

USE OF SCHOOL FACILITIES

Use of School Buildings and Facilities Where Special Use Permit Required

The Board of Education is vested with title, care, and custody of all school district buildings, grounds, and facilities (referred to herein and in Policies ECCF-R1 and R-2 as "School Facilities"), with the power to control the same in the manner the Board believes will best serve the interests of the school system. As set forth herein, the Board of Education recognizes the value of granting the use of School Facilities by appropriate community groups, agencies or organizations (referred to herein and in Policies ECCF-R1 and R-2 as "Third Party" or "Third Parties") where there is neither infringement nor interference with the conduct and best interests of the school system. Accordingly, the Board authorizes, upon the issuance of a special use permit and subject to the matters set forth herein, the use of School Facilities by Third Parties for educational, civic, community, charitable, and cultural purposes. The use of School Facilities in this manner is entirely secondary to the primary use of the School Facilities for the Board's curriculum and other school-related purposes.

Procedures for Obtaining Special Use Permit

Third Parties wishing to use School Facilities should make their request to the superintendent or designee relating to the relevant School Facilities. The request should specify the identity of the Third Party, the purpose to which the School Facilities would be put, the specific School Facility(ies) sought, and the requested date(s) and time(s), as well as such other information that may be required by school officials. All requests for special use permits are to be made prior to the requested date. (However, Third Parties should note the posted meeting schedule of the Board with respect to the need for Board approval.)

The Third Party's request will be processed by the Superintendent's office. The request must be approved by the Board before such use is allowed, and the use is contingent upon the Third Party's compliance with the regulations set forth herein. The Board may approve the request, deny the request, or approve the request with conditions. Such conditions may relate to, but are not limited to, the time, place and manner of the requested use. The Board reserves the right to reject any request that is not in the best interest of the school district.

Third Parties should note that dates for the use of School Facilities cannot be reserved prior to the Board's establishment of the annual calendar of school events. Dates requested or reserved previous to that time are tentative only, and are discussed with the understanding that school-related events and gatherings will be given priority over any other use of facilities.

Third Party shall not be permitted 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 Superintendent and/or the Board:

(1) The Third Party has paid any and all fees and charges in advance with respect to the use of the School Facilities.

(2) 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.

(3) 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 Board shall be named as an additional insured in any such policy. The Board may require the Third Party to furnish additional liability insurance where the anticipated use suggests that additional coverage amounts may be required.

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

(5) Where required by school officials upon consideration of the risk posed by the nature of the proposed use, the Third Party must pay the additional cost for police or security attendance.

Prohibited Activities

No special use permit shall be issued for the following:

- (1) Gatherings advocating the overthrow of the United States government by force.
- (2) Gatherings regarding any activity that may be injurious to the school district buildings, grounds, and/or facilities.
- (3) Gatherings regarding any purpose in competition or in conflict with school district policies, activities and/or school-sponsored events.
- (4) Gatherings for the purpose of commercial advertising or for-profit business sales, except for enterprises relating to youth athletic activities, book fairs, school photographs, class rings, letterman's jackets, or similar student-focused activities invited by the Board, Superintendent, and/or applicable Principal and deemed by the same to enhance and/or support the school's educational mission and the student's educational experience.

- (5) Gatherings involving fund-raising in conflict with school district activities.
- (6) Gatherings that are discriminatory (based upon race, creed, color, sex, or national origin) in nature.
- (7) Gatherings that incite persons to disorder and/or riot.
- (8) Gatherings involving parties or celebrations that are essentially personal/private in nature, including but not limited to birthdays and anniversaries.
- (9) Gatherings involving political campaigns, except for political rallies where all parties are invited and provided substantially equal opportunity to address those in attendance.

Emergency Use by Third Parties

The Superintendent or designee(s) shall be authorized to grant permission for a Third Party to use School Facilities in an emergency situation, where compliance with the time requirements of this policy is not feasible and the accepted use is otherwise in compliance with this policy. The Superintendent shall inform the Board of such permission at the next regularly scheduled Board meeting.

School Facility Usage Fees

In order to compensate the Board for the costs related to Third Parties' use of School Facilities, including the costs of administering and enforcing this policy, Third Parties will be charged fees related to their reservation and use of the School Facilities.

