

While the buildings, grounds, and facilities of the Lake Washington School District are primarily to benefit and serve the educational needs of the District's students, they are also a community resource. As a result, the District provides for the short-term or temporary use of district buildings, grounds and facilities (collectively "facilities") by individuals, groups, and organizations when such use is of a lawful purpose and does not conflict or interfere with the District's programs, operations, or activities. Fees are charged for the use of facilities so that district funds intended for the education of children are not used to support other activities.

Although the District operates its schools as nonpublic forum, these procedures are designed to create a limited public forum for the use of the District's facilities, subject to the requirements set forth in these procedures and the District's regulations. The District may modify these procedures and its regulations or close the forum at any time without cause and without incurring any liability.

### *Who can rent district facilities?*

The District believes that the primary beneficiary of the District's facilities should be children. As a result, after the District's own use, priority will be given to non-profit organizations that serve Lake Washington School District students.

Facility use shall be allowed within the following six user classifications. The classifications listed are in priority order for use of the District's facilities.

#### Group I – District or School-Oriented Groups

- **First Priority:** District or school-related programs or activities and district or school-oriented groups that exist primarily because of the school program shall have this classification. They will be given first priority for the use of the District's facilities. This group includes all curricular or extra-curricular student groups, associated student body, as well as PTSA, school booster clubs, LWEA/classified unions, staff groups, and district convened citizen advisory groups.

#### Group II – City Sponsored Youth Activities via Cities/School District Interlocal Agreements

- **Second Priority:** Cities with whom the District has a joint-use interlocal agreement shall be given second priority for the use of the District's facilities. City adult recreation programs will be allowed based on annual approval by the District.

#### Group III – Non-Profit Youth Organizations with Memberships Residing Within the District

- **Third Priority:** Local community non-profit youth organizations with a roster of at least 65% of members residing within the boundaries of the District will have third priority for the use of the District's facilities. Examples include: Boys & Girls Club, YMCA, YWCA, Youth Soccer Leagues, Little Leagues, Lake Washington Youth Ski Council, 4-H, Boy Scouts, Girl Scouts and Camp Fire.

Group IV - Non-Profit Adult Organizations with Members Residing Within the District; Other City and State Agencies

- **Fourth Priority:** Adult non-profit organizations that have as their prime focus the interest and needs of the local community and whose membership roster demonstrates at least 65% of its members reside within the boundaries of the District shall have fourth priority. This group also includes state and local agencies with which the District does not have a joint-use interlocal agreement. Examples include: community clubs, League of Women Voters, service clubs and senior citizens groups, and churches.

Group V - Other Non-Profit Organizations

- **Fifth Priority:** Other non-profit organizations where less than 65% of its members reside within the boundaries of the District will have fifth priority.

Group VI - Other Adult Organizations

- **Sixth Priority:** Private organizations and commercial groups including semi-professional groups or private social groups.

Private groups are not permitted to use any district facilities without the prior approval of the superintendent. Commercial or semi-professional groups must receive approval of the Board of Directors.

A group's priority status will be used to determine the order of processing requests for facility use, however, the amount of time allotted to an individual group may be limited to allow use by other users within the same or other priority classifications.

Groups wishing to use district facilities for public activities must ensure that accommodations are available to provide for access to individuals with disabilities who wish to participate in the activity or program.

***What documentation is required to determine a group's user classification?***

**Non-Profit Status:** All groups (other than Groups I and V) must submit evidence of non-profit status before use of the District's facilities.

**Membership Roster:** Groups III, IV and V are required to submit a letter stating the percentage of members who reside within LWSD. These groups shall submit a membership roster to verify their appropriate user classification, upon request.

**Financial Statement:** Financial statements of revenues and expenses from any admission charges or offerings must be provided by the applicant upon request. Other documentation must be provided when requested.

**What areas of the facility may be rented?**

Facility spaces available for rental are generally limited to public areas and/or assembly spaces. This includes areas such as gymnasiums, commons/cafeteria, and libraries. Classrooms are not considered public spaces due to the nature and impact of use on the educational process. Limited classroom rental is allowed for designated classrooms. Each school will designate at least one classroom available for rental, subject to the priority classifications and established policies and rules for the use of such areas.

