

## **COMMUNITY USE OF SCHOOL FACILITIES**

The Board of Education recognizes that members of the community support the public schools. The public schools will, therefore, be operated for the benefit of District students and the citizens residing within the Appleton Area School District.

The right to authorize the use of school facilities shall be retained by the Board of Education through the Superintendent or his/her designee. Such use will be permitted only at such times as the requested facilities are free from school-sponsored activities. Authorization for use of school facilities shall not be considered an endorsement of an activity, person or entity, or the purpose(s) of such person or entity.

The Appleton Area School District's "Community Use of School Facilities" policy governs the use of all District property including, but not limited to, classrooms, auditoriums, gymnasiums, swimming pools, cafeterias, and recreational facilities. This policy is designed to comply with local, State, and Federal law. The Administration shall establish administrative procedures for the use of school facilities, which shall also be designed to comply with local, State, and Federal law.

A schedule of fees will be approved by the Board of Education. The schedule will take into consideration the purpose of the event and include fees (in addition to room rental) sufficient to cover operational expenses, including any required custodial services, and any additional stagehand use and utility fees. The Board reserves the right to review and adjust fees on an annual basis.

### **Authorized Use**

The Appleton Area School District Board of Education authorizes use of school facilities by all responsible entities and persons.

The Board of Education's authorization of use of school facilities is subject to the Wisconsin Statutes, as amended from time-to-time. Therefore, the following uses, as well as others, may be subject to the provisions of State law: the use of school facilities for the discussion of public questions is governed by 120.12(9) of the Wisconsin Statutes; the use of school facilities by citizen associations is governed by 120.12(10) of the Wisconsin Statutes; the use of school facilities for before- and after-school day care is governed by 120.125 of the Wisconsin Statutes.

**Priority of Use**

Priority for the use of school facilities shall be as follows:

- School site sponsored activities scheduled by each Principal (Category A groups)
- Activities sponsored by AASD (Category A groups)
- Youth activities sponsored by the Appleton Parks and Recreation Dept. (Category B groups)
- Activities sponsored by private schools (Category B groups)
- Community Programs for AASD Students (Category B groups)
- Community Programs for Adults (Category C groups)
- Private Usage for Student Oriented Programs (Category D groups)
- Private Usage (Category E groups)
- Other nonschool activities by in-District persons or entities on a first-come, first-served basis
- Other nonschool activities by authorized non-District entities on a first-come, first-served basis

School-sponsored activities shall be approved by the building principal and shall have precedence over other requests for the use of facilities. The building principal shall keep a calendar of all scheduled school activities and maintain a current list of approved users.

**Limitations on Use**

Notwithstanding any other provision in this policy, use of school facilities shall be restricted as follows:

The Board of Education reserves the right to deny use of school facilities for activities which are harmful to District youth or incompatible with the mission of District schools.

In determining whether a request for use of facilities should be referred to the Board of Education on the basis that a proposed activity may be harmful to District youth or incompatible with the mission of District schools, the Superintendent or designee shall consider.

1. Whether the proposed activity is directed in whole, or in part, at a school-age audience, or involves school-age participants. If the proposed activity is directed in whole, or in part, at a school-age audience, or involves school-age participants, the Superintendent or his/her designee shall further consider:
  - a. Whether the proposed activity is inconsistent with the educational mission of the public schools as identified by reference to Chapter 118 of the Wisconsin Statutes;
  - b. Whether the proposed activity involves or encourages behavior that is deemed inappropriate under school policies governing student conduct during school hours;
  - c. Whether the proposed activity poses an unreasonable risk of physical injury to school-age attendees or participants
2. Whether the proposed activity poses a substantial risk to school security
3. Whether the proposed activity poses a substantial risk of damage to school property

4. Whether the proposed activity poses an imminent risk of illegal activities
5. Whether the proposed activity involves subject matter which is obscene, determined by reference to an activity's intended audience or participants

In determining whether to deny use of facilities on the basis that a proposed activity is harmful to District youth, or incompatible with the mission of District schools, the Board of Education shall, in addition to considering the above-referenced factors, consider whether the imposition of reasonable time, place or manner restrictions would provide meaningful assurance that a proposed activity will not be harmful to District youth, or incompatible with the mission of District schools.

**Insurance Requirements**

As a precondition for use of school facilities, entities, or persons requesting use of school facilities may be required to provide a certificate of insurance covering bodily injury liability, property damage liability, and products liability (when food, beverages, etc., are dispensed), pursuant to administrative guidelines established by the Superintendent or his/her designee in conjunction with the Chief Financial Officer. Such administrative guidelines shall include, but not be limited to, a schedule of required liability limits, and procedures to be followed in carrying out this policy. All certificates of insurance must identify the Appleton Area School District as a named insured.

