

Community Use of School Facilities Administrative Regulations for Policy 1315

Purposes

- A. To provide facilities which will make possible, the maintenance of a desirable educational or recreational programs for the citizens of School District #145 – Waverly.
- B. To make available the use of school facilities for the betterment of the community in general and to community groups in a way as to not interfere with the regular school program.
- C. To protect the public’s property and to promote the safety of citizens enjoying the use of school facilities.
- D. To make available the use of school facilities in a manner consistent with state law and School District #145 - Waverly policies.
- E. To provide a structure of rules, regulations and procedures which will implement these purposes.

Responsibility for Supervision and Care of School Facilities

The principal or designee of each individual school building shall be directly responsible to the superintendent and shall report immediately to the superintendent any unusual circumstances regarding the care and use of buildings, equipment, custodial and maintenance services.

Priorities for Facility Use

The board recognizes that the school buildings and property are constructed and held for the benefit of the educational program within the district. It is the policy of the board that district programs shall have priority in the use of school facilities.

Priority 1: Building or district-wide school events, activities, and programs.

Priority 2: Events or activities which are designed to serve district students or are related to any function of the school when such functions are planned and directed by the District #145 Foundation for Education, approved school-community associations, and school-affiliated non-profit groups.

Priority 3-A: Events or activities which serve district youth which are planned and directed by non-profit youth organizations not directly affiliated with the school. (a majority of the participants must be from the district)

Priority 3-B: Charitable fundraising events or activities or non-profit groups and individuals whose activities promote physical fitness and recreation and who do not charge membership fees, request donations or have paid staff members and whose majority of participants are residents of the school community.

Priority 4: Non-profit public civic, service, or other public groups whose purpose for the use of the facility is to promote the general welfare of the district community.

Priority 5-A: Private non-profits and religious organizations.

Priority 5-B: Individuals or groups involved in activities not listed above.

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Limitations on Use of School Facilities

The use of school facilities and equipment will not be permitted for the following:

- A. Use would interfere with any class-related use.
- B. Use would interfere with events sponsored by the school or school groups.
- C. Use would involve illegal activity.
- D. An organization or persons involved have previously engaged in, or can reasonably be expected to engage in, any form of illegal discrimination, violence, or, advocate violence or rebellion against the United States, the State of Nebraska, or any political subdivision.
- E. Use would be of a morally objectionable nature or would be contrary to any of the district's policies, rules, or goals and/or objectives of the district's educational programs.
- F. Use would result in the district's facilities or equipment being altered, modified, or changed.
- G. Use of any school facilities on Sunday mornings prior to 12 Noon. Facilities will also be closed during a designated five-day period each year, which will include December 25, which coincides with the five-day period designated by the NSAA in which no extra-curricular activities (practices or contests) sponsored by the NSAA can take place.
- H. Use would result in the district's facilities being used to store the equipment of the user.
- I. Use would present an unacceptable risk of damage or excessive wear and tear to the facilities or equipment, in the opinion of the administration.
- J. Use would present a significant disruption to the effective administration of a building or district program, in the opinion of the administration.
- K. For private social functions, including but not limited to; wedding receptions, family reunions, birthdays, graduations, dances or other such events.
- L. For funerals or memorial services.
- M. Use would result in interfering with the daily and annual maintenance operations of the district facilities.

District facilities may be closed during June and/or July for scheduled maintenance.

Building administrators or designee may place further limitations on uses of their buildings with permission from the superintendent. Additional limitations shall be supported by reasonable rationale and be consistently applied.

Building administrators or designee may inspect and review any and all items brought into the building to ensure appropriate building safety and effective administration of the facilities. Any items which would be unsafe, inappropriate, or undesirable in the building, in the opinion of the administrator, may be prohibited from entering the building or require its removal from the building. If the building administrator's directive is not complied with expeditiously, the administrator shall withdraw the use of the facility agreement immediately.

The superintendent reserves the right to deny any application or to grant an exception to the limitations on the use of school facilities dependent upon the special circumstances.

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Rental Procedures and Provisions

The superintendent shall develop a Facility Request form and an Application for Use of School Facilities form to assist with the administration of this rule.

