

# Davis School District Policy and Procedures

**Subject: 6F-104 Facility Rental Permit and Use Policy**

**Index: Finance**

**Revised: October 1, 2019**

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## 1. PURPOSE AND PHILOSOPHY

To provide opportunities for citizens to participate in educational and recreational activities through the establishment of a facilities rental fee schedule and procedures.

## 2. POLICY

- 2.1. The primary use of Davis School District facilities is for the District's educational, athletic, and extra-curricular programs. Other uses shall not interfere with any school function or purpose.
- 2.2. The District does not discriminate or deny access to facilities on the basis of race, color, religion, national origin, sex, disability, age, or veteran status.
- 2.3. All civic center use, non-profit use, commercial use, and school or District use which occurs after school hours shall be scheduled through the District online scheduling program ([davis.schoolspace.ut](http://davis.schoolspace.ut)).
- 2.4. The District Facility Use Coordinator (hereinafter referred to as the "Coordinator") will charge reasonable fees as outlined in this policy, so the District incurs no expense for facility rental.

## 3. TYPE OF USE

### 3.1. DISTRICT SPONSORED PROGRAMS

- 3.1.1. PTA/PTOs and other District schools or departments shall be granted use of facilities for school related activities so long as the activity does not disrupt the functions of the hosting school and the visiting entity or school reimburses any costs incurred by the hosting school.
- 3.1.2. School administration shall grant authorization and school facilities use to curricular and noncurricular clubs whose applications are found to meet the requirements of the Utah Student Clubs Act and District policy *5S-202 Authorization of Student Clubs and Organizations*.
- 3.1.3. PTA/PTOs, student clubs, teams or programs which sponsor or host commercial entities in utilizing school facilities are subject to the commercial use fees outlined in this policy. Merely allowing a school club, team, or program to access an activity or provide concessions at an activity does not qualify the activity as a school or District sponsored program.

### 3.2. COMMUNITY SCHOOL

Classes conducted in the schools for the benefit of patrons and students, such as private music lessons and tutoring, shall be operated through the community school program. All classes not operated through the community school program shall be charged under the appropriate rental fee schedule according to the sponsoring organization or party's qualifications.

### 3.3. INTERLOCAL AGREEMENT USE

Interlocal Agreements negotiated by the superintendent or his/her designee supersede this policy. Any use by a city or county for programs or activities beyond those outlined in the applicable Interlocal Agreements are subject to the non-profit rates.

3.4. CHARITABLE AND NON-PROFIT USE

3.4.1. Charitable and non-profit rates apply to community organizations such as service clubs, Scouts BSA, Girl Scouts, United Way, cities and counties, public colleges and universities, charter schools, government, and state entities.

3.4.2. Those wishing to rent facilities under this category must provide evidence of their non-profit status.

3.5. AUTHORIZED CLASS REUNIONS

Class reunions for high schools within the District shall be granted use of facilities for class reunion related activities so long as the activity does not disrupt the functions of the hosting school and the entity pays a reasonable fee for cost of cleaning, utility cost, and any service requested and provided by the hosting school.

3.6. CIVIC CENTER USE

3.6.1. Pursuant to Utah Code Ann. §53G-7-209, public school buildings and grounds are civic centers and may be used by **Davis School District residents** for appropriate, supervised, recreational activities and meetings, subject to the requirements and restrictions set forth in this policy.

3.6.2. The Coordinator shall allow use as a civic center unless it is determined that the use interferes with a school function or purpose and may charge a reasonable fee for the use of a civic center, so the District incurs no expense for that use.

3.6.3. Such use constitutes a permit under civic center statutes and grants the District full legal immunity under the Governmental Immunity Act of Utah. However, the District property and comprehensive general liability insurance does not provide coverage to non-profit organizations or individuals utilizing District facilities. Civic Center Use users are advised to obtain their own insurance to cover any potential liability.

3.6.4. If a school administrator or other District administrator determines that use of a facility by a particular user poses significant risk of property damage to school facilities, the administrator, in consultation with the Coordinator, may require the user to provide proof of insurance against property damage.

3.7. REGISTERED POLITICAL PARTIES

3.7.1. The District shall make all meeting facilities in buildings under its control available to registered political parties, without discrimination to be used for political party activities, subject to the terms and conditions outlined in [Utah Code Ann. § 20A-8-404](#).

3.7.2. The charge imposed for the use of a meeting facility by a registered political party may not exceed the actual cost of custodial services for cleaning the meeting facility after the use by the political party; and any service requested by the political party and provided by the meeting facility.

3.8. COMMERCIAL USE

Commercial rates apply to an organization or individual whose motive is to make a profit. These include, but are not limited to:

3.8.1. teachers providing private instruction for a fee such as music, physical education, or art which are not run through the community school program;

3.8.2. events for which admission is charged, items sold, or paid instruction for students.

