

Required

WASHINGTON CENTRAL UNIFIED UNION SCHOOL DISTRICT

Board of Directors' Policy

USE OF SCHOOL FACILITIES POLICY

POLICY: E20

WARNED: 1.11.23

ADOPTED: 4.19.23

EFFECTIVE: 4.19.23

Purpose:

The Washington Central Unified Union School District is responsible for maintaining the school property and facilities in good condition of the public education of the students of the entire School District. The Board is also responsible for ensuring that budgeted funds approved by the taxpayers for public education are used as intended. The school property is public property, and the Board recognizes that some groups or individual may want to utilize the property for a variety of uses. This policy permits the use of District school property and facilities for other purposes, on an occasional basis, as long as the use is primarily for the benefit of the students and taxpayers of the School District and does not conflict with, detract from, or otherwise limit regular school programs or sponsored activities. This policy also establishes that use by other groups or entities, whose mission is more general than just serving the School district, whether for profit or not for profit, may be permitted under certain circumstances. This policy sets forth the priorities of uses and the conditions under which such uses are permitted.

Scope:

The facilities covered by this policy include all real estate, buildings, and property contents owned by the Washington Central Unified Union School District in each of its member Towns, and U-32.

The principal, or designee, shall manage and determine availability of, the facilities on an ongoing basis. The principal, or designee, shall establish a use permit process that may include variations by each category. This process shall be reviewed and approved by the board on an annual basis. It is required that groups or individuals in categories 2 through 6 follow the process in obtaining permission for use.

Some areas may be restricted from general public use for extended periods of time due to the necessity of maintaining or conserving those areas for current student activities, recovery efforts (i.e. grass on playing fields), for security reasons, or to maintain confidentiality.

Equipment use may be permitted under certain conditions but is not automatically included in permission for use of any space. Some equipment may be excluded from non-school program use at the discretion of the principal or designee due to reasons that include but are not limited to safety, liability, conservation for school programs and resources, or situations where depreciation of equipment may be difficult to assess.

Priorities of Use:

When the School District grounds or facility are subject to an easement, the principal's decision must comply with grounds or facility use outlined in the easement. In situations where easement rights apply, a user may appeal the principal's decision to the superintendent for decision.

Facilities shall be made available so as to preserve the following priority of uses:

Category 1. Town Government Bodies

First priority is given to town taxpayer-funded, municipal activities that are open to the public (e.g., town meetings, voting)

Category 21. School-Related and School-Supporting School Activities and School Sponsored Activities

First priority is that all facilities be available for public school purposes, including, but not limited to, instruction, extra-curricular and co-curricular activities, and other school-sponsored activities and events. No school facility or portion thereof shall be contracted for, or dedicated to any other purpose, except on an occasional basis as further set forth below, so as to maintain this availability.

Category 32. School-Related and School-Supporting Activities

Second priority shall be use by the individual school's recreation or co-curricular department and school established organizations or groups, the express purpose of which is to provide benefit and support to the School District. Such uses may include, but are not limited to, use by parent-teacher organizations, booster clubs, recreational organizations that benefit students and/or taxpayers, and fundraising activities whose purpose is to benefit the School District.

Category 43. Other Groups or Individuals Providing Educational Benefits or Services on a Non Profit Basis to the School Community

Third priority shall be given to non-profit use by groups or individuals to provide curricular, extra- curricular or post-secondary educational opportunities of a kind or at a level not otherwise generally available to the School District population. Examples include, but are not limited to, classes, or non-- profit athletic, artistic or similar group endeavors offering activities that provide opportunities for enrichment to the School District community.

Category 54. Use by Other Public Entities

Fourth priority will be given to other public entities for events or programs that are open to the public. Such uses include use as a site for a public civil function, such as a public meeting on a legislative or municipal issue. Public entities include local, state, and federal governmental entities, including subdivisions, agencies, organizations, or programs operated by such entities.

Category 65. Other Occasional Uses

Use by an entity not described in the previous categories may be permitted by the principal, or designee, for an educational or community purpose, where such use does not conflict with the goals of this policy. The use is subject to specific terms and conditions consistent with the policy.

Implementation:

Conditions of Use –The following conditions shall be applied by the principal, or designee, in deciding what uses will be allowed and what terms and conditions will be applied to each specific use in granting permission. In the event of a conflict between potential users or uses, or if an issue arises concerning terms and conditions of use, the principal shall have the authority to decide the conflict.

