Community Use of School Facilities

Responsibility

The School Principal shall be responsible for the administration and enforcement of the accompanying policy on community use of school facilities.

The role of the School Principal shall be that of assisting potential users in finding suitable space and providing technical assistance to appropriate building staff upon request.

Scheduling

After district activities have been scheduled, space will be available outside the regular school day to the community with attention to broad and equitable use of facilities. The regular school day is generally one-half hour before classes commence in the morning to 4:30 p.m. Alternate locations will be offered whenever possible if a particular building cannot accommodate all requests. All use is subject to the general guidelines and availability of district staff required for supervision of the use.

The designated facilities/activities secretaries shall be responsible for notification of each principal and head custodian of the date and time of all building activities, and the rooms reserved, and for keeping a calendar of all rental commitments and reservations for regular school activities during the year.

In the event of inclement weather conditions (including ice and ), the district reserves the right to cancel the event, in which case the user incurs no rental charges and the district assumes no responsibility for user costs or losses.

Parking lot snow removal will be the district’s responsibility, with the actual associated costs passed on the user.

Responsibility for shoveling the sidewalks and other access points will be the responsibility of the user.

Permission for use during the hours of the regular school day or during the period immediately after the closing of school, which in the judgment of the principal may be necessary for school purposes, may be refused.

Permission will not be granted for use Monday through Thursday evenings for any high school facility in which an adult school program is being conducted if in the judgment of the principal such use would interfere with or impede the conduct of the school program.
Field use

Fields may be available for approved community use. This use is subject to cancellation or adjustment due to weather or field conditions. Groups requesting reserved and exclusive use shall be charged a fee based on the number of teams and fields used.

No stakes, poles or other devices are to be driven into the ground on district property, including parking areas.

Application for use

Written approval is required for use of a school building or grounds by any group that is not a part of the regular public school program. Such approvals which are considered to be a part of these regulations may be granted for a single use or a limited, continuing use. A completed request for use of a school building or grounds must be turned in at least ten business days in advance of the event.

Approval will depend upon satisfactory assurance that the use of the school facility will be under the direct supervision of an adult who in the judgment of the School Principal is responsible and competent to supervise the proposed program or activity. The supervision provided by each renting group must be adequate to ensure that the members of the group remain in the assigned portion of the facility. If required by school officials, guards or uniformed police also must be provided at the expense of the user.

If approved, the activity will be added to the building master calendar and copies of the Rental Agreement will be completed and distributed to the head custodian, principal, applicant and other school personnel as deemed necessary.

Cancellation and revocation

The user must notify the designated facilities/activities secretaries if the event is canceled or times are adjusted. Repeated and/or short notification of cancellations may result in denial of further requests for building use.

The district reserves the right to cancel Rental Agreements should the space be needed for school or school-related activities. This privilege will be used only when necessary due to unavoidable circumstances in the district’s sole discretion. Attempts will be made to offer alternative space. The district may revoke facility building use at any time. When this occurs, appropriate financial adjustments will be made.

General regulations

1. A regularly employed member of the custodial staff must be on duty during the use of any school building by groups to which permission has been granted.

2. Rental Agreements are non-transferrable
3. Users must confine themselves to the rooms and corridors assigned for their use, and to the approved times. Areas must be vacated completely at the designated time or additional fees will be assessed at two times the normal rate.

4. Users under this policy may not establish any type of food or drink concession nor contract out for food or drink concessions. There are exceptions for in-house clubs and athletic banquets that have food catered.

5. Users may not store equipment or materials unless specifically approved by the district. In no event is the district responsible for any loss or damage to or theft of user’s equipment or materials brought to district facilities.

6. School equipment is usually not loaned to community groups. If a request for use of school equipment is approved by the principal, additional fees will be charged.

7. Security personnel are required to provide supervision for parking and other internal building security when an activity is estimated to exceed 100 participants. The user shall consult with the Director of Safety and Emergency Planning to identify acceptable security personnel for the event. The user will be charged the cost of such security personnel.

8. School facilities will not be made available for private events for family or friends such as wedding receptions, birthday parties, funerals, pickup basketball games, picnics, cookouts, etc.

2. No permit will be transferred to any person or group other than the one to whom issued.

3. Safety

   The user’s designated representative is responsible for familiarizing themselves and their group with the facility safety plan. All applicable fire and safety laws/regulations governing use of school facilities must be observed at all times, including:

   a. Auditorium exit lights must be used.

   b. Open flame (including candles) is prohibited.

   c. Room capacity is not exceeded.

   d. Temporary electrical or mechanical modifications are prohibited.

   e. Flammable holiday or other decorations, including confetti, are prohibited.

   f. Stairways, corridors and entrances/exits must be kept free from obstruction at all times.
g. No equipment, scenery or decorations of any type may be used within the building or on the premises except as specifically authorized in the Rental Agreement and does not create a safety hazard or damages the facility. Such authorized equipment, scenery or decorations, must conform to all local and state regulations and must not be attached to the walls, floors or ceilings (except to anchors presently provided).

h. Pets will not be allowed in school buildings or on playing fields, unless it is a certified service animal.

4. Prohibited activities on district property

a. Use or possession of alcohol or controlled substances. For purposes of this regulation, “controlled substances” means drugs identified and regulated under federal law, including but not limited to marijuana, cocaine, opiates, phencyclidine (PCP) and amphetamines (including methamphetamine). Failure to comply will be dealt with by local law enforcement agencies.

b. Smoking, chewing or any other use of tobacco products within the building or on school grounds in accordance with state law and Board policy on tobacco-free schools. If an individual group does not comply with this policy or these regulations, the group will be denied use of district facilities for a period of no less than 18 months.

c. All disruptive or illegal activity, including obscene language, quarreling or fighting.

d. Unlicensed gambling.

e. Possession of a weapon, as defined by state law. Failure to comply will be dealt with by local law enforcement agencies.

