

The board endorses the goals of the Community Schools Act. The board will make specified indoor and outdoor school facilities available for use by eligible community groups under agreements developed in accordance with this policy. The board also will make some outdoor school facilities available for limited recreational use by the general public when not inconsistent with the board's use of the facilities. Any use of school facilities that disrupts school activities or that damages school property will not be permitted.

A. PRIORITY IN USE/FEE STRUCTURE

In accordance with G.S. 163-129, the county board of elections is entitled to use school facilities as a polling place on election days. School-sponsored groups and activities, such as school athletic events, and school drama and choral productions, and meetings of student organizations, including organizations permitted to meet under the Equal Access Act, will otherwise have first priority in the use of school facilities.

For-profit groups are not permitted to use school facilities. Priority in the use of school facilities by other groups and the fee structure for such groups will be in accordance with law and the following user categories. Priority in use among groups within the same user category will not be based upon the viewpoints of the groups. All groups within the same user category will be charged for facility use according to the uniform fee structure.

1. School-related groups (organizations formed to support the school in some manner, such as the PTA, PTO, teachers' and principals' organizations, and booster clubs).

Fees: Fees for use of kitchens will be charged, as applicable, to cover costs. Custodial or supervisory fees may be charged.
2. In accordance with G.S. 115C-527, political parties for the express purpose of annual or biennial precinct meetings and county and district conventions.

Fees: Custodial and utility fees may be charged.
3. Local government and youth organizations, including, but not limited to, scouts and 4-H.

Fees: Custodial and/or supervisory fees will be charged. Fees for use of kitchens will be charged, as applicable, to cover costs. Utility fees may be charged.
4. All other not-for-profit groups (all groups not included in the other categories as well as political parties when meeting for purposes other than precinct meetings or county or district conventions).

Fees: Rental, utility, and custodial and/or supervisory fees will be charged. Fees for use of kitchens will be charged, as applicable, to cover costs.

Prior to the beginning of each school year, the superintendent shall submit for board approval a fee structure that lists the amount or method of calculating rent and fees to be charged for facility use.

Fee Schedule (Standard):

- 1 custodian is required for up to 50 people; more than 50 people will require 2 custodians.
- Custodians will be paid at their hourly rate or a minimum of **\$50.00**.
- Cafeteria staff will be paid at their hourly rate or a minimum of **\$50.00**. Cafeteria staff is only required if the kitchen is used.
- There will be a charge of **\$100.00** if the use of the facility requires the use of heat or air conditioning in a single area of the building.
- There will be a charge of **\$200.00** if the use of the facility requires the use of heat or air conditioning in more than one area of the building.
- There will be no charge if there is **NO** heating or air conditioning used.
- There will be a fee of **\$25.00** for custodial supplies for events attended by 50-100 people and **\$50.00** for events attended by more than 100 people.

B. FACILITIES AVAILABLE FOR USE

The superintendent or designee shall develop and make accessible to the public a list of school facilities available for community use. Among the types of facilities that may be available for community use are auditoriums, athletic fields, dining areas, kitchens, designated classrooms, gymnasiums, media centers, and playgrounds. School facilities not listed as available for community use may be used only in exceptional circumstances based on a justified need and in accordance with terms approved by the superintendent or designee.

C. RULES GOVERNING USE OF SCHOOL FACILITIES

The superintendent shall develop regulations consistent with this policy. The regulations will include an application process and provisions regarding the supervision of groups using facilities, the care of facilities, prohibited conduct, and other issues deemed appropriate by the superintendent. The regulations will be made available to the public along with the facilities use application form. In addition to the regulations established by the superintendent, users of school facilities must comply with the following rules.

1. Users must comply with all federal, state, and local laws and all rules established by the board, the superintendent or designee, and the principal.
2. Users must comply with the requirements of the Americans with Disabilities Act (ADA) (particularly Subchapter III pertaining to Public Accommodations and Services Operated by Private Entities) and the federal regulations that have been

adopted for the implementation of the ADA.