4. PROCEDURES

4.1. The Coordinator shall:

4.1.1. charge for the use of facilities as outlined in the Rental Fee Schedule;

- 4.1.2. require commercial or non-profit users renting a District facility to provide a Certificate of Insurance for liability and property damage before the event. The Certificate shall be for one million dollars (\$1,000,000) peroccurrence and three million dollars (\$3,000,000) aggregate;
- 4.1.3. require those renting facilities under the non-profit category to provide evidence of a non-profit status; and
- 4.1.4. collect rental fees in advance of the use.
- 4.2. Lessees must be at least twenty-one (21) years old and shall submit facility rental requests and required documents through the District online scheduling program ([davis.schoolspace.us](http://davis.schoolspace.us)).
- 4.3. Additional charges apply for access to or use of school equipment (spotlights, computers, DVD and televisions, microphones, projectors, pianos etc.) and supplies used by the lessee.
- 4.4. Additional charges may apply, as determined by District Utility Services, for outdoor lighting of fields, heating, and air conditioning.
- 4.5. All rental time shall be computed from the time of requested opening to closing of the doors. Persons lingering in the building shall be the responsibility of the lessee and closing time shall be the time when all persons associated with the rental have left the building. The fee will be adjusted for additional time.
- 4.6. It shall be the responsibility of the lessee to assure that only authorized and rented portions of the facilities are used. The fee will be adjusted for additional facilities used.
- 4.7. Equipment, keys, and property shall not be loaned or removed from the building.
- 4.8. Laboratory facilities such as computer labs, home economics labs, shops, media center, science labs, and art labs shall not be rented. Use of these types of facilities shall be managed under the community school umbrella.
- 4.9. Kitchens, baseball and softball fields, grass football fields, band and orchestra rooms, locker rooms, and concession stands, shall not be rented.
- 4.10. Gymnasiums shall be rented only where adequate protection of the gym floor is assured by the lessee. Lessees shall pay for any damage caused to the gym, equipment, or floor.
- 4.11. The assigned supervisor is responsible for oversight of the building and facilities during the rental period.
  - 4.11.1. Buildings may not be left without such supervision while occupied.
  - 4.11.2. In addition to the building supervision provided by the school, all rental groups must provide supervision, who is at least twenty-one years of age, to maintain order and prevent damage or loss of school property.
- 4.12. The lessee is subject to adherence to the standards of behavior of the school and Utah State Law.
  - 4.12.1. Violation of any of these standards is grounds for termination of the permit and use agreement and the immediate removal of those individuals associated with the rental.
  - 4.12.2. Violation may result in the forfeiting of all reserve amounts and additional charges may be assessed.

## 5. FEE SCHEDULES

Users will be charged according to the Rental Fee Schedule applicable to the lessee's rental status.

### 5.1. RESERVE AMOUNT

- 5.1.1. A reserve amount will be required on all rentals.
- 5.1.2. The purpose of the reserve amount is to cover damage to school property, additional personnel required beyond the original agreement, and additional time or space added to the original agreement.
- 5.1.3. If the reserve does not cover additional costs, the lessee is responsible to cover all additional costs beyond the original agreement.

- 5.1.4. Following the rental period, the principal or building supervisor shall report facility condition to the Coordinator with respect to damage or excess mess requiring extra cleanup time. Any such extra charges will be deducted from the reserve amount. Should there be no extra charges assessed, the full reserve amount will not be charged to the lessee.

**5.2. PERSONNEL**

The Coordinator is responsible for determining the number and type of personnel required for a rental in compliance with this policy.

- 5.2.1. At least one custodian is required. Custodial services required for rentals cannot require the on-duty custodian to be removed from regularly assigned responsibilities. If custodial services are required beyond those as scheduled to be performed by the custodial staff at that facility, costs must be charged to the lessee.
- 5.2.2. General supervision, including security, beyond the custodian, is required if the Coordinator determines the rental activity requires such. General supervision of the facility may be assigned to a custodian, teacher, administrator, or other qualified staff member.
- 5.2.3. At least one stage technician is required for rental of the auditorium when using the sound system and/or special lighting.
- 5.2.4. Payment of wages for personnel providing supervision or other services in support of facility rentals shall be paid through the District payroll procedures in compliance with the applicable negotiated agreement.

**6. FACILITY RENTAL FEE SCHEDULE**

The Rental Fee Schedule shall be established by the Board. The rental fee schedule is subject to periodic review.