**Legal References:** Wisconsin State Statutes 120.12(9), (10), 120.125, 120.13(17), (19), (21) and 120.44

**Adoption Date:** April 25, 1994

**Amended Dates:** June 23, 1997, February 12, 2007, April 23, 2007, and March 12, 2018

## COMMUNITY USE OF SCHOOL FACILITIES

### Procedures

#### Administrative Guidelines for Use of Facilities

##### I. Priority for Use of School Facilities

In all cases, School District-sponsored activities shall have scheduling priority provided that the request is made within a reasonable period of time before the activity is to be held. Requests for using District facilities should be forwarded to the Use of Facilities Department for all sites, with the exception of the high school facilities. Requests for use of the high school facilities should be forwarded directly to that high school.

##### II. Agreement for Usage and Application Procedures

- A. Organizations or individuals requesting use of school facilities shall notify the Use of Facilities Department, or the appropriate high school, at least ten (10) working days in advance of the scheduled date. The Use of Facilities Department, or appropriate high school, will initiate the form "Application and Agreement for Use of School Facilities." The form will be forwarded to the applicant who will fill out the form and return it to the Use of Facilities Department, or appropriate high school.
- B. Application and Agreement for Use of School Facilities form shall be signed by the individual, or representative, of the organization scheduling the program and approved by the Superintendent or his/her designee, or the designated high school administrator.
- C. Applications will normally be processed on a first-come first-served basis. In the event of a conflict, an effort will be made to find an alternative place. Every application for use of a school facility shall state the exact name of the organization, the general nature and purpose of the meeting and, upon request, the proposed program will be furnished. The application must be signed by the Superintendent or his/her designee, or the designated high school administrator, and must list the person responsible for the activity. The person supervising the activity must be listed on the application if different from the responsible party.
- D. Rental dates cannot be confirmed for all rentals within categories C, D, or E until the rental fee is paid in full. The custodial and utility fees will be payable following the rental.
- E. Any damage to school property will be the responsibility of the applicant and invoiced by Business Services. If payments for damages are not made, no future use of the school facilities will be allowed.
- F. Keys will not be issued to groups using school facilities. A school representative must be present at all times.
- G. No agreement is transferable to another party.

## **830-Rule (cont.)**

- H. Use of public school facilities will be in accordance with State Statutes.
- I. The applicant shall notify the Use of Facilities Department, or the appropriate high school, of any cancellation of previously scheduled facilities at least forty-eight (48) hours prior to the scheduled use. In case of failure to do so, the District may invoice for expenses incurred in preparation for use of the facility requested.
- J. All rentals are contingent upon availability of District personnel.
- K. District maintenance schedules will have priority use over building rental.
- L. On the days of an emergency school closing, all events scheduled within the building by outside groups are canceled.

### **III. Responsibilities of the Users**

#### **A. Supervision**

1. The Superintendent or his/her designee will determine what school personnel must be present at the activity in order to supervise the using group, to protect or maintain the school facilities. School personnel may include supervisors, janitors, instructors, or others.
2. Each group using school facilities must have a responsible adult in charge of the using group's activity, and any other individuals as specified by the Superintendent or his/her designee.
3. When municipal regulations, or at the discretion of the school administrator, the presence of policemen or firemen is required, the sponsoring organization, or individual, must pay full cost of such personnel.

B. Arrangement for use of special equipment such as spotlights, audiovisual equipment, nets, etc. should be made with original application. Only approved persons shall use the special equipment.

C. Organization members must remain in the designated areas at all times.

D. Organization members must leave at the designated time in order to allow for clean up.

E. No individual will be allowed to use the school phones except in instances of emergencies.

### **IV. Responsibilities of Adult Supervisor**

A. The adult supervisor will be the first to enter the building at least thirty (30) minutes before the scheduled event.

## **830-Rule (cont.)**

- B. The adult supervisor will show the approval form to the building engineer or school supervisor.
- C. The adult supervisor will report any building or equipment damage to the building engineer or Use of Facilities Office immediately.
- D. The adult supervisor shall make sure that all members of the group have left the building.
- E. The adult supervisor shall notify the building engineer or supervisor when the group has left the building.
- F. The adult supervisor shall notify the building engineer or supervisor on duty of any accident or injury as soon as possible.