Facility use agreement does not give the user the right to control other portions of the facility or site. Use by other groups, community members or staff may not be prohibited by facility user other than for the specific portion of the facility that is rented within the specific rental period. Site access may not be restricted by facility users.

Other than for sports fields/stadiums, rental of exterior portions of school sites is not generally allowed. Use of school site by outside groups for demonstrations, protests, leafleting or other organized events is not allowed. Any requests for exterior site use, parking, etc. should be directed to the District's Director of Support Services.

**Who schedules and approves facility use?**

Requests for use of district facilities should be directed to the specific school at which use is desired. No district-wide facility scheduling is available.

The school's facility administrator or designee has the overall responsibility and authority to determine use of facilities during and after school hours by district personnel and any community organizations in accordance with established policies and rules. Such decisions may be appealed to the deputy superintendent. The superintendent is the final authority on the interpretation and modification of all non-commercial use of school facilities.

**When may use be denied to groups?**

The District reserves the right to deny use for any activities contrary to the District's interests or those that would create a substantial disruption to the educational environment. Users who have violated use agreements, procedures, damaged district facilities or failed to pay required fees may be denied use. A written warning of violations shall be given to the user prior to denying use applications unless such violations are egregious.

Denial of use will not be made based upon a group's viewpoint.

**What are the fees to use district facilities?**

**Fees for Use of Facilities**

All Group I users will not be charged for the use of any district or school facility. The exception to this condition is when the service required will result in an additional expense to the District.

In such cases, a charge equal to the additional cost shall be made, e.g., custodial fee, special equipment arrangements, technician, food service employee.

Groups II-VI will be charged facility use rates consistent with the type of use. This includes a supply charge for use at any time and a supplemental energy fee for use on non-school days. Users will also pay for needed labor such as custodial technicians or food service employees. Specific fees are listed in the Exhibit 1-3 on pages 10-12.

### Calculation

The facility administrator or designee will estimate the appropriate fees based on the requested hours for the requested facility use and labor required and provide you with a copy. Fees must be paid before the application can be approved. The District shall make all final determinations regarding applicable facilities use fees to be assessed.

### Additional charges

The user group will be responsible for the cost of any damage, vandalism, or other alteration to the District's facilities. The user group will also be responsible for the cost of any additional clean-up above and beyond the custodial fees initially set forth in the use agreement. Users who cause damage to the District's facilities may be required to submit a damage deposit or may be denied further use of the District's facilities if the damage is severe or if the damage occurs during more than one use.

### ***How are payments for facility use to be made?***

#### **Payment of User Fees (Prepayment Required)**

Estimated facility use fees must be prepaid before the application will be given final approval and the facilities actually reserved. For users of a continuing nature, e.g., church groups, adult sport leagues, etc. a monthly amount can be calculated and prepaid each month. No refunds will be given for cancellations, however fees paid for activities may be applied to rescheduled facility use.

### ***When are staff required for building use and what is the cost to the user?***

#### Custodial

Custodial services will be required for facility use outside of normal custodial staff hours to ensure the cleanliness of the facility for school use and to ensure the building is appropriately locked and secured, unless the facility administrator has agreed to an alternate method.

Any alternate method must ensure the security of the building. Additional custodial services may also be required if facility use would otherwise interfere with the needs of the school.

Any required additional custodial time will be paid for by the user. A custodian working on a weekend is paid a minimum of two and one half (2 1/2) hours. A custodian working overtime is paid a minimum of one and one half (1 1/2) times their regular rate. A custodian working on a

District recognized holiday shall be paid two (2) times their regular rate of pay in addition to the holiday pay. The District recognizes the following holidays: Labor Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving Day, the day before Christmas, Christmas Day, the day before New Year's Day, New Year's Day, Martin Luther King Jr. Birthday, President's Day, Memorial Day, and Independence Day. Holiday pay applies to the day the District recognizes the holiday.

If custodial services are required but the District is unable to provide adequate custodial staffing, an application for use may be denied and/or prior approval revoked.

#### Food Service

Whenever a kitchen facility is used, a food service employee must be present. Actual labor costs for kitchen supervision and/or staffing will be billed to the user based on the services required.