- A. Forms shall be completed by all persons requesting the use of school facilities and/or equipment.
- B. Persons completing and signing the form shall be at least 19 years of age and not enrolled in the district.
- C. District employees wishing to use a district facility, for other than their assigned contractual duties, must submit a completed Facility Request Form and shall be subject to the same rules (including fees and charges) as non-employees.
- D. A **FACILITY REQUEST FORM** shall be submitted, at minimum, **FOURTEEN (14) BUSINESS** days in advance of the activity. An **AGREEMENT FOR USE OF SCHOOL FACILITIES** shall be filed at least **FIVE (5) BUSINESS** days in advance of the activity.

The request process shall require that all applicants:

- 1. Agree to comply with all district policies, rules, and regulations which govern use of facilities.
 - 2. Agree to be responsible for any damages incurred to facilities, grounds, or equipment during the period of use.
 - 3. Agree to have the superintendent as the final determiner as to whether repair or replacement is the appropriate remedy for any damages.
 - 4. Agree to be wholly responsible for the supervision and control of all persons and activities during use.
 - 5. Agree to protect, indemnify, and hold the school district harmless for any and all claims, suits, actions, damages, judgments, or causes of action arising out of or in any way related to such use.
 - 6. District reserves the right to require the applicant to provide, prior to the planned use of a facility, a Certificate of Liability Insurance in the amount of two million dollars, naming School District #145 – Waverly as an additional insured.
- E. The building principal, or designee, reserves the right to require sufficient time for full investigation of a request of use.
 - F. Inaccurate or false statements made in the request process may place responsible persons or organizations, or both on an ineligible list. Subsequent requests from an ineligible organization will be referred to the superintendent for future rental privileges.
 - G. Rental Agreements shall not be transferable.

Payment for rental of facilities and personnel provided by the district shall be made to School District #145 – Waverly and sent directly to the office of the superintendent at 14511 Heywood Box 426, Waverly NE 68462.

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No direct payment will be made to custodial, supervisory, or auditorium personnel provided by the district. The district will reimburse personnel through normal payroll procedures.

Access Charges

An hourly access charge shall be assessed to compensate the district for expenses incurred in providing building access, including paying staff to unlock and lock the facility or turn lights on and off.

In situations where no advanced cancellation notice has been received by the district and the user does not appear at the scheduled time, the staff assigned shall remain available at the facility for one hour before securing the building and departing. An access fee will be assessed to the scheduled user for this time.

Personnel Requirements and Charges:

Custodial or supervisory people will be assigned where fees are required. The district will provide supervisory, stage equipment, light and sound control personnel for rental of the high school auditorium. Rental of facilities is subject to the availability of district personnel.

The administrator may, due to the nature of the activity, assign special staff of security, supervisory staff or maintenance personnel. The administrator or designee will make arrangements for any additional staff. The cost of additional staff will be paid by the user.

Charges for personnel are as follows:

Custodial:	\$25.00 / hour
Supervisory:	\$30.00 / hour
Auditorium technician:	\$25.00 / hour
Food Service	\$25.00/ hour

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Facility Use Fee Schedule

The Facilities Use Fee Schedule shall be reviewed at least annually by the board. The schedule shall include, but not necessarily be limited to, fees for facilities use, equipment use, access charges and charges for staff time. All charges listed below are for facility rent only. All charges are for three-hour time periods. Additional charges for custodial, supervisory, or specialized personnel may be assessed as requested or required by the district. The fee shall be for the total hours of service as set in the administrative regulations.

Priority 1: No fees will be assessed.

Priority 2: No facility use or equipment use fee will be assessed. An access charge may be assessed for use during periods of time when building staff are not on duty.

Priority 3: No facility or equipment use fee will be assessed. An access charge may be assessed during periods of time when building staff are not on duty. A charge may be assessed for use which requires additional staff and/or custodial time.

Priority 4: A reduced facility and/or equipment use fee will be assessed. An exception to facility use fee may be made for the use of outdoor facilities including playground, running track or grounds areas, if the use involves a minimal number of individuals and the activity will not cause damage to turf, trees and shrubs, or will not cause the creation of additional garbage or trash, or damage other outdoor improvements. An additional access charge may be assessed for use during periods of time when building staff are not on duty or for a use which requires additional staff or custodial time.

Priority 5: A full facility use and/or equipment use fee will be assessed. An exception to a facility use fee may be made for the use of outdoor facilities including playground, running track or grounds areas if the use involves a minimal number of individuals and the activity will not cause damage to turf, trees and shrubs, or will not cause the creation of additional garbage or trash, or damage other outdoor improvements. An additional access charge may be assessed for use during periods of time when building staff are not on duty-or for a use which requires additional staff time.

