

### Use of School Facilities

#### General Guidelines

1. The use of school facilities will be under the general supervision of the Superintendent.
2. All event requests for building/facility use may be submitted through the on-line scheduling software and approved by the principal or designee. All requests should be entered no less than three school days in advance and no more than three months. The building principal will coordinate the scheduling of the spaces within buildings. After approval by the building principal, a copy of the agreement for use of school facilities will be returned to the applicant and will serve as the applicant's permission for the building custodian or security officer at the time of use. The custodian or security officer may deny use if a properly approved agreement is not presented.
3. Any organization using school property shall, in writing, indemnify and hold harmless the School Board, the individual members thereof, and any officials or employees, of and from any loss, damage, liability, or expense that may arise during, or be caused in any way, by such use or occupancy of school property except for the negligence or fault of the District. In the event property loss is incurred, the outside organization shall be billed for the damages. Such agreement shall be signed by an officer of the organization.
4. Proof of liability insurance will be required by user groups that are hosting events for profit or fundraising. Bismarck Parks and Recreation Department, BPS Booster groups, youth practices, and Scouts are exempt from this section.
5. The Assistant Superintendent shall review special requests as needed and notify the principal of the decision to allow or deny use.
6. Renters will follow building procedures for accessing the location. Renters are responsible for securing and protecting an access card if one is issued. Replacement cost for lost cards is \$20 per access card. For the safety of District students, staff, and materials, renters must report loss of access cards immediately. Renters must check that exit doors have securely locked behind them when they leave the building.
7. The use of a school facility is contingent upon the organization taking proper steps to protect school property, to ensure safety, and to reimburse the District for costs related to use. The principal shall investigate reports of misuse of buildings, and if reports are substantiated, report misuse to the Assistant Superintendent who will review the complaint to determine whether the organization should be prohibited from any further use of the schools.

8. Organizations requesting the use of school facilities may be required to submit additional information on the purpose and objectives of the organization and on the intended use of facilities. The organization shall also submit the names, addresses, and phone numbers of their officers or leadership personnel.
9. Use of school facilities by community or other authorized groups shall not constitute an endorsement by the Bismarck Public School District of any organization or group.

### **Categories of Groups Authorized to Use School Facilities**

The Superintendent shall develop, in accordance with policy ABBB, a fee schedule of school facilities. The fee schedule shall be evaluated on a biennial basis. There shall be no rental costs when facilities are used that directly benefit school-age children and at the discretion of the District. Facility use charges are to help recover utility, maintenance, energy, and other appropriate costs for the use of school facilities. Custodial/personnel fees may not be charged if the program takes place during operational hours and no increase in the normal workload is incurred. In the case of fundraising events, an additional facility use fee will be charged.

For rental rate purposes, organizations seeking the use of a school facility have been divided into three categories:

1. Category 1, as approved:
  - a. School Board-sponsored meetings and activities including school-sponsored activities;
  - b. Branch or local meetings of local, state, national, and international professional education associations as approved by Bismarck Public Schools;
  - c. Adult activities sponsored by the Bismarck Parks and Recreation District except for events for which entry fees or admission is charged (see Category 2.e). The Bismarck Parks and Recreation District shall provide, at their expense, adequate supervisory personnel for any after-hour use of school buildings and reimburse Bismarck Public Schools actual cost of Bismarck Public Schools' personnel needed beyond regular work hours;
  - d. School Board classified employee associations;
  - e. School PTA/PTO groups and related parent groups;
  - f. 4-H Clubs, Boys Scouts and Girls Scouts, and approved afterschool youth groups;
  - g. Classes for credit supported by or requested by officials of the Bismarck Public School District;
  - h. Election polling places;
  - i. Outside organizations sponsoring recreational or entertainment programs for the benefit of Bismarck students. Included are athletic camps and tournaments, which will be charged following the current fee schedule. Tournament requests may not be submitted more than three months in advance. Tournaments shall not conflict with current Bismarck Schools' sports seasons (ex., cannot have a girls/boys 7<sup>th</sup> and 8<sup>th</sup> grade division during the girls/boys middle school season).

Tournaments held on weekends shall conclude prior to 9:00 p.m. on Saturday and by 7:00 p.m. on Sunday;

- j. District employees who have a tutoring business or provide private lessons to school district students on school premises by arrangement with the building principal will be charged \$2 per room, per hour;
- k. Private (not school or Park Board) youth recreational teams that wish to use Bismarck Public School facilities for practice will be required to pay according to the Facilities Rental Fees. Practices are restricted to a maximum length of one hour. There will be a \$10 fee for any cancelled practices. Youth recreation groups can start scheduling practices on August 25 for the period of September 1 – December 31 and on December 15 for the period of January 1 – August 31.

Category 1 organizations generally will have free use of the facilities except for activities that are associated with fundraising, require custodial or other school district personnel, or exceptions as noted above.

2. Category 2, as approved:

- a. All community non-profit organizations holding IRS validation;
- b. Organizations which in the judgment of the Superintendent play a significant role in community development and/or are of educational benefit to the community;
- c. Other governmental units for the purpose of conducting business meetings;
- d. Political parties for the purpose of holding precinct or district caucuses;
- e. Activities/events sponsored by Bismarck Parks and Recreation District, the YMCA, and Gateway to Science for which entry fees or admission is charged;
- f. Church organizations for regular services or meetings, or recreational activities. The preferred maximum use per year for services is three months, not to exceed six months. Extensions may be granted in cases where a permanent residence is forthcoming. Application for such extension will be made to the Assistant Superintendent.

