

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, school drama and choral productions), and meetings of student organizations, including organizations permitted to meet under the Equal Access Act, ~~shall~~ will otherwise have first priority in the use of school facilities.

Priority for community use of facilities will then be given to non-profit community groups whose mission is similar or complementary to that of the school district. The district may sponsor non-profit community groups that serve the essential mission of the school district and help it meet its goals. Sponsorship decisions will be made on a case-by-case basis. The district shall not sponsor community groups that discriminate on the basis of the proscribed criteria in Policy 1710, Prohibition against Discrimination and Harassment, including Bullying and Hazing. A decision to sponsor a community group is in the sole discretion of the superintendent.

For-profit groups are not permitted to use school facilities, unless the superintendent or designee determines that a particular use is non-commercial in nature. Nor are school facilities generally to be used for private purposes (such as weddings or family reunions), or for commercial activities of non-profit groups. School-sponsored fundraising activities may be permitted regardless of the sharing of event revenue with an outside entity, provided the superintendent or designee determines that the primary purpose of the event is to benefit education and approves a fund raiser request in accordance with Policy 8411, School Fund Raising Activities.

Although for-profit groups are generally not permitted to use school facilities, local dance-instruction studios have historically utilized our facilities for the purpose of staging dance recitals. Recognizing the board's long-standing relationship with these studios and their reliance on the availability of our facilities for the presentation of their artistic performances, the board deems it appropriate to exempt them from the prohibition against for-profit group use of our facilities. The mission of dance-instruction studios is similar and complementary to that of the school district, each has used our facilities for many years, without incident, and the board feels it is in the best interest of the community to allow their continued utilization of our facilities for dance recital purposes,

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upon payment of rental, utility, custodial and supervisory fees, as applicable.

Priority in the use of school facilities 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 will 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 will be charged for facility use according to the uniform fee structure. Upon approval of the facility use, all users will be required to submit the fees in advance.

1. School-sponsored groups and activities, such as athletic events, school drama and choral productions, and meetings of student organizations.

Application: Not required. The school shall provide advance notice to the Director of Facilities of all such activities that will take place outside normal school hours.

Insurance: Not Required

Fees: None.

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

Application: Required

Insurance: Not Required

Fees: Fees for providing use of kitchens will be charged to cover costs. Custodial or other supervisory services may be charged.

3. Non-profit community groups sponsored by the district, approved fund raisers involving use of school facilities by outside groups, and one-time meetings for local governmental agencies supported by tax funds of the community (Asheboro City Council, Randolph Board of County Commissioners).

Application: Required.

Insurance: Required

Fees: None

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4. Local government and youth organizations, including but not limited to any youth group listed in Title 36 of the United States Code as a patriotic society such as the Boy Scouts and Girl Scouts, and, political parties for the express purpose of annual or biennial precinct meetings and county and district conventions in accordance with G.S. 155C-527

Application: Required.

Insurance: Required

Fees: Rental fees for the use of facilities may be charged. Custodial, kitchen, and supervisory fees will be charged.

5. All groups not included in the other categories

Application: Required.

Insurance: Required

Fees: Rental, custodial, kitchen and supervisory fees will be charged.

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.

## **B. FACILITIES AVAILABLE FOR USE**

The board permits eligible individuals or groups to use certain facilities in schools.

The following types of facilities are available for use at schools: auditoriums, theaters, and multi-purpose rooms; dining areas and kitchens; designated classrooms; designated gymnasiums; media centers; and playgrounds. Costs for using designated facilities will be calculated in accordance with the fee structure adopted by the board. 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

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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 required by the board, superintendent or his/her designee, or 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. Users shall not publicize or advertise events in school facilities prior to obtaining all required approvals.
10. Upon departure, users must remove any materials or equipment they brought onto school grounds.

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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 such period of time deemed appropriate by the principal, subject to the review of the superintendent and board of education.

**D. FACILITY USE AGREEMENTS**

Any eligible individual or group in categories 2, 3, 4 and 5 above that wishes to use a school facility must submit a request to the principal of the school that contains the desired facility. The request must be submitted using a written application, which will be available in the principal's office. An application for use of a school facility shall be filed at least two (2) weeks prior to the date of intended use. An application must be approved by the principal and the Director of Facilities and Maintenance. 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 damages to school facilities, property or equipment that occurs while the facility is being used by the group, regardless of who causes the damage.

All user groups, except categories 1 and 2 above, must furnish a certificate of insurance for general liability coverage with a total limit coverage of \$1,000,000 for each claim made.

**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 staff pursuant to this policy in accordance with policy.

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 I.S.C. 20101 *et seq.*; G.S. 14-269.2 Community Schools Act, G.S. 115C-203 to -209.1; 115-524, -527; 160A-274; 163-129

Cross References: Prohibition Against Discrimination and Harassment including Bullying and Hazing (1710/4021/7230), Parent and Student Grievance Procedure (1740/4010), Prohibition of Drugs and Alcohol (5025), Smoking and Tobacco Products (policy 5026/7250), Weapons and Explosives Prohibited (5027/7275), School Fund Raising Activities (policy 8411), Sale, Disposal and Lease of Board-Owned Real Property (9400)

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