<b>Facility Rental Fee Schedule</b>			
<b>FACILITY</b>	<b>Interlocal</b>	<b>Commercial</b>	<b>Charitable/ Non-Profit</b>
<b>Reserve Amount</b>			
A \$200 reserve will be required on all rental.			
A \$500 reserve will be required for auditorium, gymnasiums, and turf/track field rentals.			
Auditorium	By Agreement	\$300 / hr	\$ 150 / hr
Gymnasium High School Large	By Agreement	\$300 / hr	\$ 150 / hr
Gymnasium High School Small/Junior High Gymnasium	By Agreement	\$200 / hr	\$ 100 / hr
Field, football-High School (artificial turf field) additional fee for lighting)		\$300 / hr	\$150 / hr
Field, general play	By Agreement	\$50 / hr	\$25 / hr
Tennis courts (No charge for casual play)	By Agreement	\$300 / hr	\$20 / hr per court
Track (additional fee for lighting)	By Agreement	\$225/ hr	\$75 /hr
Parking lots	By Agreement	\$200 / day \$30 / hr	\$100 /day \$20 / hr
Little Theater	By Agreement	\$150 / hr	\$ 75 / hr
Choral Room	By Agreement	\$125 / hr	\$ 75 / hr
Cafeteria/Commons	By Agreement	\$150 / hr	\$ 75 / hr
Cafeteria w/stage	By Agreement	\$225 / hr	\$ 75/ hr
Multi-purpose room	By Agreement	\$125 / hr	\$ 75 / hr
Classroom	By Agreement	\$ 50 / hr	\$ 25/ hr
Jr High and high school exterior restrooms	By Agreement	\$ 50 / flat rate	\$ 50 / flat rate
<b>PERSONNEL (additional to hourly facility fee)</b>	<b>Interlocal</b>	<b>Commercial</b>	<b>Charitable/ Non-Profit</b>
Building Supervisor	By Agreement	\$35 / hr per supervisor	\$35 / hr per supervisor
Field Supervisor	By Agreement	\$35 / hr per supervisor	\$35 / hr per supervisor
Stadium Booth Manager	By Agreement	\$45 / hr	\$45 / hr
Additional Staff (may include, custodial crew, stage crew, and other support staff as needed).	By Agreement	\$35 / hr per supervisor	\$35 / hr per supervisor
<b>ENERGY COSTS (additional to hourly facility fee)</b>	<b>Interlocal</b>	<b>Commercial</b>	<b>Charitable/ Non-Profit</b>
Outdoor Lighting	By Agreement	\$50 / hr plus any on demand costs	\$50 / hr plus any on demand costs
Stadium sound and scoreboard booth	By Agreement	\$50 / hr	\$50 / hr
Heating and Air Conditioning	By Agreement	Included in rental fee unless school is not in session. Charge for any on demand costs.	Included in rental fee unless school is not in session. Charge for any on demand costs.
Additional charges apply for school equipment (spotlights, VCR/DVD and televisions, microphones, piano, etc.) and supplies used by the lessee.			

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**DEFINITIONS**

“**Curricular club**” means a club that is school sponsored and that may receive leadership, direction, and support from the school or school district beyond providing a meeting place during noninstructional time.

“**Civic Center**” means a public school building or ground that is established and maintained as a limited public forum to district residents for supervised recreational activities and meetings.

“**Noncurricular club**” means a student-initiated group that may be authorized and allowed school facilities use during noninstructional time in secondary schools by a school and governing board in accordance with the provisions of state law. A noncurricular club’s meetings, ideas, and activities are not sponsored or endorsed in any way by a school governing board, the school, or by school or school district employees.

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**REFERENCES**

[Utah Code Ann. §20A-8-404](#) - Utah of public meeting buildings by political parties.

[Utah Code Ann. §53G-7-209 through 210](#) - Use of public school buildings and grounds as civic centers.

[Utah Code Ann. §63G-7-301](#) – Waivers of immunity

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**OTHER REFERENCE**

[5S-202 Authorization of Student Clubs and Organizations](#)

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**DOCUMENT HISTORY:**

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**Adopted: April 16, 1996**

**Revised: April 16, 2002** - Rental Fee Schedule moved from 6F-101 School Fee Policy into this policy

**Revised: October 21, 2003** - Minor revision to make it consistent with requirements of the District’s insurance provider by adding requirement of Certificate of Insurance for liability and property damage.

**Revised: February 21, 2006** - Updated Rental Fee Schedule to help recoup personnel and energy cost. Reformatted. Revised Building Rental Agreement Form.

**Revised: May 1, 2008** - Technical changes in accordance with state law

**Revised: November 3, 2008** - Technical changes. Created Building Rental Instruction Form to be completed and sent to Risk Management before the building rental can take place.

**Revised: November 3, 2009** - Modified the building rental policy for public colleges and universities, allowing principals or building managers to grant use at a non-profit rate rather than an institutional rate negotiated by contract.

**Revised: January 19, 2010** - Technical changes. Updated Building Rental Instruction Form to reflect changes in accounting procedures.

**Revised: June 22, 2010** - Centralized building rental giving responsibility to Facilities Use Coordinator.

**Revised: May 3, 2011** - Revised building rental fee scheduled. Removed \$5 per player fee. Changes other hourly rates.

**Revised: May 17, 2011** (by consent) - Policy amended to reflect changes as a result of HB421. Provides language on use of public buildings for political caucus meetings.

**Revised: June 18, 2014** – Updates made to comply with changes in the law and as recommended by State Risk Management.

**Revised: October 19, 2015** – Updated to comply with change in State law. Organizer of event using a school as a civic center must reside within the boundaries of the school district.

March 8, 2018 – Education code references updated in accordance with 2018 recodification.

**Revised: October 1, 2019** - Revisions to policy to incorporate the new online scheduling program. Updated to comply with practice and revisions in the fee schedule charges. Re-numbered from 6F-102 to 6F-104.