

7510A - **USE OF DISTRICT PREMISES**

Applications

Any organization or individual desiring to use District premises shall complete an application on the district webpage using FMX.

- A. Completed applications for the use of school premises, when charges are involved, must be accompanied by a deposit in the amount of the minimum fee or an amount equal to ten (10) percent of the estimated fee, whichever is greater.
- B. The Treasurer/CFO shall clear each application with respect to date, time and other arrangements and will provisionally approve or deny the use of school premises on the basis of Board policy.
- C. The Treasurer/CFO will approve all requests and send an electronic record of the request to the building administrator or his/her designee. If the application is not approved, all deposits included with the application will be returned with the application.
- D. Charges for school personnel shall be based on the appropriate rate of pay for persons in the respective job classification (custodian, cook, lifeguard, etc.) whenever extra pay for school employees is required as a result of the use.
- E. All individuals or organizations whose programs involve physical activities must file with the District Treasurer/CFO a liability bond that "holds the Board harmless" for any and all mishaps. The organization must furnish a Certificate of Insurance showing evidence of the following minimum coverages:

Comprehensive General Liability

Bodily Injury \$500,000 per each occurrence, \$500,000 aggregate

Property Damage \$100,000 per each occurrence, \$100,000 aggregate

The Certificate must also indicate that coverage is afforded for Products Liability if food or drinks are sold or served.

- F. The District reserves the right to demand sufficient time for full investigation, notice, and arrangements of all requests for the use of school premises and reserves first claim to the use of its own property. Cancellations may be issued by the Treasurer/CFO **with or without due notice**. All approvals are to be granted with this understanding.
- G. In no case will those who have been granted permits assign, transfer, sublet, or charge a fee to others for the use of school property.
- H. The applicant agrees to assume responsibility for all liabilities arising from the occupancy of buildings or grounds use. It is further understood and agreed that the School District assumes no obligation with respect to the use of such premises.
- I. Contracts will be issued for specific parts (rooms) within a building. It is the applicant's responsibility to ensure that no other parts of the building are entered.

- J. The applicant will assume responsibility for securing police protection/traffic control resources when, in the School District's opinion, such additional security/safety requirements are necessary, with costs borne by the applicant.
- K. In the event that payment for fees, rentals, seminars, etc., is made by check and said check is returned for insufficient funds, closed account, or other similarly related circumstance by the respective financial institution, the Treasurer will make every reasonable effort to obtain indemnification to replace the returned check. Additionally, the Treasurer is authorized to assess a \$50.00 service charge for each returned check. The service charge will be in addition to the amount owed for the returned check.
- L. It is the responsibility of the Board of Education to ensure that the facilities used under this program are not used for any illegal purposes or in any manner inconsistent with the general principles of non-discrimination or first-come-first-served priorities.
- M. Groups renting the natatorium will be required to furnish their own lifeguard(s). If a lifeguard(s) is not obtainable, the District will provide lifeguard(s) at the established rate. The lifeguard(s) will have earned a recognized level of certification, copies of which will be turned in to the District with the application for facility rental. Groups renting the natatorium will be responsible for all safety issues relative to the use of the facility.
- N. The applicant agrees to assume all responsibility for all liabilities arising from the occupancy of buildings and grounds use, it being understood and agreed that the District assumes no obligation respecting the use of such premises.

Ineligible Users

Groups or persons will not be granted permits when the request is for activities that are in conflict or competition with District programs or not authorized by Board policy.

Regulations

- A. Users must take reasonable steps to ensure orderly behavior and will be responsible for paying for all damage associated with their use of school premises or equipment.
- B. The District reserves the right to request payment of estimated fees in advance. In all other cases, final payment will be made to the Treasurer's Office within one (1) week following the event or activity.
- C. Users are prohibited from having weapons of any type on school premises at any time. Violation will result in the user's immediate removal from school premises, cancellation of contract and forfeiture of paid user fees.
- D. Smoking and the use of tobacco substitute products is prohibited in accordance with Policy 7434. All users are responsible for complying with this regulation.
- E. Except for "service animals" required for use by a person with a disability, no other animals may be on school premises at any time.

- F. The District may have a service animal removed from the school premises if the animal is out of control and the animal's handler does not take effective action to control it or the animal is not housebroken. The District is not responsible for the care or supervision of a service animal. The service animal is allowed to accompany its human in all areas the human is permitted to go.
- G. Alcoholic beverages and controlled substances will not be permitted on District property at any time, provided that this prohibition shall not bar the possession/use of alcohol in observance of a bona fide religious practice
- H. Decorations must be fireproof and shall be erected and taken down in a manner not destructive to District property. Decorations are subject to the approval of the building administrator. The use of open flames, such as candles, is permitted only with written permission from the fire marshal.
- I. The user shall be fully responsible for all loss or damage to District property, including property of students and employees. Additionally the user shall provide written notice to the District of any accident resulting in bodily injury or damage to District property caused by a person attending or participating in the program or activity. The notice must be provided within twenty-four (24) hours of the accident. Such written notice must include the name and address of the person involved in the accident, name and address of any witnesses, and details regarding the time, place, circumstances and nature of the injury or property damage.

