

**LEASE OF SCHOOL PROPERTY**

The use of buildings or equipment by others for non-education purposes shall be without cost to the District.

The Board may consider possible alternative uses for school facilities that are not immediately needed to maintain a quality educational program but should wisely be saved for future use.

The Board may lease any school building or part of building not needed for the instructional program or support services of the District, so long as such leasing does not interfere with the District's needs or with the instructional program.

**Criteria for Determining Space Available**

The following criteria will be applied in the determination of space available for leasing and joint occupancy:

1. The space is projected to be surplus for at least one year;
2. The space is located in a portion or a section of the building that can be isolated and will not interfere with the ongoing educational program (A separate building entrance is desirable); and
3. The space is not required for the conduct of a quality educational program. The Administrator will develop specific standards as a basis for this determination.

**Priorities for Leasing Space**

Given the constraints of the school setting, certain types of lessees will be more desirable than others. The following is a priority listing to aid in the selection of users of available space. This order will be applied to best meet the needs of the students and the educational program and to ensure prudent utilization of resources; the school program and/or personnel needs will always come first.

1. Other educational programs that will benefit students enrolled in the regular public school programs and that may enhance their learning experiences (e.g., day care centers, preschool programs, data-processing schools, foreign language programs, or college-based programs).
2. Community programs that will enhance learning experiences for students or provide needed community services (e.g., senior citizen center, counseling centers).
3. Housing or other city or county agency functions (e.g., park and recreation department, health services).
4. Private enterprise:
  - a. Private offices (e.g., real estate, attorney, consultant);
  - b. Private medical practice/community services (e.g., physician, physical therapist, artist); or
  - c. Other private groups or organizations.

## SUPPLEMENTARY

Descriptor Code: IAC

In those instances where two or more candidates for the same space within the same priority category are equally desirable the space will be provided to the candidate making the most beneficial offer to the District.

Each user of the available space will be expected to reimburse the District on a prorated basis for applicable costs related to this use that may include normal building upkeep, custodial services, utility expenditures, restroom supplies, insurance, administrative costs, and other such items on a square foot basis that may be identified and included in the lease negotiated with the user. The lease cost will be negotiated and be reflective of public schools costs and comparable market prices. The income from the leasing of space will be deposited in the general fund of the District.

The period of the lease will be related to the best estimate of how long the space may not be needed for public school programs but shall not be for longer than one year, subject to renewal.

The lease for each user will include appropriate language to hold the Board and the District harmless against any and all claims, demands, suits or other forms of liability that may arise out of this use of school space. Each proposed tenant must comply with all appropriate legal and zoning requirements.

The lease may be made on sealed bids from qualified lessees. The Board at its discretion may require a bond from the lessee, conditioned upon the payment of charges made for such lease and indemnifying the District against damage or destruction of the building or any part of it.

**End of Yellowstone Policy IAC .....Adopted: 5/16/2022**