

Community Use of School Facilities

WHO MAY USE

The Board may grant the use of school facilities to responsible and organized groups for purposes that provide demonstrable benefit to the schools or to the community as a whole. School facilities shall not be used for personal or commercial activities.

The Board may authorize the use of school property by public members of the community during non-school hours for the purpose of recreation, sport, academic, literary, artistic, or community uses as defined in KRS Chapter 162 pursuant to this and other policies adopted by the Board and related procedures established by the Superintendent.¹

AVAILABILITY

The Superintendent/designee(s) shall determine whether, which, and when District facilities, grounds, employees, and equipment are available.

Formatted: ksba normal

Formatted: ksba normal

The Superintendent/designee(s) may approve the reasonable use of designated school facilities, grounds, and equipment by responsible non-school groups and individuals (herein after referred to as the "Applicant") during non-instructional time before or after the school day. Such use shall not conflict with scheduled school activities and shall comply with established procedures.

A request for use may be rejected when it involves any of the following:

1. A commercial, for-profit activity;

Formatted: ksba normal

School facilities, grounds, and equipment shall not be used for commercial, for-profit activities.

Formatted: ksba normal, Font: Not Bold

Formatted: ksba normal

2. Lack of availability of facilities, grounds, employees, or equipment on the dates and/or at the time(s) requested;

3. A KHSAA-sanctioned sport or cheerleading activity scheduled to occur during the KHSAA summer "dead period";

4. Failure by the Applicant to timely submit required documents, information, or usage fee payments;

5. Interference with the education of students;

6. Potential danger to the safety or preservation of District facilities, grounds, employees or equipment; or

7. Use that is not in the best interests of the District.

~~The Board shall determine when and which facilities will be available to the community and establish reasonable fees for their rental.~~

APPLICATION AND CONTRACT

The Board shall adopt an official application form and an official rental contract, both of which shall detail the conditions of usage. Persons authorized to represent officially the renting organization must sign the application and contract. Approval of a request to use District facilities does not signify District sponsorship, endorsement or approval of an organization or activity.

The Superintendent/designee(s) shall determine the due dates for submission of the application form, the contract, and any other information, documents, payments, or actions requested or required by the Superintendent/designee(s) or the contract.

Community Use of School Facilities**USE OF EQUIPMENT**

The use of District facilities or grounds shall not include the use of District equipment unless such use is specifically approved by the Superintendent/designee(s). The Applicant shall assume full responsibility for any and all expenses resulting from the transfer, repair, or replacement of equipment necessitated by the Applicant's usage. In the event of transfer, repair, or replacement, the Superintendent/designee(s) shall immediately report the same to the Department of Financial Services and to the Applicant.

RESTITUTION OF DAMAGES

The Applicant shall reimburse the District for any repair of damages to or replacement of District property lost, stolen, damaged or vandalized while under its care.

LIABILITY

The Board shall require a renting organization to assume all liability for injury to individuals by reason of the lease of Board property and that the organization indemnify and save harmless the Board from any loss or damage thereby.

INSURANCE

If the non-school related activity sponsored by the community group involves admission or is designated as a high-risk activity by the Superintendent or designee, the community group shall provide a certificate of liability insurance naming the Board as additional insured under the policy for the activity.

EXCEPTION

Activities that are sponsored by approved student organizations, faculty groups, school-related parent groups may use school facilities without charge when approved by the Principal and supervised by school personnel.

ESTABLISHMENT AND ASSESSMENT OF USAGE FEES

Prior to the beginning of each new fiscal year, the Superintendent/designee(s) shall prepare a schedule of usage fees designed to recover costs incurred by the District in connection with the use by non-school groups and individuals of District facilities, grounds, and equipment. Fees shall be adjusted each year based on documented cost increases to the District such as those listed below. All such adjustments shall be presented to the Board for its information.

In establishing the schedule of usage fees, the Superintendent/designee(s) may consider any relevant factors including, but not limited to, the following:

1. Types of facilities, grounds, employees, and equipment available for use;
2. Utility costs;
3. Employee costs;
4. Cost of wear and tear on facilities, grounds, and equipment;
5. Availability of District employees during an activity;
6. Possible need for additional cleanup to be ready for District business the next business day;

Community Use of School Facilities

7. Cost involved for students or adults who attend money-making activities, including expenditures for food and/or entertainment;
8. Whether an Applicant is a civic, charitable, government, non-profit, or religious group that provides demonstrable benefit to the schools or to the community as a whole; and
9. If admission charges will be made or donations solicited or accepted in connection with an activity; and whether the net proceeds will be used for civic, charitable, government, non-profit, or religious purposes.

FEE COLLECTION, EMPLOYEE PAYMENTS, AND REPORTING

Based on the Board fee schedule, the Superintendent/designee(s) shall determine procedures for assessing, collecting, and depositing usage fees; for paying District employees for work necessitated by the use of District facilities, grounds, and equipment; and for reporting information relating to the facility usage process.

PRESENCE OF DISTRICT EMPLOYEES

The Superintendent/designee(s) shall determine which employees and the number of employees that will be required and/or permitted to be present during use of District facilities, grounds, and equipment.

In making a determination, the Superintendent/designee(s) may consider any relevant factors including, but not limited to, whether the proposed use requires or involves the following:

- An indoor or outdoor facility;
- A kitchen area;
- District equipment;
- Need for security; and
- Cleanup of the facility, grounds, or equipment to be ready for District use the next business day.

ADMISSION CHARGES AND DONATIONS

Admission charges may be made and donations may be solicited and accepted, as determined by the Superintendent/designee(s), in connection with activities conducted by schools and school-related groups. Admission charges shall not be made and donations shall not be solicited or accepted in connection with any other activity held at or on District facilities or grounds, unless the net proceeds from such admission charges or donations are used exclusively for civic, charitable, government, non-profit, or religious purposes.

DISAPPROVAL OF USE

Disregard of the rules and regulations governing the use of District facilities, grounds, employees, or equipment may result in the Superintendent/designee(s) barring the offending Applicant from further use of District facilities, grounds, and/or equipment. Settlement, agreeable to the Superintendent/designee(s), shall be prerequisite to further use by the Applicant of District facilities, grounds, and equipment.

Community Use of School Facilities

REFERENCES:

¹KRS 162.055
KRS 158.183; KRS 160.290; KRS 160.293; KRS 160.340; KRS 162.050
OAG 60-389; OAG 80-78
P. L. 114-95, (Every Student Succeeds Act of 2015)
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

RELATED POLICY:

10.3