Users must procure and maintain throughout the term of their use of school premises a public risk insurance policy with a reputable insurer, with an A.M. Best rating of A- or better, which: (A) indemnifies the Board in an amount not less than \$2 million for any claims whatsoever arising out of the use of school premises by the user; and (B) names the Board as an additional insured under the policy. The user must present the policy or certificate of insurance to the District prior to the use of school premises. Such policy shall be considered primary, and any insurance held by the Board that may provide protection or benefits to the Board shall be considered excess.

Users shall indemnify and hold harmless the Board, its members, employers, volunteers and representatives, and all persons and bodies corporate acting for or on their behalf, against any claims, suits, demands, costs, expenses, and liability for damages to any person or property in or about the school premises from any cause whatsoever arising out of the use of school premises by user and its attendees/participants, and for any other sums in excess of those contained in any insurance policy procured by user relating to the use of school premises or for such amounts as may not be payable under any such insurance policy.

- J. Requests for District-owned equipment are not included in the direct or indirect costs and shall be charged based on request and type of equipment.
- K. The use of any materials on floors or other parts of the building is strictly prohibited without specific approval in writing from the building administrator.
- L. Use of stages, furniture, and equipment must be arranged for in advance. Set-up and clean-up may be performed by members of the group using school premises, provided the responsible persons are listed on the application. Additional custodial services required for work not done satisfactorily will be paid for by the using group. Arrangements must be made with the building administrator for use of any special or extra equipment. Extra compensation paid employees for moving, operating, or supervising special or extra equipment will be charged to the using group.
- M. Buildings will normally be open one (1) hour prior to the activity and for one (1) hour after its scheduled end, unless other arrangements are requested on the application and approved.

- N. Use during summer vacation, on holidays, or during other vacation periods shall not conflict with building cleaning and renovating programs and will depend on the availability of building service personnel for supervision.
- O. No unauthorized methods of obtaining funds, including any form of gambling, is permitted in District buildings or on District grounds.
- P. A school custodian shall be on duty whenever school premises are being used except as exempted by the principal. The custodian will render custodial assistance in handling furniture and equipment and will be responsible for seeing that the premises are left in good order after the activity is over. The custodian's overtime, including clean-up time, will be charged at the appropriate hourly rate. Food-service personnel shall be required, in addition, when kitchen facilities are requested.
- Q. Responsibility for enforcement of rules and regulations concerning use of District premises rests with the user group, and any infractions of the above regulations may be grounds for refusing to grant subsequent requests for the use of District premises. Additionally, users are responsible for the proper supervision, control, and accommodation of persons attending the activity, and must ensure that attendees/participants will only access/use authorized areas of school premises, and the entrances thereto.
- R. Corridors, exits, and stairways must be free of obstructions at all times. Exits are to be lighted when school premises are in use. Members of audience or spectators must never stand or sit so they block exits, stairways, or aisleways.
- S. The District will not be responsible for any loss of valuables or personal property.
- T. Flyers, booklets, or other printed or audio-visual materials may not be distributed unless they relate directly to the activity for which the school premises are being used.
- U. Non-marking gym shoes must be worn when using any gymnasium floor.
- V. Playground facilities may not be used by any youth over the age of twelve (12) nor shall any person be allowed on playgrounds after dark.
- W. Skateboards and other like equipment which constitutes a safety hazard to students shall not be allowed on District premises at any time.

No hazardous materials, including but not limited to, flammable materials or liquids, fireworks, pyrotechnic devices, explosives, poisonous materials or plants, strong acids or caustics, or dangerous animals will be brought onto school premises or used in any way, without specific approval in writing from the building administrator.

No rides or attractions, including but not limited to, trampolines, enclosed or air supported structures of any type (e.g., bouncy houses), climbing walls or ropes, shooting activities, including bows or arrows, or similar equipment or related devices will be brought onto school premises or used in any way, without specific approval in writing from the building administrator.

FEE FOR USE OF DISTRICT BUILDINGS

A schedule of fees for the use of District premises is determined annually based upon the following factors and as set forth in AG 7510B – Charges and Priorities for Use of School Premises:

- A. The use of District premises for activities related to the educational program and District operations shall be without cost to the users, except that the users shall be responsible for any police fees.
- B. The use of District premises for any nonprofit community use shall be without cost to the users, except that the users shall be responsible for any extra custodial and cafeteria employees fees and for any police fees.
- C. All other organizations or persons granted the use of schools shall assume the charges as indicated (see AG 7510B), payable in advance, and the cost of such additional staff services as may be required.

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