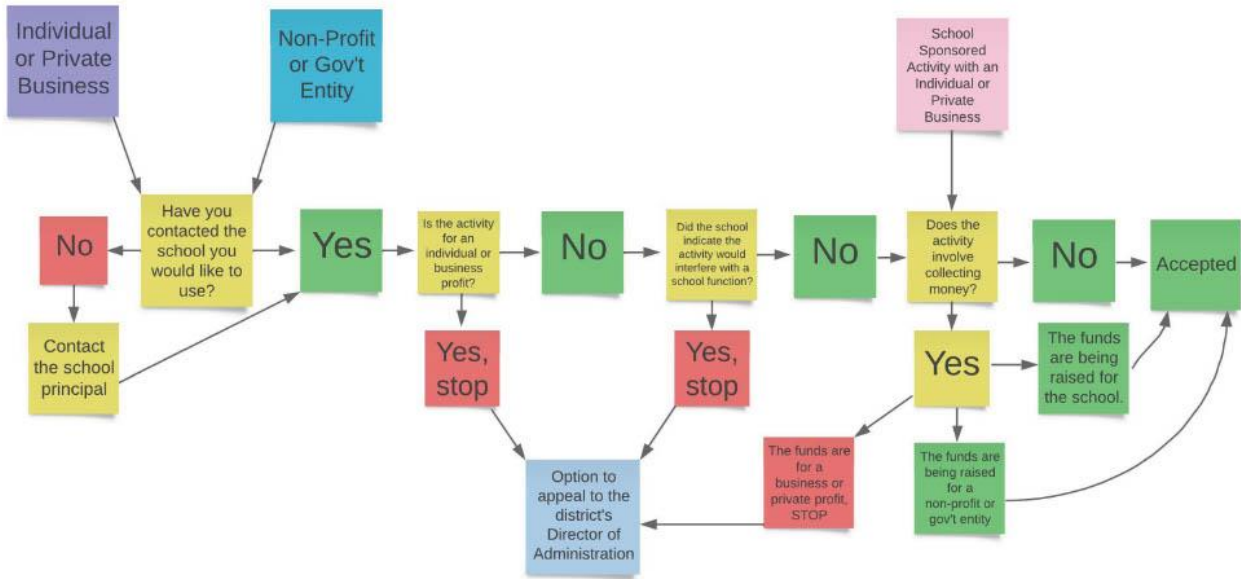


Facility Use Flow Chart



COMMUNITY USE OF SCHOOL FACILITIES

Code **KF** Issued **5/23**

Purpose: To establish the basic structure for community use of school facilities. The board looks upon school property as a community asset and believes that such facilities should be fully utilized in promoting the health and welfare of the children, youth, and adults in our school district. Almost invariably, however, the non-school use of school facilities involves expenditures for HVAC, lighting, custodial and other incidental expenses. Therefore, it is necessary that the numerous requests for the use of school facilities be considered in the light of an administrative rule and that the procedures for granting such requests be systematized. The

administrative rule is calculated to permit and encourage the continued use of school property for those activities which are worthwhile and in the public interest.

For these reasons and in order that fair and uniform treatment may be accorded to all parties who desire the use of school property, administrative rule KF-R has been adopted by the board and will govern the use of school facilities.

The board reserves the right to revoke or amend the administrative rule at any time.

The board wishes to make school facilities available for recreational, educational, and civic purposes under these conditions.

- without interference to regular school activities
- without damage or excessive expenditure of and depreciation to school property

Neither school buildings, facilities, grounds nor equipment will in any way be used for private or individual gain.

The following administrative rule, procedures, and schedule of charges will apply to use of school facilities by non-school organizations.

Procedures

- Applications must be obtained from and submitted to school-based principals initially.
- Applicants are to submit their application no later than 30 days prior to the desired date of usage with the understanding that principals may approve events where circumstances are reasonable.
- The superintendent/principal may not approve the use of school property beyond a time when planning and normal school operations may be affected.
- When the application has been approved/denied by the school principal and reviewed by the Director of Administration via Cabinet, the applicant will be notified.
- Upon approval, a contract will be sent to the applicant and must be signed and returned to the district maintenance department along with check(s) for rental, etc.

Adopted 6/13/89; Revised 1/23/96, 9/26/00, 2/10/04, 5/9/23

Legal References:

- A. United States Code of Laws, as amended:
 1. Boy Scouts of America Equal Access Act, 20 U.S.C.A. Section 7905.

- B. S.C. Code of Laws, 1976, as amended:
 1. Section 7-9-110 - Conducting elections or primaries in a facility that receives state funds.
 2. Section 59-1-370 - Closing of educational institutions on general election day.
 3. Section 59-19-90(7) - General powers and duties of school trustees.
 4. Section 59-19-120 - Rules and regulations governing use of school buildings.
 5. Section 59-19-125 - Leasing school property for particular purposes.

- C. Federal Cases:
 1. *Child Evangelism Fellowship of South Carolina v. Anderson School District Five*, 470 F.3d 1062 (4th Cir. 2006).

COMMUNITY USE OF SCHOOL FACILITIES

Code **KF-R** Issued 5/23

School district properties will be made available for community use as provided in the following.

