



Capital School District Board of Education Policy

Section: Home, School And Community
Title: Use and Supervision of School/District Facilities
Policy #: 400-08
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Use and Supervision of School Facilities:

Purpose:

Adequate supervision must be provided for all facilities. This shall include normal daily operation during and after school hours, public use and approved use under this policy.

To assure and continue a positive and mutually supportive relationship between the Capital School District and the community it serves, it is the policy of the Board of Education to encourage maximum utilization of all school facilities to responsible individuals, groups and organizations sponsoring activities in educational, cultural, civic, political or recreational areas as defined and limited in Title 14, Chapter 10, Section 1056 of the Delaware Code, Relative to the Use, Control and Management of Public School Property.

1. Authority

District buildings and grounds may be used for holding public gatherings of a character not detrimental to the civic welfare of the community, state or nation. The decision of the Board of Education regarding granting of request for use of facilities will be based upon a consideration of the following conditions, listed in order of importance:

- 1) Student educational programming is given the highest priority.
- 2) The facility requested for use has not already been scheduled for use at the time requested.
- 3) The use of the facility requested will be consistent with the program of education of the Capital School District
- 4) The use of the facility requested will serve a purpose that is educational, cultural, civic, political, or recreational.
- 5) The use of the facility requested will not afford personal monetary gain to the individuals sponsoring the activity.

Determination of use of district facilities and charges for same rests with the Capital School District Board of Education and its designated representatives in accordance with board policy.

2. School Facility User Categories

Potential users of school facilities will be placed in three (3) categories for the purpose of assessing charges as follows:

Category I – This category includes school-related organizations or other Capital School District organizations that hold fund-raising activities, the proceeds of which are to be used to benefit students of the Capital School District. The organization will receive Category I status.

Examples of Category I organizations are as follows:

School Clubs
School Booster Clubs
Parent Teacher Organizations
Parent Teacher Associations

“Category I List” will be required to reimburse Capital School District for actual costs at times when buildings are not normally in use and staffed, when needed as determined by the principal, with food service or custodial personnel. No rental fee for facility use will apply.

Category II – This Category includes educational, cultural, civic, political, or recreational groups that are directly related to the “primary purpose of education and are non-profit and non-school sponsors. Any group wishing to qualify for use of school facilities as a Category II organization shall petition the Capital School District by letter. Such letter shall include the aims and objectives of the group, and how the activities relate to education. Examples of Category II organizations are as follows:

Capital School District Employee Associations
(District will honor building use stipulations outlined in negotiated agreements with the Board of Education.)
Boy Scouts of America
Girl Scouts of America
Future Farmers of America
4-H Clubs
Little Leagues of the Community
Alumni Associations of the Capital School District
Non-Profit Civic Organizations of the Capital School District

Groups or organizations that have received approval for inclusion on the “Category II List” will be required to reimburse Capital School District for actual costs of food services or custodial services if school facilities are requested for use at times when buildings are not normally in use and staffed with food services or custodial personnel. Category II users will have the option to be charged a fee for weekly or monthly use.

Category III – This category includes organizations and community groups that are not directly related to the “primary purpose of education”, but certify their reason for use of school building to be educational, cultural, civic, political, or recreational. Any group that qualifies for the use of school buildings under the provisions of this category must certify that there is no individual monetary gain for representatives of the organization and that all charges or admissions in excess of costs will be donated to a charitable purpose as defined for the State of Delaware Personal Income Tax.

Category III users of school facilities will be assessed charges according to the following policies and at rates established by the Capital School District.

- Charges for Use of Facilities during Hours When Schools are Normally Staffed with Custodial Personnel.
- Activities that do not require assignment of additional personnel, or extra custodial work involving preparation or clean-up responsibilities beyond regular custodial workloads will not be assessed custodial fees.
- Fees in accordance with approved rate schedules will be charged on an hourly basis for all utilities required including heat, light, and air-conditioning.
- Any other operational or special costs that might be incurred will be charged to the using organization.
- Charges for use of facilities during hours when schools are not normally staffed with custodial or food service personnel.