3. Users must comply with board policy and legal requirements forbidding the use of tobacco products in school facilities and on school grounds (see policy 5026/7250, Smoking and Tobacco Products).
4. Users must not consume or possess alcohol or drugs on school grounds (see policy 5025, Prohibition of Drugs and Alcohol).
5. Users must not possess weapons or explosives while on school grounds, except in the limited circumstances permitted by state law and policy 5027/7275, Weapons and Explosives Prohibited.
6. Users must not make any modifications, improvements, or alterations to school facilities without the prior written approval of the superintendent or designee.
7. Users must not display or distribute materials that are vulgar, indecent, or obscene or use vulgar, indecent, or obscene language while on school grounds.
8. Users are responsible for supervising their activities and the people present at their activities. Users are responsible for maintaining order and safety during their activities.
9. Upon departure, users must remove any materials or equipment they brought onto school grounds.

A user's violation of the provisions of this policy or any applicable regulations is grounds for suspending the user's privilege to use school facilities for a period of time deemed appropriate by the principal, subject to the review of the superintendent and the board of education.

D. FACILITY USE AGREEMENTS

A group that wishes to apply for permission to use a school facility must submit an application to the principal of the school at which the facility is located. If a facility use request is approved, the user will enter into a written agreement signed by the user and the superintendent or designee. Absent unusual circumstances, facility use agreements will not be granted for a term longer than one year. An agreement to span more than one year must be approved in advance by the board.

Long-term leases are subject to the provisions of policy 9400, Sale, Disposal, and Lease of Board-Owned Real Property.

E. DAMAGES AND LIABILITY INSURANCE

Users of school facilities are responsible for the conduct of all persons involved in the

users' activities while on school property. Users are responsible for all damage to school facilities, property, or equipment that occurs while the facility is being used by the group, regardless of who caused the damage.

All user groups, except school-sponsored groups, must furnish a certificate of insurance for general liability coverage with a total limit coverage of \$1,000,000 for each claim made. Alternatively, the superintendent or designee may require the user group to execute a waiver of liability that states that no liability will be attached to the board of education, individually or collectively, for personal injury or personal property damage by reason of use of the school property.

F. USE OF OUTDOOR SCHOOL FACILITIES BY THE GENERAL PUBLIC

Outdoor property and facilities of the school system will be open to limited use by members of the general public in accordance with rules established by the superintendent or designee. Public use will be permitted only to the extent that it: 1) is not inconsistent with the proper preservation and care of the outdoor school property; 2) does not interfere with the safe and efficient operation of the schools and school activities; and 3) does not conflict with use by any community group operating under a facility use agreement described in this policy. The superintendent is authorized to establish all terms, conditions, and rules necessary to regulate the use of outdoor facilities by members of the general public consistent with these requirements.

G. REVIEW OF DECISIONS CONCERNING USE OF SCHOOL FACILITIES

Any person or organization may request a review of any decision made by a school employee pursuant to this policy in accordance with policy 1740/4010, Student and Parent Grievance Procedure.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Equal Access Act, 20 U.S.C. 4071-4074, 28 C.F.R. pt. 36; Boy Scouts of America Equal Access Act, 20 U.S.C. 7905, 34 C.F.R. pt. 108; 36 U.S.C. 20101 *et seq.*; G.S. 14-269.2; Community Schools Act, G.S. 115C-203 to -209.1; 115C-524, -527; 160A-274; 163-129

Cross References: Student and Parent Grievance Procedure (policy 1740/4010), Prohibition of Drugs and Alcohol (policy 5025), Smoking and Tobacco Products (policy 5026/7250), Weapons and Explosives Prohibited (policy 5027/7275), Sale, Disposal, and Lease of Board-Owned Real Property (policy 9400)

Adopted: April 10, 2000

Updated: June 1, 2009

Updated: November 4, 2010

Updated: April 3, 2012

Updated: April 11, 2016

Updated: June 6, 2017

Updated: December 3, 2018

Updated: July 6, 2020

Updated: December 7, 2020

Updated: June 7, 2021

Updated: January 10, 2022