- 1. Nondiscrimination** – All users of school facilities must agree in writing to not unlawfully discriminate on the basis of disability, race, color, national origin, sex, age, religion, ancestry, sexual orientation, or place of birth, or membership in any other protected class. Failure to adhere to this agreement shall result in the cancellation or termination of the use.
- 2. Lawful Use Only** - Compliance with School Policies -All users of the school facilities must agree in writing that their use will not violate any federal, state or local laws, including but not limited to: the use of tobacco, alcohol or other controlled substances; illegal gambling; possession of weapons. Users must also agree in writing to take responsibility for notifying attendees of this condition. Failure to comply with this agreement shall result in the cancellation or termination of the contracted use as well as denial of future use.
- 3. Maintenance of the Facility** - All users shall agree in writing to use school facilities appropriately, to oversee treatment of the facilities by those involved in the use and to leave the facility in at least as good condition as it was in at the time they commenced their use. Additional fees will be assessed to any group for litter, and/or damage to the property.
- 4. Non-Endorsement Clause** – Use of School District property or facilities by any group or entity other than those described in categories 1 or 2 above shall not constitute and shall not be considered an endorsement of said group or entity, or of its use or activity, policies, opinions, agendas, actions or beliefs. Any person or entity using the facility for a purpose other than categories 1 and 2 above shall clearly state the identity of the presenting entity or individual in all promotional materials, advertising, signs, ad descriptions of the activity or event, and shall not state or imply that the activity is sponsored or endorsed by the Washington Central Unified Union School District, unless such support or endorsement has been explicitly given in writing.
- 5. Special Purpose vs. General Purpose Facilities** - Before committing any special purpose facility for use for a non-school purpose, particular care shall be taken to avoid creating a general unavailability of such facilities for high priority uses in category 1. This may mean taking measures to assure a strict limitation on the availability of a given special use facility to all outside users. Special use facilities include auditoriums, libraries, playing fields, gymnasiums, cafeterias, and other special purpose rooms and facilities.
- 6. Schedule of Fees** - Consistent with the Board's responsibility to maintain the facilities for

use in educating the students of the School District, and that the tax monies appropriated by the school district are intended to be used for the education of those students, the principal with board approval shall develop and charge appropriate fees for use of school facilities and related equipment for uses in categories 2 through 6. The fees charged shall not be less than the actual cost of the use, taking into account costs such as utilities, custodial services, security, and maintenance. The principal may only waive fees subject to rules established by the Board. The board shall review the rules and fee structure annually.

- 7. Insurance** - The principal or designee shall include as an express condition of use, for any user entity not covered under the School District's insurance policy, a requirement that the user entity submit proof of insurance as specified for the particular use, prior to commencement of the use, specifically listing the School District as additionally insured. The Board shall establish the standard limits of liability to be required each year.
- 8. Written Use Agreements** - The principal shall prepare and maintain, with Board approval, a form of written use agreement that states all conditions of use. If a fee is charged, or proof of insurance required, with respect to a particular use, a written agreement shall be signed by the principal or designee and a duly authorized representative of the user, prior to commencement of the use, reciting all conditions of use and agreement to any fee imposed for the use. Each written agreement shall have attached to it a copy of this policy. It shall also include, in its specific terms, the conditions listed in this policy to the extent they are applicable to the particular use.
- 9. Duration of Use** - Uses in categories 2 through 6 shall be limited to occasional use, meaning use of limited duration and frequency. When an occasional use by users in categories 2 through 6 involves a series of weekly activities or events on more than one date, such use shall not be more than a two-month period. Upon a showing of special circumstances, the principal or designee may extend the period by up to an additional two months.
- 10. Cancellation or Postponement of a Scheduled Event** - The School District reserves the right to cancel a scheduled event (reoccurring or otherwise) if it conflicts with the rescheduling of a student event(s) made necessary by weather or other circumstances beyond the control of the School District. The School District reserves the right to cancel or postpone any scheduled event due to serious concerns for public safety, employee safety or security of the property. The principal or designee is authorized to order the cancellation or postponement of a scheduled event under these circumstances and shall make every effort to give reasonable notice to the party intending to use the property. The principal or designee shall also make every reasonable effort to reschedule postponed events. It is also understood that some municipal building uses (town meeting, voting, etc), cannot be cancelled and the principal would defer to the Town in such instances. The principal or designee shall also make every reasonable effort to reschedule postponed events.
- 11. Equipment** - Users in categories 2 through 6 may only use equipment related to the facility if prior permission is obtained from the principal or designee. Equipment used

shall be limited to that which is negotiated in the agreement with the principal or designee. The principal or designee shall factor in the cost of use of the equipment in the fees charged. Examples of equipment related to the facility are computers, sports equipment, scoreboards, theater lights, and sound equipment.

12. Outside Contractors - All outside contractors, and specific contract agreements for services to be provided to an entity using School facilities, must be approved by the principal or designee in writing, prior to commencement of use of the facility. The user assumes all responsibility for any damages or additional costs related to the use of contractors.