- Activities that require the use of custodial or food service personnel beyond the regularly established workday will be charged at rates established by the Capital School District Board of Education.
- Organizations charged fees under provisions of this sub-section will be subject to charges for the entire time school district personnel are on duty including preliminary preparation activities, during the actual program or event, and throughout the cleanup period.
- Fees in accordance with established rate schedules will be charged on an hourly basis for all utilities used including heat, light, and air-conditioning.
- Any other operational or special costs that might be incurred will be charged to the using organization.
- Fees equal to the proposed custodial time and all other fees must be paid seven (7) days before the scheduled event. Failure to comply with this time frame will result in cancellation of facilities use agreement.

3. Requests for use of Capital School District Facilities

All requests for use of any Capital School District facility or any Capital School District equipment within the policies established by the Board of Education on the use of buildings and grounds must be made fourteen (14) days in advance at the District Administration Building. Exception to this policy of the Capital School District Board of Education concerning the use of buildings and grounds may be made only by action of the Superintendent of Schools or if an emergency situation warrants such exception.

At first contact with the school district, tentative agreement may be reached on providing facilities, or equipment; but the agreement is subject to approval by the building principal of the facility to be used and the Superintendent of Schools. After checking availability of facilities, a contract will be mailed to the person assuming responsibility for use of the facility, or equipment, which is being requested. Reservations will not be made more than ninety (90) days in advance. (See Administrative Rules & Regulations)

4. Guidelines

- A. There are no rentals during the school day. During the winter months, buildings may be available for community use until 10:00 p.m. Any requests for exceptions must be cleared with the Superintendent of Schools and the school principal.
- B. Religious groups may use school facilities for special purposes. Each application will be considered on its merit and concurrence with the provisions in the Delaware Code.
- C. The possession, use or consumption of alcoholic beverages or illicit drugs is not permitted on school property at any time.
- D. Smoking is not permitted on school property at any time.
- E. When kitchen facilities or equipment are used for food preparation, Board of Public Health requires that the cafeteria manager or his/her designee shall be present during the preparations, serving and cleanup. Arrangements for such use must be made through the Superintendent or his/her designee. A temporary restaurant permit from the Board of Health must be obtained.
- F. In accepting the use of school property, the group granted the contract shall agree to make good any damages done to the property or equipment and to indemnify and hold harmless the Capital School District for any accident to any occupants of the building or grounds during the period of use by the

group. The Board and the Capital School District accept no responsibility for loss of personal property. Proof of insurance must be provided in the form of an acceptable Certificate of Liability in favor of Capital School District naming the district as an additional insured. The Superintendent may waive this requirement for unique and justifiable reasons.

- G. Facility use will be scheduled at times so as not to curtail or inconvenience regular school program activities. Care will be exercised to clear conflicts in advance. However, in the event a conflict is found after the contract has been granted, the contract may be cancelled by school authorities and neither the Board of Education, Capital School District, nor any of its employees will be liable for financial loss or inconvenience suffered by the holder of the contract.
- H. All fire and safety rules shall be strictly enforced. In addition, all State of Delaware and City of Dover regulations must be adhered to by groups using school property. For example, if there is an event where the public is invited, a City of Dover Special Events Permit is needed and request of permit must be submitted 30 days in advance.
- I. All brochures and/or published materials (including social media postings) must have prior approval by the Superintendent before it is distributed. The installation of decorations, posters, etc. must conform to safety and fire regulations, and nothing shall be fastened to the building in such a manner that will mar the finish. All decorations, posters, etc. are to be recovered by the group responsible for their installation at the conclusion of the event.
- J. Organizations sponsoring functions which involve large numbers of people may be required to provide for traffic control and proper safety measures. In some instances, police may be required and verification of such arrangement must be provided.
- K. During the summer months, usage of buildings will be limited and there will be a two-week blackout based on the cleaning schedules. The cleaning schedule will be determined by mid-July. To assess availability of requests, reservations must be made within 30 days of the desired date for summer months usage (July and August) rentals.
- L. During the heating season (November – March) night setbacks (55 degrees) shall be maintained in all buildings during weekends and holidays and evening hours of weekdays. Exceptions shall be granted by the Superintendent or his/her designee. Additional fees will apply for heat.
- M. The Superintendent or his/her designee must be notified of all school events (i.e. band concerts, etc.) scheduled through the principal's office so as to avoid conflict with other contracted events. Forms can be obtained from the principal's office or rental office.
- N. To ensure students' opportunities to build appropriate props and to extend full programming advantage for educational purposes, auditorium and theater spaces will not be available before and during student performances. However, the district reserves the right to determine a timeline for breaking down props.