Category 2 organizations will be charged rental and other user fees according to the schedule.

3. Category 3, as approved:

- a. Organizations that sponsor recreational and entertainment programs such as films, dramas, shows, etc., where admission is charged or where the main purpose is fundraising;
- b. Political parties for purposes other than authorized caucuses;
- c. Any for-profit organizations that do not qualify for Categories 1 or 2.

Category 3 organizations will be charged rental fees and other user fees according to the schedule.

**Priority of Use**

1. Bismarck Public School educational programs: ongoing, regular school programs.
2. Bismarck Public School activity and extracurricular programs: athletics, school clubs, PTO/PTA/PAC groups, and other groups sponsored by the District;
3. Non-profit groups that serve school age children: Scouts, Bismarck Parks and Recreation, YMCA, Gateway to Science, and other groups whose activities are educational or recreational and directly benefit school-age children;
4. Non-profit groups that serve public interest: local government agencies, community action groups, charitable and civic groups, and other groups that promote the general welfare of the community in general.

The school facilities may be used by other groups in accordance with applicable law and administrative policy. Related advertisements must include the name of the group sponsoring the event.

**Limitations of Use**

1. Groups using school facilities will conduct activities that are orderly and lawful, not of a nature to incite disorder, and not restrictive by race, creed, or color.
2. Alcoholic beverages, tobacco, and nonscheduled drugs are prohibited.
3. Gambling (bingo, raffles, lotteries) is prohibited unless a license is secured.
4. Only Bismarck Public Schools and parent/teacher associations shall use school gyms for dances.
5. School buildings shall not be used for parties and celebrations not open to the general public.
6. Gymnasium restrictions include: Gym shoes only (e.g., no cleats, clogs, roller skates, etc.), softball and baseball teams will use practice/wiffle balls, events or equipment that could potentially damage the floors will not be allowed, no dunking the basketball hoops, BPS equipment such as basketballs and volleyballs will not be available (exception would be volleyball standards and basketball hoops.)
7. No temporary or permanent signs, banners, pennants, or the like may be placed in or on school buildings or on school grounds by any group except those associated with activities sponsored by the school or school PTO. Groups using the schools may place temporary identification signs on school grounds only during the actual hours school is used. At the conclusion of the use of the facility, the signs must be removed by the user group.

8. Use of any school equipment is specifically prohibited unless prior approval is received from the principal. School equipment technically difficult to operate may not be used without appropriate school staff consent. Personnel costs for such services will be charged to the user group, payable to Bismarck Public Schools directly. School pianos may not be moved without permission of the principal.
9. The hours of use shall generally begin after the final bell and to commence by 10:30 p.m. on weekdays. Hours on Saturdays and Sundays extend from 8:00 a.m. to 10:30 p.m. Exceptions permitted by the principal, provided school instructional programming is not impacted. No overnight use of the buildings is permitted without superintendent permission. Overnight requests must be submitted in writing. The building principal will determine availability of staff, if applicable, with final approval from the Superintendent or designee.
10. Buildings will be closed on the following holidays: New Year's Day, Martin Luther King Day, President's Day, Good Friday, Easter Sunday, Memorial Day, July 4, Labor Day, Veteran's Day, Thanksgiving Day, and Christmas Day. An exception may be made by the Superintendent.
11. Use of schools shall be automatically canceled when schools are closed due to inclement weather or other conditions. Fees will not be charged.
12. A group may cancel its agreement without penalty with a minimum of 24 hours in advance notice to the principal, with the exception of Youth Recreation teams.
13. No enterprise, function, or activity that promotes any commercial product or results in private profit or commercial gain for any business enterprise may be conducted on school property.
14. It may be necessary for organizations to employ security personnel for certain types of programs. School administrators shall determine the need for security personnel. All costs incurred will be paid for by the user group.
15. Due to the need to monitor safety of equipment and supplies when a kitchen is being used for food preparation, at least one food service employee must assist those involved. A facility use charge will be added to the rental. This may be in addition to other personnel charges.
16. In no case may a permit be transferred from one group to another.
17. Use of school facilities shall comply with all state and local fire, health, safety, and police regulations.

18. The District reserves the right to cancel a rental agreement because of the District's need to schedule or reschedule a school activity or event.

**Application and Financial Procedures**

1. Organizations requesting facility use shall submit an on-line request for a user account which will allow for schedules to be submitted. The requested event will be approved on the building level. It is the organizations' responsibility to maintain current contact information for their group.
2. Invoices will be sent out via email once per month for the events held the previous month.
3. Payments are due upon receipt and will be made payable to Bismarck Public Schools.
4. After 90 days, a late payment fee of 10% of the invoice total will be added to the account balance and may be turned over to Credit Bureau of Bismarck for collection.

With each request, charges follow established rental rates, projected personnel, equipment, and supply costs. Actual personnel, equipment, and supply costs will be charged and billed to the user after the scheduled event.

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End of Bismarck Public School District Administrative Rule ABBB-AR

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