

Community Use of School Facilities (Regulation)

Responsibility

The District Facilities Coordinator (DFC) will be responsible for the administration of the accompanying policy on community use of school facilities.

Scheduling

After district/school activities have been scheduled, space will be available, up to 90 days in advance, with attention to broad and equitable use of facilities, when such use does not conflict with the requirements of the educational program or with the support services required to insure the proper function of the educational program. Alternate locations will be offered whenever possible if a particular building cannot accommodate all requests. All use is subject to the general guidelines and availability of district staff.

The DFC will be responsible for notification of the district attendant of the date and time of all building activities and the rooms reserved. The DFC will be responsible for keeping a calendar of all rental commitments and reservations for regular school activities during the year.

Field Use

Fields will be available for approved community use. This use is subject to cancellation or adjustment due to weather or field conditions.

Application for Use

Written approval will be required from the DFC for use of a school building or grounds by any group that is not a part of the regular public school program. Such approvals that are considered to be a part of these regulations may be granted for a single use or a limited, continuing use.

The requestor must submit a completed application form for "School Facilities Contract/Request" form to the DFC for approval, denial, or modification.

Approval will depend upon satisfactory assurance that the use of the school facility will be under the direct supervision of an adult who in the judgment of the DFC is responsible and competent to supervise the proposed program or activity. The supervision provided by each renting group must be adequate to ensure that the members of the group remain in the assigned portion of the facility.

The district/schools will not be held responsible for any damage or loss that may occur to non-school property brought on the premises. Such property must be removed from the facility and site immediately after the use or before such time that the materials will interfere with school activities.

Insurance

School district property insurance and comprehensive general liability insurance does not extend to community or other organizations/individuals using school facilities. The district requires non-school organizations/individuals to provide certificates of insurance that name the Monte Vista School District C-8 as an added insured, with possible exceptions to Category 2 events. Organizations/individuals may meet these criteria by either of the following:

- a. Entities that can establish coverage under the Colorado Governmental Immunity Act must provide certification of proof of insurance at least to the limitations provided in the act.
- b. All other entities not protected by the limitations of the Governmental Immunity Act must provide a certificate of insurance in the amount of \$1,000,000, and name the district as an added insured.

Cancellation and Revocation

The user must notify the DFC if the intended use is canceled or adjusted. Repeated, short notification of cancellations may result in denial of further building use.

The District reserves the right to cancel building use permits should the space be needed for school or school-related activities, or for maintenance and energy consumption concerns. This privilege will be used when necessary due to unavoidable circumstances, and attempts will be made to offer alternative space. The school DFC may revoke building use at any time. When this occurs, appropriate financial adjustments will be made.

General Regulations

1. A regularly employed member of the district staff must physically check the organizations/individuals using the facility in and out, to insure adherence to the policy. During large and/or certain types of events, a regularly employed member of the district staff may be required to be on duty during the use of any school building by organizations/individuals to which permission has been granted. The DFC can waive this for a district employee; such waiver must be submitted in writing.
2. No permit will be transferred to any person or group other than the one to whom it was issued.
3. Safety

All applicable fire and safety laws/regulations governing use of school facilities must be observed at all times, including:

- a. All exit and emergency lights must be left on and exposed at all times.
- b. Open flames (including candles) are prohibited.
- c. Room capacity is not exceeded.

- d. Temporary electrical or mechanical modifications are prohibited.
- e. Flammable holiday or other decorations are prohibited.
- f. Stairways, corridors and entrances/exits must be kept free of obstruction at all times.
- g. No equipment, scenery or decorations of any type may be used within the building or on the premises except as specifically **provided in the application**. Such equipment, scenery or decorations must conform to all local and state regulations and must not be attached to the walls, floors or ceilings (except to anchors presently provided).

4. Prohibited activities on district property

- a. Use or possession of alcohol and controlled substances. **For purposes of this regulation, “controlled substances” means drugs identified and regulated under federal law, including but not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine).** Failure to comply will be dealt with by local law enforcement agencies.
- b. Smoking, chewing or any other use of tobacco products within the building or on school grounds in accordance with state law and Board policy on tobacco-free schools.
- c. All disruptive or illegal activity, including obscene language, quarreling or fighting.
- d. Licensed/unlicensed gambling.

If an organization/individual does not comply with this policy or these regulations, the group will be denied use of district facilities/sites for a period of no less than 18 months.

5. Damage

The approved party will be responsible for all damages and losses to the building and/or the contents and must indemnify and hold harmless the district and its employees from any claim resulting from or arising out of the use of the school facilities/sites named in the application or any part of the facilities/sites covered in the application.

6. Locations

All applications will be approved for specific rooms or fields. It will be the responsibility of the approved party to restrict the activities of the group to that specific area except for necessary hallways and restrooms.

The approved organizations/individual is responsible for not allowing unauthorized individuals into the approved area or activity. The presence of unauthorized individuals must be reported to the staff person on duty and/or the DFC.

7. Times

Facility use times will be specified in the application. All organizations/individuals are expected to vacate the premises by the hour specified. Additional hourly rental rates will be charged for 15 minutes past contracted time. All use permits will terminate by 10 p.m. Abuse of the specified time limits can result in revocation of facilities use.

8. Days

Facilities/sites may be rented Monday through Friday as space is available and as such rental does not interrupt or disturb regular school activities. Saturday and Sunday use of school facilities/sites may be permitted and will be subject to staff availability where applicable. Summer use may be limited due to custodial and maintenance work schedules.

9. Clean Up

General clean up will be the responsibility of the approved party. Rubbish must be removed from the facility/site immediately after use. Additional fees will be charged for clean up when deemed necessary.