5. Priority of Use of Capital School District Facilities

The buildings and grounds of the Capital School District shall be available for community use under conditions prescribed and permitted by law, in accordance with the policies adopted by the Capital School District Board of Education and following administrative rules and regulations dictated by the administration. The Board welcomes community use of the buildings insofar as facilities and responsibility of users will permit.

The priority of such use of facilities shall be as follows:

- a) Activities sponsored entirely by the Capital School District which are educational by nature shall have the highest priority in all cases.

- b) Activities sponsored entirely by the Capital School District, which are student activity oriented, shall have the next highest priority.
- c) Activities sponsored by schools and school-related organizations jointly shall have the next highest priority.
- d) Activities sponsored by Capital School District's civic organizations and governmental organizations located within the boundaries of the Capital School District shall have the next highest priority.
- e) Activities sponsored by organization located within the Capital School District for non-educational fund-raising purposes shall be the next highest priority.
- f) Activities sponsored by non-resident organization shall have the lowest priority in the use of buildings and grounds in the Capital School District.

6. Restrictions on the use of Capital School District Facilities**

- a) The priorities itemized in Section 6 must be faithfully adhered to at all times by the administrative staff of the Capital School District when renting out Capital School District facilities.
- b) All users of Capital School District facilities must pay fees itemized in this Board Policy unless otherwise approved by the Capital School District Board of Education. There are to be no exceptions to this fee schedule made by any administrative member of the Capital School District except the Superintendent of the School District.
- c) Unless reservations are made in advance as prescribed in these policies and the administrator in charge of the facility is aware of the reservation, the facility may not be used by the party.
- d) Facilities may not be used by private groups or individuals for advertising or profit making. (This in no way limits the availability to civic organizations for fund-raising projects which are in the public interest.)
- e) Band rooms, art rooms, and laboratories shall be utilized only by groups having interests consistent with the room's purpose, e.g. musical groups; art rooms – drawing, painting, art appreciation groups; laboratories – scientific groups.
- f) School buildings are to be closed to all outside activities at the following times:
 - a. Christmas Eve and Christmas Day
 - b. New Year's Eve and New Year's Day
 - c. Thanksgiving Day
 - d. Easter
 - e. July 3, 4 and 5
 - f. The last two weeks of school
 - g. The week prior to the opening of school
 - h. The first week of school
 - i. All school holidays

7. Supervision and Care of School Facilities, Equipment and Furnishings

Care and supervision of school facilities including buildings, equipment and furnishings, grounds and athletic facilities during regular and evenings hours of instruction and school activities is the responsibility of the building principal or designee. PRINCIPALS SHALL REPORT ANY ACT

OF THEFT, VANDALISM, OR DESTRUCTION OF PROPERTY IN WRITING TO THE SUPERINTENDENT WITH A COPY TO THE BUSINESS MANAGER WITHIN 24 HOURS FOLLOWING THE INCIDENT. THE REPORT SHALL INCLUDE A LISTING OF ALL ITEMS STOLEN, VANDALIZED OR DESTROYED.