#### AV Equipment

If AV equipment is requested for use in common areas and the facility administrator determines a technician's presence is required, the user will pay for the labor costs. Use of classroom AV equipment, computers, and/or projection equipment is not allowed.

#### Other

Proper police and fire protection, as determined by the District in its sole discretion, must be provided at the user's expense.

#### **What are the procedures for use of a district facility?**

Any person or group, other than official school/student activity users, must complete an application before using any of the District's facilities. There are no exceptions to the written application process. Numbered application forms for the use of the District's facilities are obtained at each building location.

All applications must include the name of the person who will be responsible for sponsorship, supervision, indemnification and security of the facilities. The applicant must sign the form, which acknowledges that the user agrees to comply with the District's rules and requirements as stated on the front and back of the application form and in these guidelines. The school's principal or designee reviews the completed application and determines whether to approve or disapprove the users' requests and makes custodial and food service arrangements.

#### Timeline for applications

Applications for use of up to 10 consecutive or non-consecutive days must be completed and submitted to the facility administrator or designee **not less than (20) school days in advance of the intended use**, with the exception of Group VI users, which must make requests 45 days in advance.

Requests for use of more than 10 consecutive or non-consecutive days must be submitted as follows:

Facility Use Requests for:	Submitted by:	Approval by:
Sept/Oct/Nov	June 1	July 1
Dec/Jan/Feb	Sept 1	October 1
Mar/Apr/May	Jan 1	February 1
Jun/Jul/Aug	Mar 1	April 1

Applications will be considered for approval based on facility availability and requestor's priority classification. Additional applications will be required if extended usage is anticipated beyond that initially approved with an application. All applications must be renewed annually.

Long-term non-intermittent use of the District's facilities must be supported by a separate lease agreement approved by the District's business office, on an annual basis.

***What are available hours for facility use?***

Use of district facilities will begin no earlier than one half hour after school dismissal time up to 9:30 p.m. on school days. Weekend and non-school day use will be limited to the hours of 8 a.m. to 9:30 p.m.

***What duration and cancellation policies apply?***

**Duration of Use and the District's Right to Revoke**

Users who are granted permission to use the District's facilities are granted a revocable license to use the facilities only. Nothing in the application or in these rules should be construed to grant to users a lease or a property interest in the District's facilities.

The District reserves the right to cancel use due to emergency or inclement weather. Further, the District reserves the right to revoke a license to use the District's facilities, without advance notice or reason, and without incurring liability.

***When are there additional requirements for insurance?***

**Insurance**

With the exception of Group I users and certain Group II users (as are specifically described below), groups using district facilities are required to provide, at their own expense, a comprehensive general liability insurance policy naming the Lake Washington School District as an additional insured. This policy shall be primary and written with limits of \$1,000,000, combined single limits per occurrence. The certificate of insurance must indemnify and hold

harmless the Lake Washington School District No. #414, the Board of Directors, District employees, and volunteers from any and all claims, liabilities, damages, or rights of action directly growing out of the use of the premises. A certificate of insurance evidencing coverage and a copy of the endorsement naming the District as an additional insured must be submitted to the Risk Management office prior to use. In the event of damage arising from the use of the District's facilities, the user will be held responsible for all expenses incurred by the District. Users are also required to sign an indemnification form prior to use.

### **Certificate of Insurance Guidelines**

A certificate of insurance is required when district facilities are being used by all non-Group I users. If the user does not have insurance coverage, special events coverage can be purchased by contacting the Risk Management office, (425) 936-1119, e-mail [pnysin@lwsd.org](mailto:pnysin@lwsd.org) or [semry@lwsd.org](mailto:semry@lwsd.org).

Insurance certificates should be sent to Lake Washington School District, Support Services - Risk Management, 15212 NE 95<sup>th</sup> Street, Redmond, WA 98052, or faxed to (425) 936-1156.

