

# Policy and Operating Guideline Infographic

The Board of Education recognizes that the primary purpose of its school facilities is to provide a suitable setting in which to educate the students of Fulton County. School facilities include buildings, grounds, athletic facilities, fields and parking lots at District schools or administrative sites.



## USE OF FACILITIES BY PRIORITY:

### 1. School-Sponsored Activities

School-sponsored activities, as determined by the principal, means a school's curricular and extracurricular programs and any other activity undertaken by and in the name of the school, as determined by the school principal and under the supervision of the area zone superintendent and should be open to all students regardless of ability to pay.

### 2. School-Affiliated Support Groups

School-related support groups means organizations devoted exclusively to the support of the school and school-sponsored activities, such as PTAs/PTOs, booster clubs, school or District foundations, and employee organizations.

### 3. Feeder Programs

A feeder program means a community non-profit organization offering extracurricular arts and/or athletics activities for the purpose of supporting potential participants in future secondary programs within Fulton County Schools.

### 4. Government Entities

Governmental entity means any federal, state, or local government body or agency thereof, and also means any other public educational institution. Any governmental

entity wishing to establish an intergovernmental agreement for facilities use involving shared resources which will be of benefit to FCS residents will be eligible to request the use of school facilities in accordance with this policy or in accordance with any intergovernmental agreement between the District and the other governmental entity. Governmental entities wishing to use school facilities for other purposes should apply through the Facility Rental Department. If the governmental entity provides goods, services, facilities, or equipment that are beneficial to the District, the governmental entity may be exempt from payment of some or all of the customary rental fees.

### 5. Outside Organizations

Outside organizations means those organizations other than school-affiliated support groups, feeder programs or governmental entities that are eligible under this policy to request use of school facilities. The following priority order will guide requests by outside organizations:

- i. Non-profit organizations that directly support District students; for-profit businesses that directly support District students
- ii. Other non-profit organizations
- iii. Other for-profit organizations

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*Individuals are not eligible to apply for use of school facilities.*

## LEASE AGREEMENTS:

The Board of Education will consider engaging in formal lease agreements with outside organizations that are willing to make significant improvements and/or contributions to school facilities and/or provide substantial benefits to Fulton County students. Prior to consideration by the Board, the area zone superintendent and principal or local building administrator, and the Facility Rental Department must approve the proposal. In accordance with O.C.G.A. 51-1-53, all such lease agreements shall be revocable at any time by the District. To comply with Georgia law, the Superintendent or designee shall establish a fee schedule that enables the District to recoup the costs involved in the use of school facilities. Agreements shall be governed by Georgia Law and, in particular, by the provisions and immunities stated and provided by O.C.G.A. Sec. 51-1-53.

### Cell Tower Site Leases

The District may consider entering into multiyear ground leases with telecommunications providers governing the use of unimproved portions of school or administrative facility properties as the site of telecommunications towers. All such ground leases shall require rental payments at no less than market rates and shall be subject to Board approval and all applicable federal, state and local laws, ordinances, zoning codes, rules and regulations.

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## APPLYING FOR USE OF SCHOOL FACILITIES

### Application Process for Use of School Facilities:

- Fulton County Schools uses an online, web-based reservation system, accessible via the Facility Rental Department's webpage to receive and review facility use requests, including long-term rental agreements. Prior to making an initial facility rental request, renters must register as a user of the web-based reservation system via the District's website.
- All rental applications must be submitted no less than 25 District operational days prior to the requested rental date.
- The application must be submitted by the user who will be responsible for the activity or event. Please see the [Facility Rental Process Flowchart](#) posted on the Facility Rental webpage for additional information.
- If the user plans to charge an admission fee, it must state the amount of the fee in the application and obtain prior approval, which will be reflected in the facility use agreement.



### Application Review for Facility Use:

The following factors will be considered in reviewing an application for facilities use, including both short-term rentals and long-term rental agreements:

- |   |   |
|---|---|
| <input type="checkbox"/> the priority   | <input type="checkbox"/> any prior violations of policies, rules, procedures, or agreements including failure to timely pay facility rental fees and expenses |
| <input type="checkbox"/> safety and security concerns                                 | <input type="checkbox"/> the availability of adequate District personnel to oversee the facility during the activity or event                                 |
| <input type="checkbox"/> the type of activity or event                                | <input type="checkbox"/> other needs or interests of the school or the District   |
| <input type="checkbox"/> potential interference with other activities at the facility | <input type="checkbox"/> the number of participants expected  |
| <input type="checkbox"/> its potential impact on the facility                         |   |
| <input type="checkbox"/> the need for a rest period for the facility or grounds       |   |
| <input type="checkbox"/> the duration and frequency of the activity or event          |   |

## Long-Term Rental Agreements for District Facilities:

- Renters requesting to establish a facility rental agreement or intergovernmental agreement of one to five years (maximum) should submit a proposal to the Land Management Department, which shall consider the proposal and the benefit to Fulton County Schools with input from the principal under the supervision of the zone superintendent. See the Land Management [webpage](#) for instructions on submitting a proposal.
  - o A contract period is for one year with an option to renew yearly for up to five years, provided the renter is not in default of the agreement.
  - o Contracts that contain renewal options beyond the initial year are contingent upon and, may not be entered into without, advance Board approval.
- All organizations and all third-party program providers will be subject to the following vetting requirements:
  1. Criminal background checks
  2. E-Verify for work authorization
  3. Certificate of Insurance
  4. Proof of corporate registration and existence with the Georgia Secretary of State or applicable jurisdiction

*Any intergovernmental agreement will also require that a list of third-party program providers be submitted annually to the District.*

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## TERMS, CONDITIONS, AND RULES

### Use Agreements - Terms and Conditions:

In accordance with State law, each facility use agreement with an organization for the purposes of conducting or engaging in recreational, physical, or performing arts activity shall include but are not limited to:

1. Setting forth the terms and conditions of the use of the facility;
2. Including a hold harmless provision in favor of the District;
3. Being revocable at any time by the District;
4. Requiring the organization to maintain and provide proof of a minimum of \$1,000,000.00 in liability insurance coverage applicable to the use of the facilities and effective for the duration of such agreement; and
5. Providing a citation that such agreement shall be governed by O.C.G.A. § 51-1-53.

