

COMMUNITY USE OF SCHOOL FACILITIES

The school board recognizes that use of the district's facilities by outside organizations can benefit the general public of Volusia County. The superintendent may authorize the use of school district facilities by outside organizations.

## I. Definitions

- A. Non-profit organizations - shall include civic, religious, government, or community organizations that qualify as 501-C-3 non-profit, as defined by the Internal Revenue Service.
- B. Outside organizations - those organizations not generated by the existence of the school, including for-profit users, community groups, governments, and non-profit users.
- C. School based organizations - those volunteer organizations generated by the existence of the school, including booster clubs, parent-teacher organizations or associations, etc.
- D. Superintendent - superintendent or designee

## II. Fee Structure

- A. All outside organizations using school facilities shall reimburse the board for the reasonable cost of facility usage except as allowed for under this policy.
- B. The superintendent will determine the fee structure based on a review of operational and maintenance costs.
- C. The fee structure will differentiate between air-conditioned space and non-air conditioned space and room size including amenities.
- D. All users will be charged for any additional services provided or damages incurred as a result of their usage. Additional services may include custodial, school nutrition, security, etc.
- E. Twenty-five percent (25%) of the listed rental fee will be transmitted to the finance department of the district to cover operational and maintenance costs.
- F. Consideration may be given by the school principal, with approval of the superintendent, to accept services, repairs, or purchase of equipment in lieu of rental fee or a portion thereof. A use agreement will be executed outlining the terms of such an agreement.
- G. Florida sales tax, when required, will be collected at the school.

### III. Fee and Insurance Waivers

- A. With the approval of the superintendent, the principal may authorize the use of the facility for a reduced or no charge for any non-profit organization or school based organization where the use of the facility is solely for the benefit of the student population in that the use will raise funds for student activities or provides students with the opportunity to engage in activities that are consistent with the District's goals, values and curriculum.
- B. School based organizations may be permitted to use school facilities without providing liability insurance or completing a facility use form. This exemption applies only to activities on campus and does not extend off-campus or to transportation. This exemption applies only to activities whose proceeds directly benefit a school or the district, and cannot be assigned through a partnership or other agreement.
- C. Any existing agreements between the board, a booster or volunteer group, or governmental agency shall govern facility usage as stated in the agreement and can only be terminated as provided within the agreement.

### IV. Terms and Conditions for Facility Use

- A. All outside organizations using school district facilities shall execute an Indemnification and Hold-Harmless Agreement which shall hold the school district/board of education harmless from any claims, injuries or damage occurring while the organization is on the premises and shall complete a lease agreeing to the conditions and terms set forth herein. Requests for use shall be presented to the principal to recommend approval or denial. The principal shall ensure compliance with procedures developed by the superintendent. Community usage shall not interfere with regular school programs, school activities, or school functions. In addition, the principal shall have the authority to deny use of a facility when he or she determines that the school district's interest in maintaining a safe and secure environment for the students is best served by denying the request.
- B. All users shall comply with the school district's Code of Conduct set forth in Section VI. Failure to comply may result in termination of the use agreement.
- C. The use of the school's kitchen equipment for the preparation of food shall require the operation by a student nutrition service employee.
- D. The board reserves to itself and the superintendent the right to require provision of and payment for additional security, crowd control, custodial services, or other additional conditions as needed to ensure that use of school facilities for other purposes not detract from their primary use, education.
- E. All outside organizations using school facilities must make known that neither the board nor the administration has endorsed the users' activities. Any advertisement or circular must contain specific language to that effect. The suggested disclaimer

is: "Volusia County Schools does not specifically endorse or support the program or individuals involved in "\_\_\_\_\_."

- F. A school district employee approved by the principal is required to be on the premises during the period of use. Any additional cost(s) for supervision and/or security services will be reimbursed by the facility user based on a fee established by the principal. School board service personnel will be paid in accordance with current negotiated contract agreements.
- G. All facility use agreements for one year or less must be approved by the superintendent. Lease agreements for more than one year must be approved by the board. All active use agreements will remain in effect until the expiration date or a breach of contract by the lessee.
- H. Groups who advocate causes or beliefs that are unlawful or clearly hostile to the District's goals, values, and curriculum shall not be granted usage.

V. Insurance, Indemnification and Liability

- A. Prior to use of district facilities, the identified user must provide a current certificate of liability (copy of insurance) which clearly states the organization's liability coverage, naming the school board as an additional named insured.
- B. Limits of at least \$100,000.00, for injury to any one person and \$200,000.00, or those limits established in Florida Statutes, whichever is greater, for any one occurrence must be carried by the user.
- C. The principal must submit a copy of the use application and insurance certificate to the superintendent prior to the use of the facility.
- D. Activities with a high potential for accidents or liability will not be permitted.

VI. Code of Conduct on School Board Property

The organization using the facility shall enforce compliance with the following standards:

- A. The use of tobacco, alcohol or other drugs is not permitted on school board owned property.
- B. Parking shall only be in clearly marked parking spaces. Parking is not permitted on play fields or lawns.
- C. The area shall be left clean and ready for school children. Trash or debris shall be picked up and disposed of properly.
- D. The organization shall check to see if the property is secure when departing, leaving it the same as they found it.

- E. The organization shall be sure to conduct play activities in a sportsman-like manner. No fighting or roughhousing will be allowed.
- F. The organization shall report any unsafe conditions to the school-based administrator as soon as noted.
- G. No weapons of any kind shall be brought onto the premises.
- H. The Code of Student Conduct will apply to students participating in the activity.

VII. Uses of School Facilities

- A. No school facilities, equipment or grounds shall be permitted for any of the following purposes:
  - 1. programs involving any form of gambling or other illegal activity; and
  - 2. programs which would be in violation of any law or School Board Rule.
- B. Availability

School facilities are primarily for public education, and their use for other purposes must not detract, either in time or depreciation, from the primary use.

Legal Authority:

230.22, 230.23(2), Florida Statutes

Laws Implemented:

228.071(9), 228.072(10), 232.02, Florida Statutes

History:

(Adopted -- December 17, 1974)

(Revised -- June 10, 1980; March 11, 1986)

(Effective Date -- July 25, 1995)