5. Damage

a. The approved user party will be responsible for all damages and losses to the school facility and/or the contents and must indemnify and hold harmless the Board and its employees from any claim resulting from or arising out of the use of the school facilities named in the application or any part of the facilities covered in the application.

b. The Board will not be held responsible for any damage or loss which may occur to non-school property brought on the premises. Such property must be removed from the facility immediately after the use or before such time that the materials will interfere with school activities.
c. To prevent damage to the gym's hardwood floors, only soft-sole shoes are allowed on gym floors.

b-d. Food and/or beverages may not be consumed in the gym.

6. Insurance

a. School district property insurance and comprehensive general liability insurance do not extend to community or other groups using school facilities.

b. A certificate of insurance naming the district as an additional insured in the amount of $1,000,000 must be provided to the district prior to facility usage. The district may require non-school groups to provide certificates of insurance.

7. Locations

All applications will be approved for specific rooms or fields. It will be the responsibility of the approved party to restrict the activities of the group to that specific area except for necessary hallways and restrooms. The approved userparty is responsible for not allowing unauthorized individuals into the approved area or activity. The presence of unauthorized individuals must be reported to the designated district representative.

8. Times

Facility use times will be specified in the Rental Agreement application. All groups are expected to vacate the premises by the hour specified. An additional hour rental may be charged for early arrival or late exit. All use permits will terminate by 10 p.m.

Exceptions to this may be approved by the School Principal. No non-school groups will be permitted use of facilities on regularly scheduled school days prior to 4:30 p.m. unless authorized by the principal.

9. Days

Facilities may be rented Monday through Friday as space is available and as such rental does not interrupt or disturb regular school activities. Use of school facilities on Saturday or Sunday may be permitted and will be subject to staff availability where applicable. Summer use may be limited due to custodial work schedules.

10. Clean up

General clean up will be the responsibility of the approved userparty. Rubbish must be removed from the facility immediately after use or before such time as it will interfere with school activities. Additional fees will be charged for clean up when deemed necessary.
Guidelines for religious use

Facilities may be used for religious activities under the following conditions:

1. Church services and religious activities must be conducted at times when school is not in session.
2. Religious objects and symbols must be removed after each use.

Nondiscrimination

All users are subject to laws and regulations applicable to school districts which prohibit unlawful discrimination based upon age, sex, sexual orientation, gender identity/expression, national origin, race, color, ancestry, creed, religion, marital status, disability or need for special education services.

Fee Categories

See KF-R-2 for fee categories.

Fees (Refer to KF-R-3 for actual fee amounts)

1. Custodial

   Any organization or individual, regardless of classification, will be required to pay the cost of custodial services if use of the facility would result in direct costs to the school district. Even during times that a custodian is regularly on duty during the rental, the user may be charged up to two hours per use at the current custodial salary rate to compensate for additional work required in opening, securing, cleaning, etc., related to the rental.

2. Cafeteria

   A school cafeteria manager or other designated cafeteria employee(s) must be present for general supervision of the cafeteria/kitchen. All persons working in the kitchen (preparing food and/or handling kitchen equipment) must meet state and county requirements for school food handlers. The user will pay the district in accordance with the fee schedule for all cafeteria personnel. The user will be given and must abide by a set of guidelines for kitchen use.

3. Payment

   All users will be expected to pay 50% of the anticipated rental fees as a deposit upon signing the Rental Agreement or the event cannot proceed. Rental fees in advance of the activity/event. The balance of the fee must be paid in total.
within 30 days after receipt of the invoice. A minimum of a 10% late fee per week will be assessed if required to collect past due amounts.

Organizations that have made prior arrangements may pay on a monthly basis.

Organizations wishing to pay on a monthly basis should complete and sign a Special Use Agreement. Failure to pay as per agreement may result in denial of access to the facility and future requests being denied. Checks should be made out to the Elizabeth School District C-1 and forwarded to the district business office.

4. Financial Accountability

It will be the responsibility of the facilities/activities secretary to ensure that revenue received will be deposited into the district’s financial institution and accounted for in the appropriate accounts and forwarded to the business office for deposit to the appropriate accounts.

5. Fee Revision

All fees are listed in the accompanying exhibit and are designed to reflect these regulations. These fees are subject to review and revision and may be adjusted annually by the Board.

Guidelines for Denial of Use

The district reserves the right to deny building use for any reason. Approval will be denied if, in the judgment of the School Principal, and/or athletic director, the proposed activities would:

1. Jeopardize the equipment and/or facilities of the building
2. Conflict with school activities
3. Be incompatible with the school neighborhood
4. Violate any Board policy or local, state or federal law

Guidelines for Appeal

The applicant may file a written appeal to the superintendent if a use application has been denied. Further appeal, if necessary, may be made to the Board of Education.
LEGAL REFS.:  
C.R.S. 18-18-407(2) (crime to sell, distribute or possess any controlled substance on or near school grounds or school vehicles)  
C.R.S. 22-32-109 (1)(bb) (board duty to prohibit use of tobacco products on school property and at school-sponsored activities)  
C.R.S. 24-10-101 et seq. (Colorado Governmental Immunity Act)  
C.R.S. 24-34-601 (discrimination in places of public accommodation)  
C.R.S. 24-34-602 (penalty and civil liability for unlawful discrimination)  
C.R.S. 25-1.5-106(12)(b) (possession or use of medical marijuana in or on school grounds or in a school bus is prohibited)  
C.R.S. 25-14-103.5 (use of tobacco products on school property is prohibited)  

CROSS REF.:  ADC, Tobacco-Free Schools