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MENDOCINO-LAKE COMMUNITY COLLEGE ATHLETIC FACILITIES

Mendocino-Lake Community College (MCC) was established to serve the higher educational needs of Mendocino and Lake Counties and also to make the MCC facilities, which include a gymnasium complex, football field, all weather track and baseball field, available to the community, whenever it does not interfere with MCC's activities.

Response (MCC): This statement is not completely accurate. All of the facilities were built primarily for use as instructional facilities for students at Mendocino College. Secondly, the facilities are available for use by groups and organizations outside of the college only as outlined in the District's Facility Use Policies and in accordance with the requirements of the "Civic Center Act." (Education Code Section 82542)

(Regarding the College name: the District is identified as "Mendocino/Lake Community College District; the College is Mendocino College, and it serves portions, but not all, of both counties.)

Reason for Investigation

The Grand Jury received a citizen's complaint.

Method of Investigation

The Grand Jury interviewed the complainant as well as several staff from MCC and high schools. The Grand Jury reviewed documents produced by the MCC, which define conditions that must be met in order to qualify for the use of the athletic facilities at MCC. It also reviewed past and present fee schedules as applied to schools and organizations for the use of MCC facilities.

Findings

1. MCC defines conditions which must be met to qualify for the use of the athletic facilities.

Response (MCC): This statement is accurate.

2. Although the daily fees have been reduced, the total cost for an organization to use MCC facilities has increased, in some cases, as much as 300-600% in a two-year time frame.

Response (MCC): Charges for facility use were, and will be, changed in order to more accurately reflect the actual costs associated with

each use. Such changes reflect both adherence to policy as well as the resulting good stewardship by the college administrators and trustees. Direct costs include charging for: staff time to set up and take down furniture and equipment required for the activity, use of special equipment, costs associated with providing security during large events, and costs of waste disposal, utility and custodial services. In most cases, the fee charged for the facility rental has been reduced, especially for shorter duration events.

3. According to MCC staff, these large increases in fees were imposed to reflect the "hours of use." In the past, some events, especially those of long duration, allegedly ran at a financial loss to MCC.

Response (MCC): This statement is accurate.

4. As a result of the large increases, schools and organizations find it more and more difficult, if not impossible, to take advantage of the unique, excellent facilities.

Response (MCC): Facility utilization by local school districts does not reflect this finding. The number of uses by local secondary schools does not reflect any significant decline since the facility use fees were revised. The past three years of athletic facility use by local secondary schools is as follows: 1997-98, 17 events; 1998-99, 22 events; 1999-2000, 21 events.

6. Inspection of several recent accounting statements from the MCC Facilities Director's Office indicates that these new user fees are being administered equitably among all users.

Response (MCC): The College appreciates the Grand Jury's affirmation of the consistent application of the College's Facilities Use Policy.

The primary goal of the Facility Use Policy is: To make Mendocino College facilities available to outside users without adversely impacting the instructional programs of the College, either operationally or financially, and to do so in a fair and equitable manner.

Recommendation

The Grand Jury recommends that the MCC make a more concerted effort to keep the community informed about policy changes relating to the use of MCC facilities. Explaining the rationale for changes, e.g. fee schedules, could go a long way toward establishing better rapport between the community at large and MCC.

Response (MCC): Mendocino College implemented a new facility use fee schedule in January 1999. The process of changing this schedule took approximately 18 months. During this period, regular users were informed that these changes were in progress, and notification of the implementation of the changes was sent out to the users by mail when the policy was adopted by the District's Governing Board. At that particular board meeting, the item was a part of the agenda, which was announced and distributed to interested parties in accordance with the Brown Act (public meeting law). At that time, all facility use fees for events that were scheduled prior to the revised fee implementation date were based on the prior fee schedule (i.e., grandfathered). The new fees were implemented for uses scheduled after the implementation date.

Findings

6. When a Grand Jury letter asked what the users could do to have their facility user fees at MCC reduced, the College's written response was, "Not use the facilities."

Response (MCC): This statement was made in writing in response to line item questions asked by the Grand Jury in its letter of April 11. The more diplomatic response would have been to state the following:

*Users of the colleges facilities, knowing that costs associated with their use of the facilities are directly reflected in the fees, could take care in minimizing the impact of their use. For example, in the past some users of the college facilities have inflicted damage and caused abnormal costs by graffiti, by purposely dirtying and fouling the locker rooms and bathrooms, etc.