The rates shown below are for a three (3) hour period. This is the minimum time a School Facility can be rented.

<u>SCHOOL FACILITY</u>	<u>USAGE FEE</u>	<u>REHEARSAL/PRACTICE</u>
<u>ATHENS HIGH SCHOOL</u>		
Auditorium/Theatre	TBD (Minimum - \$3,000)	TBD (Minimum - \$500)
Sports Arena	\$2,500.00	\$1,000
Cafeteria	\$1,500.00	N/A
Cafeteria with Kitchen	\$2,000.00	N/A
Courtyard	\$1,500.00	\$250.00
Double Gymnasium	\$1,000.00	\$500.00
Classroom	\$250.00	N/A
Parking Lot	\$250.00	N/A
<u>ATHENS MIDDLE SCHOOL</u>		
Auditorium/Theatre	\$500.00	\$250.00
Cafeteria	\$200.00	N/A
Kitchen only	\$200.00	N/A
Cafeteria with Kitchen	\$300.00	N/A
South Gymnasium	\$500.00	\$150.00
North Gymnasium	\$350.00	\$100.00
Classroom	\$100.00	N/A
Parking Lot	\$100.00	N/A
<u>ATHENS RENAISSANCE</u>		
Facility Use	\$500.00	\$250.00
<u>CLINTON STREET CAMPUS</u>		
Auditorium	\$500.00	\$250.00
Cafeteria	\$150.00	N/A
Cafeteria with Kitchen	\$250.00	N/A
Gymnasium	\$350.00	\$100.00
<u>ELEMENTARY</u>		
Auditorium/Gymnasium	\$350.00	\$100.00
Cafeteria	\$100.00	N/A
Cafeteria with Kitchen	\$150.00	N/A
<u>ACS ATHLETIC CAMPUS</u>		
Football Stadium	\$500.00	N/A
Baseball and Softball Fields	\$350.00	N/A

ADDITIONAL NOTES:

- There are additional charges for security and audio/visual resources. Those charges will be determined at the time the agreement is approved.
- Non-profits may receive a reduced percentage when the event outcome is aligned with the mission of the school system.
- Events and activities approved by the Athens City Council will be set at cost reimbursement.

Third parties should note that:

(1) No use of the School Facilities for preparation, sale of tickets, rehearsal, or similar reasons, previous to the period covered by the fee, will be permitted unless requested and approved in the manner set forth herein.

(2) Fees charged for use of School Facilities do not cover the use of school equipment such as projectors, spotlights, etc. and any such use, if desired, must be arranged in advance with the school officials concerned. (Where permitted, additional fees will be charged for use of special equipment such as piano and/or special lighting systems.)

In addition to usage fees of School Facilities set forth above, an hourly utility and maintenance fee will be charged. Where applicable, a fee for custodial services will be included at the rate of time and half the custodian's usual hourly rate. Custodial pay for Sunday services will be at a rate of double time.

In addition to usage fees of School Facilities set forth above, an hourly cafeteria charge will be charged where the use of the cafeteria/kitchen is involved. Cafeteria manager or designee(s) must be employed at the rate of one and a half times hourly wage. Cafeteria personnel pay for Sunday services will be at a rate of double time.

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

The Board and/or Superintendent may invite or contract with Third Parties to conduct events or activities at School Facilities. In such cases, the Board and/or Superintendent may elect to waive any one or more of the otherwise applicable regulations, including but not limited to (i) a Third Party's payment of any fees or charges for use the School Facilities; (ii) proof of insurance; and (iii) the written release of liability/hold harmless document.

Limitation on all Special Use Permits

Any and all special use permits issued to Third Parties for the use of School Facilities are subject to revocation or modification at any time by the School Board and/or Superintendent where School Facilities are deemed necessary by the same for any activity involving the regular school program or curriculum, or school sponsored activities/events. In such event, any and all fees paid by the Third Party to school officials will be refunded to the Third Party. No issuance of a special use permit 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.

All special use permits are subject to immediate cancellation if it is discovered that information in an application 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 Superintendent (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

REVISED: December 13, 2018

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.