8. Supervision and Care of Buildings, Equipment and Furnishings when using Capital School District Facilities

Any organization or group using school facilities or equipment shall designate one member of its group as being in charge of and responsible for all actions taken by the group. Adequate supervision must be provided for all facilities used by the public. This is the responsibility of the individual(s) signing the rental agreement, thereby assuming full responsibility. Failure to do so by any public or school organization may result in forfeiture of the right to use school facilities again. If a sponsoring person is not present at the time the facility is to be used, then the activity is cancelled. Disorderly conduct, vandalism, abuse of the property or inadequate supervision shall be grounds for eviction and/or cancellation of contract. PRINCIPALS SHALL REPORT SUCH INSTANCES IN WRITING, TO THE SUPERINTENDENT OR HIS/HER DESIGNEE WITH RECOMMENDATIONS WITHIN 24 HOURS AFTER THE INCIDENT.

The care of all buildings, conduct of participants and spectators, prevention of use of alcohol and tobacco, compliance with all state Fire Marshal and State health rules, and leaving all facilities and equipment in proper order is the responsibility of the organization or group in general; and the individual signing the rental agreement in particular. Point of contact for rental must be prepared to participate in a pre-check and post-check of facilities to ensure space is set up the way it was before rental and confirm either damages are void or exist.

9. Destruction of Property by persons using Capital School District Property

Any renter or group using any Capital School District property shall restore to the original condition or replace any property or equipment damaged or destroyed by them. The Board of Education, through consultation with Superintendent and appropriate staff, shall be the judge of unwarranted destruction of property and restitution thereof.

10. Concessions

The right to all concessions and sale of refreshments will remain with the individual schools, and the control of said concession rests with the local administration of all schools.

11. Use of Equipment of the Capital School District

The contracted use of a school facility does not include the use of any school equipment, such as projectors, slides, spotlights, etc. The use of school equipment is permitted only through special request and approval and with the assurance that only school-approved operators and equipment will be used (e.g. projectors, tape recorders, etc.). Any equipment or apparatus belonging to the renter of the Capital School District facility must also be approved, in advance, by the Superintendent of Schools and be listed on the rental agreement. Rental space shall not be altered or used for storage purposes by any renters.

12. Accidents that occur by parties using Capital School District Facilities

If an accident occurs, the person signing the rental agreement shall secure names of witnesses of said accident and shall submit a written account of any accident to the Superintendent of School within 72 hours. This written report shall include names of people involved, a description of events leading to the accident, and a statement assuming all responsibility for the accident. The Capital School District Board of Education will assume no responsibility for accidents incurred in the use of buildings and grounds on a rental basis.

13. Strengthening Quality Assurance

Effective annually on July 1st, the Board of Education, Superintendent of Schools, and Presidents of CEA, CPA, CSA, CCA and CESA shall select as follows for the Facilities Quality Assurance Committee:

- a. one board member
- b. one designee by Superintendent of Schools
- c. three members that represent the Presidents' Council Membership

The Facilities Quality Assurance Committee shall meet bi-monthly to review employees' concerns regarding the use of facilities. The Quality Assurance Committee will establish a protocol to collect concerns and review procedures to make recommendations for improvement to the Office of the Superintendent.

Capital School District Fees for Use of School Facilities*

- I. Auditorium:
Dover High School – Capacity - 950
Hourly Rate (includes heat or a/c) (minimum of 3 hour rental) \$275.00/hr.
Use of sound/lighting equipment (subject to personnel availability) \$50.00/hr.

Central Middle – Capacity 1,000
Hourly Rate (includes heat or a/c) (minimum of 3 hour rental) \$225.00/hr.
Use of sound/lighting equipment (subject to personnel availability) \$60.00/hr.

