

## **SCHOOL PRINCIPALS AND THE USE OF SCHOOL FACILITIES**

### **Authority of Principals to Determine/Schedule Certain Events without Special Use Permits**

Principals have the authority to determine and schedule the use of School Facilities under their regular supervision, including the use by Third Parties without the issuance of special use permits or the requirement of the payment of fees (as described in Policy ECCF), where the use of the school buildings and facilities relates to:

1. The regular school program or curriculum;
2. School sponsored activities/events;
3. Meetings and/or fund raising activities of student groups and organizations that have an assigned faculty sponsor;
4. Meetings of student groups and organizations;
5. Meetings and/or fund raising activities of the parent-teacher organization of the school system;
6. Meetings and/or fund raising activities of the local school band booster or athletic booster clubs;
7. Meetings of the local employees' professional organizations;
8. Board meetings and activities;
9. Activities sponsored by other school systems;
10. State Department of Education-sponsored area or regional meetings;
11. Book fairs, school photographs, class rings, letterman's jackets, or similar student-focused activities invited by the applicable school principal and deemed by the principal to enhance and/or support the school's educational mission and the student's educational experience;

12. Tutoring activities where one or more participating students is a student at the applicable School Facility; and

13. Practice sessions of organized athletic clubs/organizations, where one or more participants is (are) a student(s) in the school district.

The principal may deny a request for such use where, among other things, the principal deems that the activity will interfere with the orderly conduct of educational activities within the school.

**Conditions to Use by Third Parties**

Where such uses involve a Third Party, the principal shall not permit the Third Party to use the School Facilities unless and until the following conditions have been met, in addition to such other conditions as may be established by the Principal:

(1) The Third Party has agreed in writing to release the Board and all school personnel from any and all liability relating to the use of the School Facilities, and to hold the Board and all school personnel harmless from any and all liability relating to the Third Party's use of the School Facilities.

(2) The Third Party has provided school personnel with evidence of proof of insurance that protects the Third Party, the Board, and school personnel from liability relating to the Third Party's use of the School Facilities. Such insurance shall have limits of liability of not less than a combined single limit of liability of \$1,000,000 per occurrence, bodily injury and property damage combined, and \$1,000,000 in the aggregate. The Principal may require the Third Party to furnish additional liability insurance where the anticipated use suggests that additional coverage amounts may be required.

(3) The Third Party has agreed in writing to abide by all Board policies, specifically including the regulations set forth in this Policy ECCF-R1 and Policy ECCF-R2.

(4) Where required by the Principal upon consideration of the risk posed by the nature of the proposed use, the Third Party must provide evidence of police or security attendance.

### **Prohibited Activities**

The Principal shall not permit a Third Party to use the School Facilities pursuant to this policy where such use involves one of prohibited uses set forth in Policy ECCF.

### **Exceptions to Requirements Where Third Parties Invited by or Contracting with School System**

In cases where the Principal has invited or contracted with Third Parties to conduct events or activities at School Facilities, the Principal may elect not to require (i) proof of insurance; and (ii) the written release of liability/hold harmless document.

### **Limitation on Uses By Third Parties**

Any and all permitted uses by Third Parties of School Facilities under this Policy ECCF-R1 are subject to revocation or modification at any time by the Principal where School Facilities are deemed necessary by the same for any activity involving the regular school program or curriculum, or school sponsored activities/events. No permission granted by a Principal to a Third Party, or any representation(s) by school personnel concerning the use of School Facilities, shall give rise to any property or contract right of a Third Party in any School Facilities, or the use thereof.

Any permission granted by the Principal under this Policy ECCF-R1 is subject to immediate cancellation if it is discovered that information in a request for use was misrepresented. If the use of the School Facility is discovered to be contrary to Board policy, including this policy, then the permit is subject to immediate cancellation by the Principal (and/or his designee(s)).

### **Forms**

The Superintendent or his designee(s) shall develop and utilize forms and documents consistent with this policy with respect to the use of School Facilities.

SOURCE: Athens City Board of Education, Athens, AL

ADOPTED: June 18, 2009

LEGAL REF: Ala. Code § 16-11-9 (1975); Ala. Code § 16-11-12 (1975); Ala. Code § 16-24B-4 (1975); Ala. Code § 16-1-30 (1975); Ala. Code § 16-1-25 (1975); 20 U.S.C.A. §§ 4071-4074.