

A. GENERAL PRINCIPLES

The board endorses the goals of the Community Schools Act. The use of school facilities by community groups should be consistent with the educational program and the goals and objectives of the board and school system.

Priority for facility use shall be given to community groups as outlined in Section B. For-profit groups are not permitted to use school facilities.

Use of school facilities shall not be approved for activities that do any of the following:

1. violate federal, state or local laws;
2. violate board of education policies or regulations;
3. advocate imminent violence;
4. damage or have the potential to damage school buildings, grounds or equipment; or
5. are in conflict with scheduled school activities.

B. PRIORITY IN USE/FEE STRUCTURE

School-sponsored groups and activities (such as school athletic events and school drama and choral productions) and meeting of student organizations, including organizations permitted to meet under the Equal Access Act, shall have first priority in the use of school facilities.

Priority in the use of school facilities by other groups and the fee structure for such groups will be in accordance with the following user categories. Priority in use among groups within the same user category shall not be based upon the viewpoints of the groups (see policy 1710/4021/7230, Prohibition Against Discrimination, Harassment and Bullying). All groups within the same user category shall 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 shall be charged to cover costs. Custodial or other supervisory services may be charged.

2. In accordance with G.S. 115C-527, political parties shall only be charged custodial and utility fees when using school facilities for the express purpose of annual or biennial precinct meetings and county and district conventions.
3. Local government , **community**, and youth organizations (including but not limited to scouts, 4-H)
Fees: Utility fees for the use of facilities ~~may~~**will** be charged **if air conditioning or heat is needed**. Custodial, kitchen, and/or supervisory fees shall be charged **if necessary**.
4. All other non-profit groups (all groups not included in the other categories)
Fees: Rental, kitchen, utility, custodial, and supervisory fees **will be determined by administration** ~~shall be charged~~.

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

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.

C. REQUESTS FOR USE OF FACILITIES

An eligible individual or group that wishes to apply for permission to use a school facility must submit a written application to the principal of the school where the facility is located. Facility use request forms shall be available in the school administrative office.

D. FACILITIES AVAILABLE FOR USE

The board permits eligible individuals or groups to use the facilities of those schools designated by the board as “community schools”. A list of community schools and the facilities at each site that are available for community use shall be available to the public at the superintendent’s office and each principal’s office.

The superintendent is authorized to develop a list of which school facilities are 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.

Other school facilities may be used only in exceptional circumstances based on a justified need and as approved by the superintendent or designee. The superintendent is authorized to determine the fees for the use of facilities in such circumstances.

E. RULES GOVERNING USE OF SCHOOL FACILITIES

The superintendent shall develop regulations consistent with this policy. The regulations shall include an application process and provisions regarding supervision of groups using facilities, care of facilities, prohibited conduct and other issues deemed appropriate by the superintendent. A copy of the regulations shall be furnished to all applicants at the time they receive 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 American 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 shall not consume or possess alcohol or drugs on school grounds (see policy 5025, Prohibition of Alcoholic Beverages).
5. Users shall not possess weapons or explosives while on schools ground (see policy 5027/7275, Weapons and Explosives Prohibited).
6. Users are responsible for supervising their activity and the people present at their activity. Users are responsible for maintaining order and safety during the activity.
7. Any violation by a user of the provisions of this policy or any applicable regulations shall be grounds for the suspension of the user's privilege to use school facilities for such period of time as deemed appropriate by the principal, subject to the review of the superintendent and the board of education.

F. DAMAGES AND LIABILITY INSURANCE

Users of school facilities 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. Users also are responsible for the conduct of all persons involved in the users' activities while on school property.

G. TERM AND ACCEPTANCE OF LEASE

The superintendent is authorized to enter into agreements with community groups for the lease of school property for terms of one year or less. All such leases must be reviewed and approved in advance by the board attorney. The superintendent shall inform the board of the execution of any lease at its next regularly scheduled meeting. Leases may be renewed following the same process.

Absent unusual circumstances, leases shall not be granted for a term longer than one year. A lease for more than one year must be approved in advance by the board.

H. 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, Parent and Student 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. 108; Community Schools Act, G.S. 115C-203 to -209.1, -524. -527; 160A-274; 163-129

Cross References: Prohibition Against Discrimination, Harassment and Bullying (policy 1710/4021/7230), Parent and Student Grievance Procedure (policy 1740/4010), Prohibition of Alcoholic Beverages (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)

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