William Henry Capacity 500
Hourly Rate (includes heat or a/c) \$80.00/hr.
- II. Cafeteria:
Central Middle – Capacity 525
William Henry Middle – Capacity 400
Cost does not include kitchen
Hourly Rate (during times custodian not normally on duty) \$50.00/hr.
(If air conditioning or heat used) \$60.00/hr.
Dover High – Capacity 600
Cost does not include kitchen
Hourly Rate (during times custodian not normally on duty) \$125.00/hr.
(If air conditioning or heat used) \$140.00/hr.
Dover High Sr. Cafeteria – Capacity 100
Cost does not include kitchen
Hourly Rate (during times custodian not normally on duty) \$75.00/hr.
(If air conditioning or heat used) \$90.00/hr.
- III. Kitchen and Service Areas:
Includes the services of one supervisory person but does not include dishwashing person \$50.00/hr.
Hourly Rate for use of Dishwasher \$65.00/hr.
- IV. Classrooms or Bathrooms:
All Schools

	Hourly Rate	\$30.00/hr.
	(If air conditioning or heat used)	\$40.00/hr.
V.	Multi-Purpose Rooms:	
	Elementary School – Capacity 300	
	Used as auditorium, gyms, cafeterias	
	William Henry Middle School LGI Room	
	Administrative Office Board Room (each section)	
	Hourly rate	\$40.00/hr.
	(If air conditioning or heat used)	\$60.00/hr.
VI.	Libraries:	
	Hourly Rate	\$25.00/hr.
	(If air conditioning or heat used)	\$40.00/hr.
	Dover High School Library	\$40.00/hr.
	(If air conditioning or heat used)	\$60.00/hr.
VII.	Band and Choral Rooms CMS and WHMS:	
	Hourly Rate	\$25.00/hr.
	(If air conditioning or heat used)	\$45.00/hr.
	Dover High School Band and Choral Rooms	\$45.00/hr.
	(If air conditioning or heat used)	\$60.00/hr.
VIII.	Gymnasiums (Main and Auxiliary rented separately):	
	Dover High	\$225.00/hr.
	Central Middle	\$125.00/hr.
	William Henry	\$100.00/hr.
	Auxiliary Gyms	\$100.00/hr.
	Hourly Rate (minimum of 3 hour rental) – does not include locker rooms or fitness center (includes electricity, heating or a/c where available)	
IX.	Athletic Fields:	
	Resident Teams of Capital	
	Special maintenance upon request for fields without fee	\$150.00/hr.
	New Dover High School Stadium and Field	\$900.00/game
	(including lighting, custodian charges, marking of field)	\$1,275.00/game
	New Dover High School Auxiliary Stadium	\$525.00/game
	(including lighting, custodian charges, marking of field)	\$1,025.00/game
	New Dover High School Baseball/Softball Competition Fields	\$100.00/hr.
	(Does not include custodian charges)	
	Non-Resident Teams of Capital	
	Special maintenance upon request for fields without fee	\$275.00/hr.
	New Dover High School Stadium and Field	\$1,525/game
	(including lighting, custodian charges, marking of field)	\$2,025game
	New Dover High School Auxiliary Stadium	\$1,025/game
	(including lighting, custodian charges, marking of field)	\$1,525/game
	New Dover High School Baseball/Softball Competition Fields	\$175.00/hr.
	(Does not include custodian charges)	

X.	Tennis Courts: Dover High School	\$40.00/hr.
XI.	Custodial Service Charges:	
	Regular	\$28.00/hr.
	Saturday and after 10:00 p.m. on weekdays	\$38.00/hr.
	Sunday and holidays	\$48.00/hr.
XII.	Weekly Fee:	
	Classroom	\$125.00/week
	Gym	\$425.00/week
	Monthly Fee:	
	Classroom	\$225.00/month
	Gym	\$1,025.00/month
XIII.	Non-Refundable Application Fee:	
	Due with submittal of Rental Application	\$40.00

*Fee Schedule for new Dover Middle School Campus Facilities will be determined.

** There shall be a one-year moratorium of use of facilities at the new Dover Middle School Campus which will open for the 2023-2024 school year.