- Facilities will be made available only to organizations or associations not operating for a profit, non-profit corporations, and governmental bodies. The district will not rent any school facility for private or corporate gain, except when the activity is considered a desired part of the school curriculum, the school does not offer the activity, and the activity is beneficial to school-aged children. Examples include music, art, or dance instruction.
- Requests for use of school property must be submitted in writing to the principal for review and communication initially. Requests should state the purpose for which the use is desired, time, date, and representative and organization accepting responsibility for compliance with board policy. Because the use of certain areas by non-school related groups may infringe upon the normal school operations, the school principal or district administration may restrict these areas from use. Therefore, prior to submitting and approving a request to the Director of Administration, the group must obtain written verification from the school principal that the facility is available at the desired time and date. No matter of availability or not for a requested use of facilities, the school and/or Director of Administration will ensure that communication of findings is provided in writing within seven -10 school days of receipt of request.
- Use of school facilities by district schools and school-related organizations takes precedence over all other uses. No request for use of school facilities will be granted which interferes with school use of the desired facilities. School-related organizations are defined for purposes of this policy as those that are faculty-initiated, faculty-sponsored, and directly related to grade-appropriate, state-mandated, academic curriculum standards, as well as: (1) formally constituted parent-teacher organizations/associations; (2) school-sponsored honor organizations, such as National Honor Society and Beta Club; and (3) formally constituted music and athletic booster clubs. Additionally, school-related organizations at the middle and high school levels include those that are formally constituted under board policy, student-initiated and student-led and have a faculty sponsor.
- The district will set forth all facilities use terms in a Use of Facilities Agreement that an official representative of the organization/association must sign, regardless of whether the organization/association is assessed a usage fee. The district reserves the right to terminate an agreement should an organization/association fail to fulfill its obligation to the complete satisfaction of the district or school administration. If a person, organization, or association has a need to appeal the school-based decision for event consideration, that person or entity may contact the Director of Administration in writing.
- By making application for use of school property, the organization/association using the facility agrees to be responsible for any accidents, losses, or injuries, either to property or to persons, and to hold the district harmless in such event, regardless of whether the organization/association is assessed a usage fee. This includes a group or individual needing proof of liability submitted prior of approval.

- The organization/association, by making application, agrees to assume responsibility for the following.
 - proper use of facilities, including limiting usage of facilities to the actual areas made available by the district
 - supervision and proper conduct during use of facilities, including provision of security, if needed
 - prompt payment for damage or breakage
 - securing of any permits required by city, town, or the county which may be required for the activity
- The applying organization/association is responsible for the observance of all local, state, and federal rules and regulations. This includes, but is not limited to, regulations of the police and fire departments and the State Department of Health and Environmental Control.
- A minimum of at least one school custodian is required to be on duty during the use of any school facility. The occasional unavailability of a custodian may be grounds to deny use of a facility on a specific date or time.
- If any equipment in the school cafeteria is to be used for food preparation, including reheating of prepared food, at least one member of the food service staff must be present. The occasional unavailability of a food service employee may be grounds to deny use of a facility on a specific date or time.
- The district prohibits the following activities.
 - possession, use, or distribution of alcoholic beverages
 - possession, use, or distribution of controlled substances
 - use of tobacco products
 - use of school facilities for private individual parties or celebrations such as birthdays, anniversaries, family reunions, or other similar events
 - promulgation of any theory or doctrine subversive to the laws of the United States or the State of South Carolina
 - advocating governmental change by violence
 - any activity that is reasonably likely to be injurious to the buildings, grounds, or equipment
 - any other unlawful activity or use
- The board recognizes and respects the employee's right to personal time off from the job. In view of this, school facilities may not be available for use by rental groups on the following days.
 - Independence Day
 - Labor Day
 - Thanksgiving
 - Christmas Eve or Christmas Day
 - New Year's Day

Fee Structure

- A schedule of fees will be set up sufficient to cover custodial and food service expenses and/or supervisory personnel, operating expenses, and other incident expenses. Except as discussed below, a fee will be charged to all groups who use district facilities. All payments to personnel for services rendered in connection with the rental of a facility will be made by the school district. Only the facilities listed on the application will be available for use and only at the cost per hour listed for each individual facility. The time requested and charged for must include any time spent setting up the premises as well as any time spent cleaning the premises to the condition they were in immediately prior to use.
- The district reserves the right to levy additional charges occasioned by a use of school facilities if such use is reasonably likely to cause additional financial burden to the district and to require proof of appropriate insurance if such use poses additional risk of loss to the district.
- School-related organizations as defined above will not be required to pay a fee to rent school facilities. Schools will be responsible for any associated costs with holding an event as deemed necessary by host principal.
- Governmental agencies and bodies will not be charged a fee to use school facilities so long as the use occurs during the scheduled hours the building is open and staffed, the school instructional program is in no way disrupted, and no special custodial service is required.
- School facilities will be made available at no charge to local governmental and non-profit relief agencies, as well as utility providers, for emergency use as approved by the Superintendent.
- School facilities will be made available at no charge to eligible parties when the party and the district will exchange facilities for student usage and/or in-kind services. Such mutual exchange must occur during the same fiscal or school year.
- No charges will be assessed to either a political party or to the State or County Election Commissions for conducting primaries, special, or general elections held pursuant to state or federal law.

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