

DISTRICT POLICY
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Facilities Permit and Use Policy

The use of District buildings and grounds is granted pursuant to the Utah Civic Center Statutes at Utah Code (UC) 53A-3-413-414. Approval under this policy is a PERMIT and grants the District full legal immunity under the Government Immunity Act of Utah pursuant to UC 63G-7-301.

I. Civic Center Act

A. Under the provisions of the Civic Center Act, District facilities may be used as civic centers as described in the UC:

1. UC 53A-3-413. Use of District buildings and grounds as civic centers.
 - a. All public District facilities and grounds are civic centers and may be used by District representatives for supervised recreational activities and meetings.
 - b. Use of District property for civic center purposes may not interfere with any District function or purpose.
 - c. The organizer of an event may not use a civic center unless the organizer resides within the geographic boundaries of the District in which the civic center is located.
2. UC 53A-3-414. Local District boards' responsibility for District buildings and grounds when used as civic centers.
 - a. It manages, directs, and controls civic centers under this chapter.
 - b. It adopts rules for the use of these civic centers.
 - c. It may charge a reasonable fee for the use of District facilities as a civic center so that the District incurs no expense for that use.
 - d. It may appoint a special function officer under Section UC 53-13-105 to have charge of the grounds and protect District property when used for civic center purposes.
 - e. It may refuse the use of a civic center, for other than District purposes, if it determines the use inadvisable.

II. Prohibition of Smoking/Possession of Alcohol

A. UC 26-38-2(2)(k) Prohibition of smoking in/on any District facilities, grounds and child care centers.

1. A person may not smoke or use tobacco in any area of the following facilities or locations whether or not they are also public places:
 - (a) public or private District buildings and educational facilities and the property on which those facilities are located.

B. Utah Code 53A-3-501 Possession or Consumption of Alcoholic Beverages at District or District-Sponsored Activities.

2. A person may not possess or drink an alcoholic beverage
 - (a) inside or on the grounds of any building owned or operated by a part of the public education system; or
 - (b) in those portions of any building, park, or stadium which are being used for an activity sponsored by or through any part of the public education system.

III. Categories of Use

A. Facilities User Request Form and Permit is required for all categories.

Category 1- District or school sponsored events or activities.

1. Free use of District facilities is granted for District after-school sponsored programs, PTA activities, and District Adult and Community Education classes and sponsored programs.
 - a. Registration, salaries, personnel charges and custodial fees are collected and managed through the District's Business Office and charged to each individual program.
 - b. Free use may be terminated because of vandalism or failure to properly clean the facility.
 - c. Salaries are based on the "hourly rate beyond the regular contract."
 - d. Personnel Charges: Charges will apply when District personnel are required to open and close the building. If a staff member at the District location is involved in the direct supervision of the program, he/she may open and close the facility.
 - e. Custodial Supply Charges: A fee may be charged to cover custodial supplies.

Category 2 - District Employee Use (not for-profit)

1. A fee may be charged for personal use of District facilities. Personal use of District facilities for-profit is treated as Category 5 - Commercial Use.
 - a. Personnel Charges: Charges will apply when District personnel are required to open and close the building. If a staff member at the District location is involved in the direct supervision of the program, he/she may open and close the facility.
 - b. Custodial Supply Charges: A fee may be charged to cover custodial supplies.

Category 3 – Government Agencies. This applies to cities, county, state, or other government entities.

1. Free use of the District facilities is granted for Governmental or City Sponsored programs.
 - a. Personnel Charges: Charges will apply when District personnel are required to open and close the building.
 - b. If a staff member at the District location is involved in the direct supervision of the program, he/she may open and close the facility.
 - c. Custodial Supply Charges: A fee may be charged to cover custodial supplies.

Category 4 - Non-Profit or Non-Commercial

1. A fee is charged to charitable and non-profit organizations for necessary custodial supplies, and for normal wear and tear of the facilities.
 - a. Organizations renting District facilities under this category may be required to provide evidence of their non-profit status through an official classification by the IRS and/or the Office of the Secretary of State.
2. Exceptions: The Business Office may grant limited free use to public service organizations, for occasional use only, who perform strictly public services, such as civic groups, Boy Scouts or Girl Scouts, community programs

and activities, when custodial and other services are not required beyond the regularly scheduled duty. Such organizations may be required to pay a custodial hourly fee if deemed necessary by the District Business Office.

3. Partnerships: A partnership exists when services from an outside entity are exchanged for District rental. The Business Office, to ensure the trade of services is at fair market value of the facility rental, reviews each partnership. Certificates of liability and indemnity agreement may be required.

4. Individual inter-local agreements negotiated by the superintendent or his designee supersede this policy.

5. Personnel Charges: Charges will apply when District personnel are required to open and close the building. If a staff member at the District location is involved in the direct supervision of the program, he/she may open and close the facility.

6. Custodial Supply Charges: A fee may be charged to cover custodial supplies.

Category 5 - Commercial Use

1. A fee is charged for all business and profit-making entities.

a. Personnel Charges: District personnel charges are required.

b. Custodial Supply Charges: A fee may be charged to cover custodial supplies.