### **V. General Regulations Governing Use of School Facilities**

- A. A school employee will open and secure/close the building.
- B. School officials will at all times have full authority to enforce proper and safe conduct of all persons and activities on school property.
- C. Youth groups comprised of minors (under 18) must have a responsible person (21 years of age or over) present at all times to supervise youth and teenage activities. It is required that when a group exceeds twenty-five (25) students, additional supervision be present. Other groups must have a responsible adult on the premises during the scheduled activity.
- D. Any sale or distribution of food or drink must be approved at the time of application. The group must secure required State and local permits.
- E. When using a classroom, all furniture shall be returned to its proper place. Classroom supplies and materials should not be used at any time.
- F. No decorations shall be placed in or on any of the school facilities without specific approval at the time at which the application is submitted.
- G. Gym shoes or comparable footwear must be worn for athletic activities in school gymnasiums.
- H. Smoking in school buildings and/or on school property is prohibited by State law.
- I. There shall be no sale, distribution, or consumption of alcoholic beverages, or illegal drugs, in school buildings or on school grounds.
- J. The signing of the Application for Use of School Facilities constitutes an acknowledgement by the group or organization, of acceptance of responsibility for any damage incurred to building or equipment resulting from such use.

**VI. Administrative Responsibility**

In accordance with Board of Education policy, the administrators and employees will assist community groups and organizations in the use of school facilities.

The Principal shall keep a calendar of all scheduled meetings and activities that may include:

- A. The activities of the particular school that, by Board policy, has first priority for use of that building.
- B. Curricular and co-curricular activities.
- C. Local P.T.O., P.T.A., and any other school co-sponsored activities.
- D. Activities required for proper maintenance of school facilities.
- E. Activities under the districtwide sponsorship of the Appleton Area School District, or sponsored by individual schools in the District.

**VII. Scheduling Issues**

All building principals shall provide all calendar information for the previously listed five activities to the Use of Facilities Department prior to June 1 preceding the current school year. The Principal will notify the Use of Facilities Department of any changes.

The Use of Facilities Department is designated to receive applications from organizations not covered previously under Administrative Responsibility. The Use of Facilities Department shall keep a master calendar of all activities held in the schools.

In the event that the building principal and the supervising Assistant Superintendent cannot resolve a scheduling conflict or problem, the matter shall be referred to the Superintendent or his/her designee who will make the final decision.

In the event that there are emergency closings, announcements may be made regarding usage via radio, television, Twitter, and/or Facebook.

**VIII. Classification of Groups**

- Category A      School-Sponsored Activities  
Example: All Appleton Area School District youth programs, Home and School Associations-Meetings/Fundraising Events; PTA/PTO Meetings/Fundraising Events; and School Business Partnerships.  
No charge, but NO application will be approved which requires custodial overtime without Superintendent or his/her designee approval.
- Category B      Community Programs for AASD Students  
Example: Scouting groups, private school programs, Appleton YMCA-organized youth groups, Education Affiliated Organizations, and other approved community youth groups. Events organized by Community programs for AASD school-age students and scheduled beyond normal operational hours *will not* incur a rental fee, but will be charged custodial fees, utility fees, and equipment fees.
- Category C      Community Programs for Adults  
Example: YMCA adult programs, adult recreation groups, churches, and other adult approved groups, and federal, state, and local elections.  
Charges will be 175% of fee listed on fee schedule for facility and 100% for personnel expenses, utility fee, and equipment fee beyond normally scheduled hours. Rental dates cannot be confirmed until the rental fee is paid in full. The custodial and utility fees would be payable following the rental.
- Category D      Private Usage for Student Oriented Programs  
Example: Profit-making enterprises which provide instructional opportunities to children.  
Charges will be 200% of fee listed on fee schedule for facility and 100% for personnel expenses, utility fee, and equipment fee beyond normally scheduled hours. Certificate of insurance in the amount of \$100,000/300,000 public liability, \$25,000 property damage and a contractual liability endorsement will be required of all lessees in Category D. Rental dates cannot be confirmed until the rental fee is paid in full and certificate of insurance has been received. The custodial and utility fees would be payable following the rental.
- Category E      Private Usage  
Example: Profit-making enterprise where donations, fees, admission, or implied charges may occur to any individual who is solicited to attend.  
Charges will be 250% of fee listed on fee schedule for facility, and 100% for personnel expenses, utility fee, and equipment fee beyond normally scheduled hours. Certificate of insurance in the amount of \$100,000/300,000 public liability, \$25,000 property damage, and a contractual liability endorsement will be required of all lessees in Category E. Rental dates cannot be confirmed until the rental fee is paid in full and certificate of insurance has been received. The custodial and utility fees would be payable following the rental.

*\*\*The Appleton Recreation Department scheduling for Use of Facilities, and the fee schedule will be handled per the intergovernmental agreement*

**Adoption Date:    June 23, 1997**

**Amended Dates: December 8, 1997, February 12, 2007, April 23, 2007,  
April 28, 2008, April 13, 2009, and March 12, 2018**