[Click here](#) for details on all other rules that may apply specifically to the following:

- Supervision Requirements
- Safety Guidelines
- Fundraising/Advertising
- Food and Beverage

### Political Meetings:

- Political forums held on school property must comply with [Policy KIA - Political Campaign Activities](#)

Filming, Theatrical Productions and Photography:

- No "live" or "live-stream" filming is allowed at or in any school facility or on school grounds.
- Any theatrical production, film production, filming or still photography that will feature students must comply with District policies as well as all applicable laws, rules, and regulations governing student privacy, including the requirement to obtain signed waivers in advance.

### Cancellation of a Facility Use Agreement:

- The District reserves the right to deny an application by any renter or cancel the organization's facility rental agreement or intergovernmental agreement upon written notice when it deems such action to be in the best interest of the District or a school.
- The renter is responsible for providing timely notification to its members or other participants of a cancellation. When schools are closed because of adverse weather or other emergencies, all use of school facilities is canceled.

## FEES FOR USE OF FACILITIES

### General Operational Costs:

- To comply with Georgia law, the District must recover certain operating costs from users resulting from their use of school facilities, which may include utilities, security, supervision, clean-up, maintenance, depreciation, overtime, and any other costs to the District. The fee schedule can be obtained from the Facility Rental Department webpage. Fees may be changed from time to time to reflect current costs.

### Deposits:

- At the discretion of the Facility Rental Department, renters may be required to pay a deposit for activities involving large groups or activities that may result in damage to school property. Failure to pay a required deposit will result in the cancellation of the event.
- If school facilities are used on an ongoing basis (monthly, weekly, etc.), a deposit of not less than one month's fee may be required in advance along with the fee for the first month. The deposit will be held

by the Facility Rental Department and will be returned at the end of the approved use period, less any deductions for damage, unpaid fees or other costs resulting from the use, or may be applied to the facilities use fees incurred by the organization.

### Additional Costs and/or Services:

- A custodial fee for clean-up may be assessed if the organization does not leave the facility and grounds clean.
- The Facility Rental Department, in consultation with Fulton County Schools Police Chief or his/her designee, may require the renter to pay for or to provide Fulton County Schools police or other law enforcement or security personnel. The number of police protection or other law enforcement or security personnel needed is at the direction of the Fulton County Schools Police Chief or his/her designee.
- The renter may use tables and chairs if requested in advance. A set-up fee will be charged.
- Requests to use public address systems or audio-visual and presentation equipment will be considered on a case-by-case basis by the principal and may be charged to the renter.
- The following types of District equipment may not be used by renters: musical instruments, athletic equipment, computers, and technical or laboratory equipment.
- Access to the District's network will not be available and wi-fi to guests may be limited.
- Any use of a facility beyond the time specified in the rental application or use agreement is subject to additional fees charged in quarter-hour increments.

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## Insurance:

- Facility users are required to obtain and maintain liability insurance with limits of at least \$1 million relative to the event or activity, effective for the duration of the rental, naming Fulton County Schools as an additional insured. The organization's insurance certificate must be provided to the Facility Rental Department at the time of submitting the rental application in order for the organization to be approved to use any facility.
- Facility users shall be responsible for all damage or destruction of property arising out of their use of school facilities and shall reimburse the District for the required repair or replacement cost associated with such damage or destruction.

## Payment Information:

- If fees are not paid in full at least ten (10) District operational days in advance of the activity or event, permission to use the school facility may be withdrawn or a ten percent (10%) penalty fee may be assessed.
- Payment should be made payable to the Fulton County Board of Education and mailed to the Facility Rental Department at Administration Center, 6201 Powers Ferry Road, NW, Atlanta, GA 30339. At the discretion of the Facility Rental Department, other forms of payment may be requested. The District does not accept cash or direct wire payment.
- If an activity is canceled at least five (5) business days in advance of the activity or event, any prepaid user fee will be refunded, less any costs the District has incurred.
- If fees are past due, the District may refer the matter to collections. The user will not be able to rent or use any of the District's facilities until payment has been made in full.

## Fee Waiver Requirements:

- Organizations are only eligible to request a waiver of facility rental fees if they meet the following requirements:
  - The use must be a School-Sponsored Activity, School-Affiliated Support Group, or Feeder Program; and/or
  - User must provide goods or services to District students free of charge; and/or
  - Users must provide services to District students that relate to counseling, tutoring and/or mentoring; and/or
  - User must be a registered non-profit 501(c)(3).
- The proposed event or activities must be approved by the principal, under the supervision of the zone superintendent, and Director of Land Management before a fee waiver request may be submitted.
- The fee waiver request must be submitted and approved by the Board.
- Other costs and/or obligations may still be required after a fee waiver is approved by the Board. See section VIII. C. for Additional Costs and/or Services.



SCAN to view the  
Facility Rental Page



## USEFUL LINKS:

[Board Policy KG - Use of Facilities](#)

[Operating Guideline KG - Use of Facilities](#)