### ***What are the rules/restrictions related to building use?***

#### **Prohibitions and Proper Conduct**

- a. Users shall not post any materials the wall, ceilings, floors, fences, etc. unless the District has approved the materials in advance of the use. No signage, other than that used for directional purposes may be used. Directional signage must be put up before and taken down after the event and is limited to the same day as the event.
- b. Users shall not alter any facilities.
- c. The burning of candles or any other materials poses a fire hazard and is strictly prohibited.
- d. Proper footwear must be worn on appropriate surfaces.
- e. Users are required to remove their materials, equipment, furnishings, and rubbish after using the facilities. Room furniture must be returned to the original set-up. If the user leaves any materials, equipment, furnishings, or rubbish, the property will be considered abandoned and the user will be responsible for all costs associated with removing the property.
- f. Building users shall not practice unlawful discrimination of any kind.
- g. Alcoholic beverages, tobacco, narcotics, or other dangerous or illegal drugs shall not be permitted in district or school facilities or on district or school property at any time.
- h. Except for on-duty law enforcement officers carrying licensed weapons, firearms, explosives, and dangerous weapons shall not be permitted at any of the District's

facilities at any time regardless of whether the owner of the firearm or explosive is legally permitted to carry the firearm or explosive.

- i. Requests to make or allow radio or television broadcasts during any user event must be submitted with the initial application, and may only occur upon prior written approval by the District.
- j. The use of the District's facilities shall not be granted to any individual or organization if the individual or organization will use the buildings, grounds, or facilities for or to promote illegal activities.
- k. Except for properly licensed bingo and/or raffles for the sole purpose of fund raising for civic or charitable purposes, gambling shall be prohibited in any of the District's facilities.
- l. Groups II through VI users may not advertise or sell any merchandise or products in or on the District's facilities.
- m. Once an application for use of the District's facilities has been granted, users are strictly prohibited from assigning the license to use the facilities to any other individual or organization.
- n. Users are expected to restrict their use and activities to the times and places designed in their application for use.
- o. No animals may be brought in to district facilities during facility use, except for required service animals.

### **Nondiscrimination Policy**

The District has policies that prohibit discrimination against any person on the basis of sex in its recreational and athletic programs. Specifically, District Policy JB, "Equal Educational Opportunities," provides:

The Lake Washington Schools are established to educate each student in a way that gives the best promise for full realization of his/her potential. The District shall provide equal educational opportunities without regard to race, color, religion, age, sex, marital status, or national origin or the presence of any sensory, physical or mental disability.

### **Equal Rights and Opportunity**

Title IX of the Education Amendments of 1972 and WAC 392-190, formerly known as Substitute House Bill 413, prohibits sex discrimination in all federally assisted education programs and activities. Pursuant to these mandates, the Board of Directors of Lake Washington School District shall provide for all students, grades K-12, an equal opportunity to participate in all district education programs, activities, and



opportunities including, but not limited to, counseling and guidance, recreational and athletic activities, access to course offerings, textbooks, and instructional materials.

Further, the opportunity to participate in all vocational education or adult education programs and activities shall be made available to all persons, regardless of sex. The District prohibits discrimination against any person on the basis of sex in the operation, conduct, or administration of community athletics programs for youth or adults that use district facilities.

By reproducing it above, the District is providing this policy to all third parties who seek permission to use the District's athletic facilities for the operation of a community athletics program. In addition to being reproduced above, the District's antidiscrimination policy is available for review on its website: <http://www.lwsd.org/About/Policies-Regulations/Admin-Policies/Students/Pages/Equal-Educational-Opportunities.aspx>.

*Are there restrictions on employee's using district facilities for athletic camps or tutoring?*

### **Athletic Camps/Tutoring**

District employees may not use district facilities for a for-profit or commercial enterprise, nor may they personally profit from using district facilities. District employees or coaches who operate summer camps under the umbrella of an authorized non-profit organization must pay the use fee appropriate for that organization. The Washington Interscholastic Athletic Association (WIAA) also has rules regulating the activities of coaches and districts involved in off-season activities.

### **Exceptions**

The District recognizes that it is not possible to address every situation or event in these guidelines. As a result, the District allows for exceptions to be made on an individual basis, as determined by the specific merits of each situation. Requests for such exceptions must be addressed to the superintendent for evaluation and decision.

