prepared, displayed, served or sold at a food service group must be protected by being covered and protected from sources of contamination.
  - 4) All organizations planning to serve food by a licensed caterer must ensure that the caterer is in compliance with all public health rules and regulations and that they are properly licensed.
- B. Coca Cola and their entire family of beverages are the exclusive pourer on all College property. Organizations or their contracted food service organization or catering service may not serve any competitors' brand. Such products include;
- 1) All carbonated drinks
  - 2) Flavored and unflavored water
  - 3) Natural or artificially flavored fruit juice
  - 4) Fruit Flavored drinks
  - 5) Cold Tea
  - 6) Energy Drinks
  - 7) Sports Drinks

#### **V. Sales Tax**

Although Hillsborough Community College is exempt from sales tax for its purchases, HCC is not exempt from the collection of sales tax from its customers. Under Chapter 212, Florida Statutes, sales and use tax in the amount of 7% of the revenue collected must be paid by entities (customers) making purchases from vendors (the College). Unless the customer is determined to be tax-exempt by the Florida Department of Revenue (**DOR**), or the item being sold is specifically excluded under the Florida Statutes, the College is required to collect sales tax and remit it to the DOR. **Facility rental charges, equipment rentals, admission charges, sale of food and drink, and additional services provided by the College such as security or custodial services are all subject to sales tax. Invoices must delineate sales tax charges separately.**

#### **VI. Co-Sponsorship**

HCC individuals, groups and organizations may co-sponsorship an event with another organization/group. This privilege to HCC space and service should be used appropriately and not to allow non-college groups or commercial vendors to use college space at no or a reduced cost. HCC individuals should not reserve space for events they are not sponsoring, actively involved in and present at the event.

#### **VII. Group Categories**

Fees charged for use of HCC facilities and services are generally based on the type of group or organization requesting space and the type of event being held.

- Student Organization
- Department
- HCC-Sponsored—Events coordinated by an HCC department/group
- Non-HCC—This includes use by individuals, non-profit organizations, non-HCC group(s)/organization(s).