IV. Grounds Use (No Building Access)

A. Facility Use: With the exception of for-profit and commercial users, no fee is charged for the use of District grounds with an approved Permit.

1. Approved users will provide, when required, sanitation facilities or they will pay a custodial fee to open, supervise, and clean restrooms.

2. To properly water and maintain District property for our students and patrons, fields should not be scheduled more than four days per week.

3. The Business Office will attempt to equitably distribute the use of District facilities and grounds to responsible groups with appropriate requests.

4. Approved groups will be issued a permit listing the dates, times, and areas of the campus to be used.

5. Personnel Charges: Charges will apply when District personnel are required.

6. The Business Office may require a refundable security/cleaning deposit.

V. Insurance Requirements

A. Categories 1-4: Proof of insurance is not required with an approved Permit.

B. Category 5

1. User is required to sign the Request for Use of District Facilities Agreement.

2. Evidence of insurance must be attached to the Facilities User Request Form and Permit form.

3. The District shall be insured on the group's policy for liability arising out of the group's use of District facilities.

4. The insurer is required to send the District a certificate of insurance giving the District the right of advance notice of cancellation of such insurance.

5. The amount of required notice should be at least 10 days and preferably 30 days prior to the event.

C. Sources of Insurance Coverage

1. The Office of Risk Management currently has a commercial insurance program available to cover outside entities that do not have insurance coverage. This policy covers most kinds of events, but does not cover, for example, injuries to participants in athletic events.

VI. Procedures and General Information

A. The Business Director is the initial representative of the Board of Education in scheduling the use of facilities under their direction. The designated administrator or their designee has the right and obligation to deny requests that would disrupt regular programs or threaten damage to the facility or the grounds.

B. The Business Office, in consultation with persons requesting the rental, will determine personnel required for each rental. In case of a dispute, appeals may be made to the District Business Administrator.

C. The Facilities User Request Form and Permit is required for all category 1-5 District facilities requests.

D. The Business Office is responsible to issue the Permit to all Users.

E. The Business Office is responsible to collect the rental fees.

1. All funds are collected and managed through the District's Business Office.
2. Payment for building rentals should be received in advance. All payments should be made payable to THE DISTRICT. In every case, an agreement should be made for a prompt payment date.
3. Costs for damages (vandalism, accidents, etc.) are not part of the rental fee. Facility users are responsible to pay for all damages incurred during the rental period. Collection for damages will be the responsibility of the Business Office. If payment for damages is not made in a timely manner, all collection procedures necessary will be used.

F. Restrictions for Rentals

1. District facilities will not be rented for public dances.
2. All users should leave the building no later than 11:00 p.m. and all outdoor activities should end by 10:00 p.m.
3. Responsible adult supervision by the user must always be provided throughout the building whenever District facilities are used by minors.
4. Athletic, audio/visual and other district-owned equipment and supplies may be available for use within the facility. If requested, the Business Office may assess additional charges for use of District equipment.
5. The removal of any furniture or equipment from the District facility for private or public use is prohibited unless prior approval is received from the Business Office.
6. No outside properties may be brought into the building without prior approval from the Business Office. When approval is granted, all property must be removed immediately following its use. No signs, posters, properties, or other materials shall be attached to the building by tape, tacks, or other methods without permission of the Business Office.
7. Equipment and property shall not be loaned or removed from the building.
8. Keys are not loaned to outside individuals, groups or agencies.

G. Distribution of rental funds – refer to Cache County School District Facility Rental Rates form.

Deposit: Collected by and retained in the Business Office

Facilities: Collected by and retained in the Business Office

Personnel: Collected by and retained in the Business Office, payroll claims sent to the Business Office.

District Supplies: Collected by and retained in the Business Office.

Utilities: Collected by and retained in the Business Office.

VII. Fees and Charges

A. Facilities

1. Users are charged according to the Facility Rental Rates form. Fees are charged on a one-half hour basis with a minimum charge of one hour.

B. Personnel

1. The Business Office is responsible to determine if District personnel are required for facility supervision, security, or assistance during the rental period.
2. Tips or gratuities or payments not specified in the agreement may not be offered or paid to any District employee.
3. Computer Lab - A District employee who is competent in the use of computers must be present to supervise when a computer lab is rented.

C. Personnel Charges to Renters

Student Helper	Hourly Rate
Assistant Custodian	Hourly Rate
Para Professional	Hourly Rate
Secretary	Hourly Salary or Time & One-Half
Kitchen Help	Hourly Rate
Custodian	Hourly Salary or Time & One-Half
Teacher	Miscellaneous Hourly Rate

D. When personnel are required only to unlock and/or lockup the facility, a claim is submitted for 1.5 hours (45 minutes to open-up and 45 minutes to lock-up facility).

E. The District designee will submit an annual report that includes all Facilities User Request Forms and Permits, personnel payments, and budget incomes and expenditures.

F. Facility Rental Rates – refer to current Facility Rental Rates form.

G. Rental Charges – calculate charges using the Facilities User Request Form and Permit.

I acknowledge that I have read and understand the terms of this policy as detailed above:

Name and Title: _____

Signature: _____ Date: _____