**Exhibit 1**  
**Building Fees Hourly Rental Rates — 2021-22\* School Year**

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	<u>Group I</u>	<u>Group II</u>	<u>Group III</u>	<u>Group IV</u>	<u>Group V</u>	<u>Group VI**</u>	<u>Supply Fee</u>	<u>Energy Surcharge</u>
<b>Senior High</b>								
Auditorium/Cafeteria	\$0	\$0	\$0	\$40	\$49	\$119	\$2	\$16
Auxiliary Gym	0	0	0	24	30	71	4	16
Classroom***	0	0	0	16	21	47	1	16
Fieldhouse	0	0	0	71	88	213	10	16
Gym	0	0	0	40	49	119	6	16
Library	0	0	0	40	49	119	2	16
Lock Room/Showers	0	0	0	24	30	71	1	16
<b>Middle School</b>								
Auditorium/Cafeteria	0	0	0	32	40	95	2	8
Auxiliary Gym	0	0	0	24	30	71	2	8
Classroom***	0	0	0	16	21	47	1	8
Gym	0	0	0	47	60	95	4	8
Library	0	0	0	32	40	95	1	8
Lock Room/Showers	0	0	0	24	30	71	1	8
<b>Elementary</b>								
Classroom***	0	0	0	16	21	47	1	4
Gym	0	0	0	24	30	71	1	4
Library	0	0	0	24	30	71	1	4
Multipurpose/Cafeteria	0	0	0	24	30	71	1	4
<b>Resource Center</b>								
Board Room	0	0	0	24	30	71	2	4
Meeting Rooms	0	0	0	16	21	47	1	4

**Supply Fee**

A supply fee will be added to the hourly rates for users in Groups II through Groups VI.

**Energy Surcharge**

An energy surcharge will be added to the hourly rates for users in Groups II through Groups VI for use on non-school days. Resource Center users will be charged for use on weekends and holidays.

**Labor Charges**

Actual labor costs for custodial, technician and kitchen supervision will be billed to the user based on the service required, including all overtime and mandatory fees requires under applicable collective bargaining agreements or contracts governing such employee groups.

\*Rates will be automatically increased each year by the increase in the Seattle area Consumer Price Index.

\*\*Group VI rates are for use approved by the Board of Directors/superintendent.

\*\*\*Only designated classrooms are available.

**Exhibit 2**  
**Stadium Fees Hourly Rental Rates — 2021-22\* School Year**

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	Group I	Group II	Group III	Group IV	Group V	Group VI**
Stadium	\$ -	\$51	\$51	\$128	\$319	\$640
Field Lights	0	38	38	38	38	44
Locker Room (each)	0	25	25	51	63	63
Official's Locker Room	0	13	13	38	38	38
Scoreboard Equipment	0	25	25	38	51	51
Public Address System	0	25	25	51	63	63
Yard Markers/Flags	0	13	13	38	51	51
Gate Keys	0	31	31	31	31	31

**Supply Fee**

A supply fee may be charged for users in Groups II through Groups VI based on group requirements.

**Energy Surcharge**

An energy surcharge of \$6.00 will be added to the field lights hourly rates for in Groups II through Groups VI.

**Labor Charges**

Actual labor costs for custodial, scoreboard operator, etc. will be billed to the user based on the service required, including all overtime, and mandatory fees required under applicable collective bargaining agreements or contracts governing such employee groups.

\*Rates will be automatically increased each year by the increase in the Seattle area Consumer Price Index.

\*\*Group VI rates are for use approved by the Board of Directors/superintendent

**Exhibit 3**  
**Theater Fees Hourly Rental Rates – 2021-22\* School Year**

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**For Performing Arts Centers at: Lake Washington, Redmond and Eastlake High Schools**

	Group I	Group II	Group III	Group IV	Group V	Group VI**
<b>Performance (4-hour Minimum)</b>	\$0	\$44	\$44	\$110	\$198	\$252

**Minimum Usage**

Use of the Theater for rehearsal and performances will be billed based on 4-hour minimum. Use of the Theater for meetings will be billed based on a 3-hour minimum.

**Supply Fee**

A supply fee of \$4.00 will be added to the hourly rates for users in Groups II through Groups VI.

**Energy Surcharge**

An energy surcharge of \$16.00 will be added to the hourly rates for users in Groups II through Groups VI for use on non-school days.