*Since the facility use fees charged to local school districts, and others, are based on actual costs associated with that use, alternatives available to college personnel for reducing costs are limited. Reductions would require Mendocino College to subsidize the activities of other public entities from the general fund of the Mendocino-Lake Community College District. Diversion of such funds for this purpose would adversely impact College programs and services; e.g., instruction, which is one of the primary missions of Mendocino College.

The notion that the college should use funds provided for post-secondary education to subsidize facility use by others could be criticized as a mis-appropriation of public funds.

Also, in a related connection, it should be pointed out that the college already "invests" in bringing and attracting youth of the District to its

facilities through many important outreach activities such as the annual Career Fair "Native American Day", "Hispanic Retreat", "I Went to College Day". Of course, no fees were charged for those involved in outreach efforts. Also, See "Response to Recommendation for 6-7" below.

7. Past requests by a local high school to provide its own concessions as well as security staff were denied by MCC. Having these services provided by MCC constitutes a significant portion of the users' overall expenses.

Response (MCC): This statement is accurate. The practice also reflects District policy which allows the District to require these services be provided by the College when it is necessary for the District to protect its facilities and address liability issues. A number of years ago, when the College contracted with a high school for use of facilities, the high school maintained concession rights.

Recommendation

The Grand Jury recommends that MCC review its policies and, if necessary, design them to reflect the needs of the community more accurately. Such an approach would encourage schools and organizations in Mendocino and Lake Counties to utilize these facilities that were built at taxpayer expense for the use by all members of the community. Encouraging "on MCC campus" events by schools and other organizations surely leads to positive exposure for the MCC recruitment programs.

Response (MCC): The safety of event participants and the protection of the college facilities are of primary concern. The College has a clear responsibility for the safety of attendees at all events held at Mendocino College facilities. Experience has shown that the level of supervision by event sponsors at the College facilities has not consistently been adequate to assure a safe, well supervised environment. For the safety and protection of visitors and participants, as well as prudent risk management practices, security has been required at events involving large numbers of participants as well as any activity that presents potential security issues.

As indicated above, the District has an active philosophy of outreach which incorporates community use of campus facilities where there is a clear mutual interest. Further examples of these programs include:

*SPACE (theater/dance)

*Twice per semester music performance programs include various high schools. *Ukiah Civic Light Opera performance collaboration.

*Ukiah Symphony Orchestra association with the College's

instructional program. *Annual summer football passing league.

*Annual baseball, basketball, volleyball and softball camps.
*Track classes held in the afternoon, specifically to allow enrollment by local high school track athletes.
*Ukiah High School/Mendocino College drama department spring performance. *Additional college offerings this last year included local high schools in a college- sponsored high school softball all-star tournament and co-sponsorship of the Leprechaun Invitational track meet.

Finding

8. The Grand Jury found evidence of MCC internal conflict about how best to accommodate requests for athletic facilities by schools having limited resources. Instances of obtaining the use of facilities by "back-door" methods were reported as a way of avoiding what was perceived by the requesters as "undue hassle" when following the official route.

Response (MCC): Any "back door use" has been unauthorized use, which is eliminated when discovered. District policy clearly outlines the steps and requirements for facility use at Mendocino College (see Grand Jury Finding #1, above). These policies are applied equitably (see Grand Jury finding #5).

Recommendation

The Grand Jury recommends that the top administration and Board of Trustees of the MCC acknowledge public concern in these matters and critically review not only the financial aspects involved, but also the manner in which the use of facilities is being administered. Since the College is funded by the public, owned by the public for the use of the public, MCC should be especially sensitive to the perceptions projected to the public.

Response (MCC): The administrators and trustees of the college not only acknowledge the public's concern in these matters, but are actively looking for innovative ways to expand and improve all of the outreach programs. This statement is backed up by the recent town meetings and the college's Mendocino 2000 program which expressly is aimed at bringing the community into decisions involving future and current plans for the college.

The existing policies were carefully crafted with these ends in mind, and we are constantly monitoring to assure that the outside uses are being administered consistent with the policies now in place.

Most of the outside users of college facilities understand the limitations which the college faces with regard to their use. The athletic facilities represent only a portion of the facilities utilized by the public. The complaints registered to the Grand Jury regarding athletic facilities are

only representative of a small percentage of uses of the District's facilities.

Mendocino College facilities were built with public funds; however, amortization of costs associated with the original development of the facilities are not borne by the users. All charges for use of facilities are for direct costs associated with each use.

Response Required

Mendocino-Lake Community College District Board of Trustees

Response Requested

Mendocino Community College