Use fees may be waived for public service meetings or presentations; adult and continuing education classes provided by a community college, college or university; and other community wide events upon prior approval by the superintendent.

Facilities are rented or provided “as is.” The user is responsible for surveying the area to be used prior to the activity and assuring that it is safe and appropriate for the planned activity. All facility use is limited to the area requested.

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Fees Schedule

Initial rate is for the first 3 hours of the facility rental.

High School Auditorium	\$450 first 3 hours \$100 for each additional hour or fraction thereof \$25 per person per hour for technical personnel
High School Stadium	\$600 \$150 each additional hour
High School Softball Field	\$200 \$50 each additional hour
Intermediate School Field	\$200 \$50 each additional hour
High School Gymnasium	\$250 \$75 each additional hour
Middle School Gymnasium	\$150 \$40 each additional hour
Intermediate School Gymnasium	\$150 \$40 each additional hour
Hamlow Elem. Gymnasium	\$150 \$40 each additional hour
Eagle Elem. Gymnasium	\$150 \$40 each additional hour
Cafeteria/Commons	\$100 \$30 each additional hour
Classroom/Media Center (Non-specialized)	\$60 \$20 each additional hour
District Parking Lots	\$50 \$25 each additional hour

Equipment Requirements

Any classroom with specialized equipment, as determined by the district, is not available for rent.

Approval for use of a facility shall not include the use of school equipment unless specified in the facility use agreement. Kitchen facilities will not be rented to organizations from outside the district. Kitchen equipment shall not be operated without food service personnel present.

Approval for the use of a facility shall not include the use of school equipment unless specifically requested and approved on the application form.

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Cancellation of Approved Agreement for Use of School Facilities:

An approved Agreement for Use of School Facilities may be cancelled at any time for one or more of the following reasons. The district is not responsible for any damages incurred by the user as a result of cancellation.

1. Failure of the user to pay applicable fees or charges for any use.
2. Failure to reimburse the district for damages incurred during any use.
3. Evidence to the district that user would violate state law, district policy, rule, regulation or would be illegal.
4. Any violation of the terms or conditions of the agreement.
5. Any change in the school activities which would present a conflict with the use.
6. Any snow or ice accumulation or inclement weather which would create a safety concern or would require additional costs to the district.
7. Failure of the user to maintain required liability insurance or failure to keep a current Certificate of Liability Insurance on file for the date (s) of use.
8. Any other event or circumstance, which, in the opinion of the administration, necessitates cancellation of the agreement.

An agreement may be cancelled by the user, without penalty, by giving notice to the district at least 48 hours prior to the scheduled use. If cancellation notice is not given within the specified time frame prior to the use, the facility use fee may not be refunded.

Use of Open Areas

School playgrounds, practice fields, and other open areas which are not being used for school activities will be available to the general public on a first-come, first-served basis from one hour before sunrise to one hour after sunset each day. Thereafter these areas shall be closed to public use. The only organizations which may submit a Facility Request Form to reserve the use of these areas shall be non-profit organizations serving district youth. Any groups using these areas shall be responsible for any damage occurring as a result of use and will be responsible for clearing the grounds of litter after use. Members of the public which use these open areas, use them at their own risk.

Snow Removal

The district's business manager will make a determination as to whether or not snow or ice removal is required, if there is significant accumulation. If required and if snow or ice removal is not necessary for other school-related activities, the scheduled use shall be canceled or, if mutually agreed to by the district and the user, the snow or ice will be removed by district personnel or contractors and an additional charge will be assessed to the user.

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All snow and ice removal on district property must be made by district personnel or by properly insured independent contractors approved by and working for the district. Users will not be permitted to engage in snow or ice removal activities nor will they be permitted to hold activities on district property without proper snow or ice removal.

If school classes are cancelled due to snowfall, the accumulation of ice, or inclement weather conditions, all public use of the school facilities will be cancelled.

Vehicle Parking

Vehicles may properly park in district parking areas when attending school activities, when conducting school related business, or when in attendance at any approved use of school facilities. Vehicles must park in designated parking areas. The district grounds may not be used for parking vehicles at any other time. Any vehicles, which are not permitted by this rule to be parked on district property, shall be subject to towing from district property at the owner's expense. Vehicles which are improperly parked shall also be subject to towing from district property at the owner's expense. Improper parking shall include, but not be limited to, parking in driveways or throughways, parking over painted stall lines, and parking on grassed areas.