**Labor Charges**

Actual labor costs for custodial, technician, etc. will be billed to the user based on the service required, including all overtime and mandatory fees requires under applicable collective bargaining agreements or contracts governing such employee groups.

\*Rates will be automatically increased each year by the increase in the Seattle area Consumer Price Index.

\*\*Group VI rates are for use approved by the Board of Directors/superintendent

## **Community Use of School Facilities**

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The public schools are owned and operated by and for their patrons. To ensure that the schools become an integral part of the community, the Lake Washington School District shall encourage community groups to use school facilities and shall cooperate with park departments and other governmental agencies to run community programs in school facilities.

School sponsored activities shall have first priority, cities and other governmental agencies with whom the district has a joint-use interlocal agreement shall have second priority, non-profit youth organization residing within the Lake Washington School District shall have third priority, non-profit adult organizations residing in the Lake Washington School District shall have fourth priority, other non-profit organizations shall have fifth priority and private and commercial groups the last priority. The right to authorize use of school facilities shall be retained by the board and/or the superintendent through the appointed unit administrators consistent with this policy and such implementing regulations as the superintendent may issue.

Authorization for use of school facilities shall not be considered as endorsement of or approval of the activity group or organization nor the purposes they represent.

Groups wishing to use district facilities for public activities must ensure that accommodations are available to provide access to individuals with disabilities who wish to participate in the activity or program. Users may request consultation and/or services from the district in providing special accommodations to disabled persons. Disabled persons should contact the group leader no later than three (3) days before the activity so that special arrangements can be made.

**Adopted:**  
12/1/74

**Revised:**  
10/3/77  
8/12/85  
5/7/90  
9/1/92  
5/2/94  
4/2/01

**LEGAL REFS.:**  
RCW 28A.335.150  
RCW 28A.320.510  
AGO 1973 No. 26  
American's with Disabilities Act of 1990

**CROSS REFS.:**  
Rental & Service Charges (DFD)  
Limited Open Forum (IGDAA)  
Community Use of School Facilities (KG-R) (regulation)  
Tobacco-Free Environment (KGC)  
Relations with Governmental Authorities (KN)  
Relations with Park Authorities (KNAH)

## **Community Use of School Facilities**

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### **General Procedures and Board Regulations**

1. Applications for use of school facilities shall be made to building principals. Information concerning district facility usage shall be available through the Public Information Office.
2. The superintendent shall determine and approve all fees for use of district facilities. The fee shall be the additional direct cost to the school district. Costs for heat and lights may be charged when deemed appropriate.
3. Sponsoring organizations shall provide sufficient competent adult and/or special supervision, and the amount of adequate supervision shall be agreed upon at the time the authorization is issued.
4. Alcoholic beverages, narcotics and dangerous drugs shall not be permitted in school facilities or on school property at any time.
5. All applicants for use of district facilities shall hold the Lake Washington School District free and without harm from any loss or damage liability or expense that may arise during or be caused in any way by such use or occupancy of district facilities. Also, in the event that property loss or damage is incurred during such use or occupancy of district facilities, the amount of damage shall be decided by the superintendent and a bill for damages shall be presented to the group using or occupying the facilities during the time the loss or damage was sustained.
6. Any and all use of the district facilities shall be totally free from commercial and/or personal use unless approved by the Board of Directors.
7. The superintendent possesses the authority to make the final decision for non-commercial use of school facilities by a group. However, the group may appeal such decision to the Board of Directors.

**Approved:**  
6/5/67

**Revised:**  
4/21/75  
10/3/77  
8/12/85  
5/7/90  
9/1/92

## **Tutoring for Pay**

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1. Certificated staff may tutor only those students with whom they have no instructional responsibility or assignment.
2. If tutoring is conducted in a school building, appropriate building use forms must be filed by the teacher. A space rental cost shall be charged the teacher for use of the school building.
3. Certificated staff who accept tutoring assignments must make their own fee structure arrangements with the parent or guardian of the pupil being tutored.
4. Any exceptions to these regulations shall require prior approval of the superintendent or designee.

**Adopted:**  
9/11/67

**Revised:**  
4/21/75  
5/7/90