

Tumwater School District Board Policy

USE OF SCHOOL FACILITIES

General

It shall be the policy of the School Board to allow the use of school facilities by community groups whenever the use does not interfere with school programs and/or activities. The district does not discriminate based on race, creed, religion, color, national origin, age, honorably-discharged veteran or military status, sex, sexual orientation including gender expression or identity, marital status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability and provides equal access to Boy Scouts of America and other designated youth groups.

Community athletics programs that use district facilities will not discriminate against any person on the basis of sex in the operation, conduct or administration of their programs. The district will provide copies of the district's nondiscrimination policy to all third parties using district facilities.

In evaluating requests for use of facilities, the following guidelines shall be followed:

1. School facilities will be made available according to the processes set forth in this policy and in procedures adopted by the Superintendent.
2. Organizations seeking use of school facilities shall make proper application according to district procedures and must agree to the fees established therein.
3. The use of school facilities for activities that are closely related to instruction or school-home cooperation --hereafter identified as "school related uses" must be approved by the appropriate principal and/or his/her designee. When these uses occur at times that other user groups and organizations could reserve space, they must also be approved by the Supervisor of Buildings and Grounds.
4. Appeals of decisions on facilities requests may be directed to the Superintendent, who reserves the right for the district to approve or reject any or all applications.
5. Use of schools by the public for political meetings shall be administered on the basis of equal opportunity to all political parties and opinions. No use of school facilities shall be granted to any group which advocates the overthrow of the government of the United States by force.

Facility Use Categories:

CATEGORY 1 (No Charge/School Related)

The District will impose no rental use charge and will impose no custodial charge when a custodian is present as part of his/her normal work schedule and no additional time is

required. This category includes school related activities, such as ASB, parent-teacher organizations, district and allied organizations, District Board of Directors, Tumwater Education Foundation, staff and in-service training meetings, bargaining group meetings, site councils, district sponsored co-curricular activities, and school groups using the facility for fund raising (including ASB, PTA/PTO and booster club fundraisers). Public elections are also included in this category.

CATEGORY 2 (Cost Recovery)

The District will impose a cost recovery fee but will impose no rental use charge for the use of school facilities by these organizations and may waive custodial charges when a custodian is present as part of his/her normal work schedule. This category includes youth sports, groups, and childcare with a majority of Tumwater students, YMCA, and Tumwater Parks & Recreation programs. Also included in this category are governmental agencies (city, fire districts, etc.) and Tumwater neighborhood associations.

CATEGORY 3 (Fee & Cost Recovery)

The District will impose a modified commercial rental fee, appropriate custodial fees and recovery fees for this type of use. This category includes groups that do not serve the local community directly or do not have a majority of their members/ participants residing in the District, such as youth sports/leagues/groups that do not have a majority of Tumwater students and private educational groups and universities whose enrollment is open to Tumwater School District staff for continuing education.

CATEGORY 4 (Commercial Rate)

The District will impose a rate high enough so that tax-supported school facilities shall not be in unfair competition with privately owned companies in the business of renting such space. Commercial applicants must be able to demonstrate that comparable privately owned facilities are not available on the date(s) requested.

The Board subscribes to the belief that public schools are owned and operated by and for the community. The public is encouraged to use school facilities, but will be expected to reimburse the district for such use to ensure that funds intended for education are not used for other purposes.

The superintendent is authorized to set the rental rates schedule and establish procedures for use of school facilities, including rental rates, supervisory requirements, restrictions, and security. Those using school facilities will maintain insurance for accident and liability covering persons using the district's facilities under the sponsorship of the organization.

District-sponsored activities, including curricular and co-curricular functions, retain first priority in use of facilities. Authorization for use of school facilities will not be considered as endorsement or approval of the activity, group or organization.

Legal References: RCW 4.24.660

RCW 28A.320.510

Liability of school districts under contracts with youth programs
Night schools, summer schools, meetings, use of facilities for

RCW 28A.335.150	Permitting use and rental of playgrounds, athletic fields, or athletic facilities
RCW 28A.335.155	Use of buildings for youth programs — Limited immunity
20 USC Sec. 7905	Boys Scout of America Equal Access Act
34 CFR Sec. 108.6	Equal Access to Public School Facilitie For The Boy Scouts of America and Other Designated Youth Groups
AGO 1973 No. 26, In # 276	School districts — Use of school facilities for presentation of programs — Legislature — Elections

Management Resources:

<i>Policy News</i> 12/11	Changes in WSSDA's Policy Reference Manual
Policy News 8/09	Concussion and Head Injuries Legislation

ADOPTED: October 13, 1994

REVISED: August 13, 1998; July 10, 2008; April 11, 2013