

**BLUE RIDGE COMMUNITY AND TECHNICAL COLLEGE  
BOARD OF GOVERNORS**

**SERIES:** 5 | **Finance**  
**RULE:** 54.1 | **Use of Facilities**

**Scope:** This rule governs the use of institutional facilities by persons or groups.  
**Authority:** West Virginia Code § 18B-1-6, 18B-10-15  
**Approval Date:** August 7, 2013  
**Effective Date:** September 6, 2013

**SECTION 1. GENERAL**

1.1 Scope - This rule governs use of institutional facilities by persons or groups.

1.2 Authority - West Virginia Code § 18B-1-6, 18B-10-15.

**SECTION 2. PURPOSE**

2.1 Facilities of Blue Ridge CTC are intended for use in the conduct of educational programs. As such, first priority for the use of facilities will be given to the academic, administrative and student functions of the institution.

2.2 In its many aspects of service to the public, the Board also recognizes the need and permits the use of facilities which may provide benefits otherwise not available in the community. Consideration of requests from campus and off-campus groups will be guided by the following rule.

**SECTION 3. USE BY OFF-CAMPUS GROUPS or INDIVIDUALS (NONSTATE EMPLOYEE)**

3.1 It is the policy of Blue Ridge CTC to permit the use of facilities by the general community in a manner which does not compete with the ongoing programs of the colleges. The community use of a College facility must have an educational or cultural purpose and must have a campus sponsor. Noncampus groups must make application via the Facilities Request Form for desired use of facilities as the first step in the process. Upon approval of application, a campus sponsor will be designated by the President of the College.

The facilities that will be made available to noncampus groups will tend to be of a nature which is unique in the community.

3.2 Use of campus facilities by noncampus individuals or organizations will be permitted within the following guidelines:

3.2.1 Facilities and support services will be made available only to the extent that their proposed use is not in conflict with the regular programs of the institution.

3.2.2 The nature of the activities of the noncampus users shall not be potentially physically disruptive of the campus. For instance, local noise ordinances must be obeyed, as applicable. While this policy may not be construed to preclude use of facilities based on political philosophy, race, religion, or creed of the sponsor, the nature of the activities to be conducted on the campus shall not be illegal under the Constitution or laws of the State of West Virginia or the United States.

3.2.3 Upon approval of request application, the standard Blue Ridge CTC Facilities' Use Agreement accompanied by evidence of insurance protection (Certificate of Insurance) will be required to adequately protect the institution. The agreement must be facilitated by the campus sponsor, be approved by the President or designee, and also be signed by a responsible officer of the noncampus organization desiring to use a campus facility.

3.2.4 All charges assessed for the use of campus facilities shall be sufficient at least to cover all identifiable costs of both a direct and indirect nature except that charges for indirect costs may be waived at the discretion of the institution for nonprofit organizations and/or public bodies of the State of West Virginia, such as county school systems, etc. All charges will be reasonable, charged equally to all similar groups, and be published in advance via a fee schedule which outlines Blue Ridge CTC's assessment of level of services required by the group or individual for the nature of the event. In turn, such groups using campus facilities may charge admission, but only for the purpose of covering the direct and indirect cost of the sponsored activities. All surplus revenue derived from the conduct of an event will accrue to the benefit of the institution, except for public or nonprofit groups for which this provision may be waived.

3.2.5 The group or individual party reserves the right to cancel with reasonable notice to BRCTC. Noncampus groups or individuals will remain responsible for any direct or indirect costs that are not able to be cancelled or recovered. BRCTC holds the sole and absolute right to not approve any program for any reason that stands in conflict with the mission of the institution. BRCTC may terminate the agreement at any time before or during the period for which permission has been granted.

#### **SECTION 4. USE BY CAMPUS GROUPS for NONTRADITIONAL PROGRAMS (STATE EMPLOYEE)**

4.1 To encourage an extension of offerings, it shall be the Board's policy to permit its facilities to be made available for use by recognized campus units to conduct educational or cultural programs. The following guidelines will apply for these activities:

4.1.1 All employees who conduct or participate in nontraditional programs and are compensated by an external party must be in compliance with the West Virginia Government Ethics Act. Employees must complete and submit the "BRCTC External Employment and Entrepreneurship Reporting Form" to report if they have any activity covered by the Ethics Act and for approval by the President. Full-time, leave accruing employees who are compensated externally for services rendered during Blue Ridge business hours must utilize annual leave. Institutional officials will be responsible for approval of employees' participating in programs covered by this policy and for maintenance of employees' records of annual leave.

4.1.2 All revenues and expenditures shall be handled by the business office. All revenues from these programs shall be deposited into the appropriate state special revenue account. Charges for special services provided by the institution may be deducted from revenues; however, the institution may require that a deposit be made in advance for such services.

4.1.3 A formal agreement shall be developed and signed by an authorized representative of the group or unit responsible for the program and the President of the institution or his designee. Said agreement shall establish the responsibilities of the institution and the group or unit responsible for the program, including detailed financial obligations to the institution from revenues. All agreements must ensure that the institution will receive reimbursement for all identifiable direct and indirect costs.

4.1.4 Programs must be sponsored or affiliated with the educational or cultural mission of the institution. The name to be used for the program is left to the discretion of the institution.

4.1.5 All personnel receiving compensation for the involvement in the programs must be paid on a regular state payroll or a standard 48 or 48- A service agreement, as prescribed by the original contract agreement.

4.1.6 All publicity must indicate that checks for payment of fees are to be made payable to the institution and not to an individual or outside organization.

4.1.7 Adequate insurance must be underwritten by the sponsors of the program.

**SECTION 5. SELLING of ARTICLES on COLLEGE CAMPUS**

5.1 All noncampus group or individual solicitation and selling of products and articles upon property under the jurisdiction of Blue Ridge CTC is strictly prohibited. Organizations and groups directly connected with or controlled by the institution are permitted to sell products and articles with the authority or written approval from the President.

5.2 The Bruin Café is the exclusive food provider/caterer for events at Blue Ridge CTC and shall have the first right of refusal for providing food services on a case-by-case basis.

**SECTION 6. GENERAL**

6.1 The President shall designate the business office as the sole administrator of this policy. The standard Blue Ridge CTC Facilities User Agreement approved by the board shall be used, along with any other forms needed to execute this rule such as a fee schedule and application.

6.2 It is not the intent of this rule to cover noncredit or credit instruction offerings.

**ATTACHMENTS:**

- A: Request to Use Facility Form
- B: Facilities Use Agreement
- C: Facility Fee Schedule

**DISTRIBUTION LIST: [MODIFY AS APPROPRIATE]**

- President
- Vice President of Workforce & Engineering Technologies
- Vice President of Instruction
- Vice President of Business and Technology
- Vice President of Enrollment Management
- VP of Human Resources
- Chief Financial Officer
- VP of IT
- Faculty Senate Chair
- Classified Staff Council Chair
- Student Body President
- Chancellor

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Board of Governors Chair

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Date

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President

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Date