

TITLE: USE OF SCHOOL FACILITIES

1. Community Activities. When not in use for school purposes, school buildings, grounds, or portions thereof may be used for community activities in accordance with the terms and conditions contained in this Policy. The private use of facilities for personal gain is not permitted. Affiliation with a religious organization will not serve as a basis to prevent the use of school facilities. However, the use of school buildings or grounds for ongoing religious services or worship activities in a manner that suggests the school facility is a church or house of worship is considered to create an inappropriate entanglement between church and state and, therefore, shall not be permitted.

2. Application of Policy. This Policy shall apply to the use of all facilities and property owned by the Board of Education. Other policies that pertain to the use of specific facilities or property shall prevail in the event of any conflict with this Policy. This Policy shall not be construed to limit the terms and conditions of any lease of facilities or property owned by the Board of Education. This policy shall not apply to the use of facilities by school organizations.

3. Permit Required. All persons not directly affiliated with the school system desiring to use facilities or property must first obtain a written permit. Permits must be signed by the responsible person or officer of the organization requesting the use of facilities or property. Unless expressly waived by official action of the Board, all permits shall contain the following provision:

4. Insurance. User covenants that it has and will have in force during periods of facility use a contract of insurance that provides general comprehensive liability coverage of any claim, demand, action, suit or judgment by reason of alleged negligence or other acts resulting in bodily injury or property damage arising out of the use of the facility. Such insurance contract shall provide for the payment of any attorney fees and other litigation expenses incurred by the Board of Education in connection with any claim, demand, action, suit or judgment arising from such alleged negligence or other act. The insurance coverage shall be in an amount of no less than \$1,000,000.00 per occurrence.

Proof of such insurance coverage must be provided prior to use of any school facility under a permit.

5. Permit Application Procedure. Applications for permits to use facilities or property shall be made to the principal or other administrator charged with the management of such facilities or property. Permit applications must be made at least three days in advance of the scheduled use. Permits for regularly scheduled periodic use shall not extend beyond the school year during which they are sought. If modifications to the facilities or property in question are

required, such applications must be made so as to provide sufficient time to perform such modification.

6. Competing Permit Applications. Regular school activities and activities sponsored by organizations affiliated with a school shall be given priority over other applications for permits to use a school facility. Organizations or groups located within a particular school attendance area shall be given priority over applications from organizations or groups outside an attendance area.

7. Fees. All permit fees must be paid in advance. However, if a permit is issued for a semester or year, charges may be remitted in advance on a monthly basis. All fees, along with a copy of the permit, shall be remitted to the Office of the Business Manager/Treasurer. Failure to pay any required fees on a timely basis may result in the revocation of a permit. No new permits shall be issued to an applicant until any past delinquencies are satisfied.

Rental Fees:

Gymnasium, Auditorium: \$___per event

Cafeteria Multipurpose Room: \$___00 per event

Athletic Field: \$___ per event

Classroom: \$___00 per event

8. Personnel Assignment Fees (per employee):

Hourly rate to be paid to assigned school personnel in accordance with the Board's extracurricular contract or extra-duty contract terms. Any series of regularly scheduled events shall be subject to the extracurricular contract rate. One-time/irregular events shall be subject to the extra-duty contract rate.

9. Law Enforcement Personnel (if required): prevailing rate.

10. Personnel Assignments. The principal or other administrator charged with the management of the facility or property to be used shall determine the personnel requirements attending the intended use. Additional personnel assignments shall only be made when regular employee assignments will not accommodate the intended use.

11. Supervision. The principal or other administrator charged with the management of the facility or property to be used shall be responsible for adequate supervision measures in connection with any use of facilities or property. A principal or other administrator may allow volunteer supervision. However, the principal or administrator shall be ultimately responsible for any supervision arrangements. Any use of kitchen facilities must be supervised by at least one food service staff member.

12. Denial of Permit. A permit to use facilities or property may be denied if the intended use would be in violation of any federal, state or local laws or ordinances, or would be in violation of Board Policy or rules promulgated in connection with the use of specific facilities or property. Prior violations of this Policy by a community group may serve as a basis to deny a permit. Any unreasonable risk of damage to a school facility or grounds may serve as a basis to deny a permit.
13. Admission Fees. Admission to events may be charged if proceeds are used for the exclusive benefit of the school.
14. Use of School Facilities for Elections. School facilities shall be made available for special, primary and general elections. The entity responsible for conducting such elections shall be responsible for the payment of a custodian at each facility used. The amount of payment shall be equal to that received by poll workers.
15. Smoking. Smoking or use of other tobacco products within any facility is prohibited.
16. Alcoholic Beverages. The consumption of alcoholic beverages in facilities or on property owned by the Board of Education is prohibited.
17. Removal of Equipment or Property. All equipment or other property of persons using facilities or property must be removed immediately following such use.
18. Advertising. School facilities may not be used to promote or advertise the use of tobacco products or alcoholic beverages.
19. Curfew. The use of facilities and property shall end at 11:00 p.m. An employee of the Board shall close any facility in use promptly thereafter.
20. Fire Safety Requirements. All applicable fire safety requirements, including occupancy capacities, shall be observed in the use of facilities or property.
21. Access of Board Representatives. Any designated representative of the Board of Education shall have full access to facilities or property during any use or activity conducted pursuant to a use permit.
22. Board-Owned Equipment. Prior written permission must be obtained from a principal or other administrator with respect to the use of Board-owned equipment or property.
23. Revocation of Permits. All permits are revocable and shall not be deemed a lease of facilities or property. Either the Board or the Superintendent may revoke any permit that has been issued under this Policy for any reason deemed to be in the best interest of the District.
24. Notice of Cancellation. Notice of the cancellation of any scheduled use of facilities or property must be provided to the principal or other administrator, who issued the use permit,

at least 24 hours in advance of the scheduled use. Failure to provide such notice may result in the responsibility to pay applicable permit fees as provided herein.

25. Closure of Facility. If a facility is closed due to inclement weather or mechanical failure, any use may be rescheduled through the principal or administrator charged with the management of the facility.

26. Conformance with Board Policy and Regulation. All uses of facilities or property must conform to applicable Board policies and administrative regulations.

27. Legal Responsibility. Persons or organizations issued a permit to use facilities or property shall be responsible for any damage to property resulting from such use. Such persons or organizations shall indemnify the Board against all liability for injuries to persons or property resulting from negligence, misconduct, or misuse of facilities or property.

28. Review Schedule. This policy shall be reviewed in accordance with the Policy Review Schedule published by the Superintendent.

Legal Authority: West Virginia Code §18-5-19

Board Adoption: July 21, 2014