10. Telephone Service

Telephone service will not be provided with the facility/site use. In some facilities, pay telephones are available for use.

11. Preferred Contracts

All organizations/individuals using the facilities/sites will honor any and all contracts currently in effect in the district.

Guidelines for Religious Use

Facilities/sites may be used for religious activities under the following conditions:

1. Church services and religious activities must be conducted at times when school is not in session.
2. Religious objects and symbols must be removed after each use.

Nondiscrimination

All users are subject to laws and regulations applicable to school districts which prohibit discrimination based upon age, sex, sexual orientation, national origin, race, color, ancestry, creed, religion, marital status, disability or need for special education services.

Rental Categories

Category 1

No rental fee will be charged to the following:

1. School-affiliated organizations/individuals such as parent-teacher organizations, school-related parent and community organizations/individuals serving students in the Districts attendance area (Girl/Boy Scouts, Ride The Rockies, & 4H organizations/individuals).
2. Governmental entities using facilities as a polling place, or precinct caucuses.
3. Any emergency preparedness organizations/individuals or disaster relief entities.
4. Special circumstances approved by the DFC or the District Superintendent.
5. Custodial fees may still apply based on level/size of the event.

Category 2

A rate of \$10.00 per event/day for check-in/out will be charged to help offset the cost of the attendant for the following.

1. Activities sponsored by non-profit organizations that are specifically for school aged children. When instructors or supervisors receive no payment for their involvement in that activity. (Such as Youth City/Rec District Sponsored Sports, Pee Wee Sports, Health Fair, Elks Hoop Shoot, Rotary BBQ, Youth Zone, League of Women Voters, political parties, Elks Clubs, Rotary, Lions, military performing organizations/individuals, American Cancer Society Relay for Life, Destination Imagination regional/state events, traveling organizations/individuals from other public schools, Symphony in the Valley, and recognized community service organizations/individuals.)
2. Any one-time employee hosted event. (Such as graduation parties, funerals, weddings, & family reunions.)

Base fee(s) for these activities, if any, provide only for direct district costs of the attendant.

Category 3

Full rental rate will be charged for the following:

1. Commercial, private, church, and other non-profit organizations/individuals that do not meet the criteria in category 1 or 2, and/or charge admission or solicit donations, and any for-profit organizations and individuals may rent school facilities when their use is compatible with Board Policy. (Such as square dance organizations, hunters safety, Adult City/Rec District Sponsored Sports, outside league events, other educational institutions, for profit camps, traveling community performance organizations, Academy of Dance, sports programs, and training not part of the district's normal programs.)

Fees

1. Attendant

Any organization/individual, regardless of classification, will be required to pay the cost of custodial services if use of the facility would result in direct costs to the school district. For those facilities where a custodian is regularly on duty during the rental, the user will be charged up to two hours per use at the current attendant salary rate to compensate for additional work required in opening, securing, cleaning, etc., related to the rental. Additional fees/hours will be charged if differences are noted on the checklist, and any time an attendant is requested or required.

2. Kitchen

A school kitchen manager or other designated kitchen employee(s) must be present for general supervision of the kitchen. The user will pay the district in accordance with the fee schedule for all kitchen personnel.

3. Payment

All users will be expected to pay rental fees in advance. Organizations/individuals that have made prior arrangements with the DFC may pay on a monthly basis. Organizations/individuals wishing to pay on a monthly basis should submit a request in writing. Failure to pay as per agreement may result in denial of access to the facility and denial of future requests. Checks should be made out to the Monte Vista School District C-8.

4. Financial Accountability

It will be the responsibility of the DFC to insure the revenue received is accounted for and deposited in the appropriate accounts.

5. Fee Revision

All fees are listed in the accompanying exhibit and are designed to reflect these regulations. These fees are subject to review and revision and may be adjusted annually by the Board.

6. Cleaning Deposit

A refundable deposit of \$100.00 will be required in advance to cover any cleaning or damages.

Guidelines for Denial of Use

The district reserves the right to deny building use for any reason. Approval will be denied if in the judgment of the DFC the proposed activities would:

1. Jeopardize the equipment and/or facilities of the building.
2. Conflict with school activities.

3. Be incompatible with the school districts philosophy.
4. Violate any Board policy or local, state or federal law.
5. Repeated problems with following the rental contract as pertains to cleaning, area restrictions, and/or scheduling violations.
6. Pose a risk to the well being of students and/or staff.

Guidelines for Appeal

The applicant may file a written appeal to the Superintendent of Schools if the DFC has denied a use application. Further appeal, if necessary, may be made to the Board of Education.

Approved: 04/11/91

Revised: 06/09/94, 11/13/08, 12/06/12, 05/07/13

LEGAL REFS.: **C.R.S. 18-18-407(2)** (*crime to sell, distribute or possess any controlled substance on or near school grounds or school vehicles*)
C.R.S. 22-32-109 (1)(bb) (*board duty to prohibit use of tobacco products on school property and at school-sponsored activities*)
C.R.S. 24-10-101 et seq. (*Colorado Governmental Immunity Act*)
C.R.S. 24-34-601 (*discrimination in places of public accommodation*)
C.R.S. 24-34-602 (*penalty and civil liability for unlawful discrimination*)
C.R.S. 25-1.5-106(12)(b) (*possession or use of medical marijuana in or on school grounds or in a school bus is prohibited*)
C.R.S. 25-14-103.5 (*use of tobacco products on school property is prohibited*)

CROSS REF.: ADC, Tobacco-Free Schools