

Section: Community Relations
Title: Community Use of District Facilities
Number: KG
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Revised: June 11, 2020

As a service to the community and in accordance with law, the Board of Education may allow community groups, as defined in this policy, and individuals to use district facilities for educational, recreational, social, civic, philanthropic and other similar purposes when the facilities are not being used by the district or district-sponsored groups. The superintendent or designee is directed to create and implement procedures addressing facility use and may approve or deny facility use requests in accordance with this policy.

Granting a request to use district facilities does not constitute district endorsement of the activity, organization, organization's mission or any opinion expressed by the individual, groups or members of the groups.

Definitions

Community Groups (Groups) – Governmental entities and nonprofit organizations operating in or located in the district.

District Equipment – Any property owned by the district that is not permanently affixed to the building including, but not limited to, athletic gear, kitchen appliances and utensils, electronic equipment, desks and chairs. District equipment includes property donated to the district or purchased with donated funds.

District Facility – Buildings, rooms, gymnasiums, auditoriums, athletic fields, courtyards or other spaces on district property an individual or group seeks to use.

District-Sponsored Activity – Any activity organized by the district as part of the district's education program or co-sponsored by the district with other organizations. District-sponsored activities may include, but are not limited to: clubs, athletic events and practices, tutoring, dances, musical performances and carnivals. District-sponsored activities include activities sponsored by student- initiated groups at the secondary level organized in accordance with policy and law.

Eligible Users

Use of district facilities is a privilege, not a right. Use of district facilities may be denied for any legitimate, nondiscriminatory reason if the district determines, in its discretion, that the proposed use violates legitimate pedagogical goals or Board policies or is not in the best interest of students. The Board shall have final authority in interpreting Board policy and settling disputes regarding the eligibility of a non-school group's use of district facilities. Except as otherwise permitted in this policy or the accompanying procedure, any community group or

individual who wishes to use district facilities must complete the application process. The district intends to maintain district facilities as nonpublic forums and reserves the right to exclude individuals or groups from its facilities or cancel or modify any permission granted, to the extent allowed by law.

Priority will be given to applicants who wish to use district facilities for purposes that directly benefit district students. Use of district facilities will not be granted if the use conflicts or interferes with a district-sponsored activity, and all uses granted are contingent upon the district's needs. An individual or group whose request for the use of facilities has been denied by the superintendent or designee may request to speak to the Board regarding the usage. The Board will make the final decision if any dispute over usage occurs.

Staff use of district property and facilities is subject to this policy and applicable procedures when the use is for personal purposes or reasons other than performing the staff member's duties with the district.

Use by Groups

District administration shall maintain an annual school district calendar of educational and activity events and provide an orderly procedure for scheduling the use of district facilities to meet all educational and community requirements.

School programs shall have priority usage of district facilities. Non-school groups have equal right to facilities on a first come, first serve basis. The district establishes the following priority for use of facilities.

District Sponsored Organizations

Group 1. All district organizations, including school curricular groups, student activities, athletics, district management services, and community education services.

District Related Organizations

Group 2. All school related organizations, such as Park Hill School District PTA, School PTA, Booster Clubs, teacher/ employee associations, Park Hill Education Foundation, and other autonomous groups existing wholly to support Park Hill School District or district students.

All Non-school Related Organizations

Group 3. Governmental Units, in-district youth organizations (90% Park Hill School District students), in-district charitable functions, including fundraising activities for these groups when 100% of the proceeds benefit organizations in Groups 1 or 2.

Group 4. in-district non-school sponsored education classes, in-district not-for-profit organizations and community groups.

Group 5. For-profit organizations and enterprises (whether in-district or out), all out-of-District groups or organizations.

"In-District" status is obtained by the group or organization via:

1. Ownership of real property within the district by the group or organization; or
2. Rental of real property, other than district property within the district, by the group or organization; or
3. The group or organization regularly meets within the district at a site other than district property.

"In-district youth organizations" are defined as youth groups whose members are 90% or more school-aged district residents. Official rosters including names and address of participants are required to document all in-district youth organizations.

A "not-for-profit" organization is defined as any organization with a 501(c)(3) status, as that term is defined by the Internal Revenue Code, and any civic or other organization whose primary purpose is other than making a profit.

Boy Scout Equal Access Act

In accordance with law, when the district allows youth or community groups not affiliated with the district to use district facilities outside of school hours, the district will provide equal access and related services and benefits to groups officially affiliated with the Boy Scouts of America, Girl Scouts of the United States of America, Big Brothers Big Sisters of America, Boys and Girls Clubs of America, or other groups or organizations listed in Title 36 of the U.S. Code that are intended to serve young people under the age of 21.

Use Restrictions

The superintendent or designee will determine which district facilities are available for public use and may determine that some district facilities or equipment are not available for public use. The superintendent or designee may limit the hours or days that district facilities may be used based on the availability of staff and other relevant factors and may prohibit some uses that might be disruptive or damaging to district property. To accommodate as many groups and individuals as possible, the superintendent or designee may limit the number of times a particular individual or group may use district facilities in a school year if there are multiple requests to access the same facilities. Only community groups and individuals directly serving district students are permitted to use school buildings two hours before and two hours after the official academic day.

Because students are frequently on school grounds even when school is not in session, the district expects all individuals and groups to behave in a manner that is appropriate around children, as determined by the district. All individuals and groups using district facilities are subject to applicable district policies, procedures and staff directives.

No Application Required

Unless the district has physically blocked entrance to the area or posted notice that a space is not available for public use, individuals do not need to go through the application process, pay fees, provide insurance or agree to indemnify the district to use the following spaces:

1. Walking trails and outdoor basketball courts may be used any time they are not being used by the district.
2. Playgrounds and playground structures may be used any time school is not in session and they are not otherwise being used by the district.

Persons using these spaces do so at their own risk, must use them for the purposes for which they were built and cannot be destructive or disruptive. Persons using these spaces must follow applicable district policies and procedures. The administrator or designee of the school will make the final decision regarding whether the district is using the space at any given time.

Security and Safety

All groups and individuals using district facilities must follow district security rules. District facilities may not be used for any purpose prohibited by law, and use must comply with state and local fire, health and safety regulations.

The district may require a group or individual to pay for and provide additional security for the group's events if additional security is deemed necessary for traffic control, crowd control or the protection of persons or property.

Fees

The district may charge rental fees for the use of district facilities. The fees will be set at least annually based on a recommendation from the superintendent or designee. The district may also charge for additional costs associated with the use, such as the cost of custodial services, food services, technician services or security services, as deemed necessary by the superintendent or designee. The superintendent or designee may require a group or individual to provide a security deposit prior to using the district's facilities. The superintendent or designee may waive the fees for individuals and groups created to support the district; nonprofit organizations; and groups with a reciprocal relationship with the district, such as the Parent Teacher Association (PTA) and booster clubs. However, any group created to support or oppose a ballot issue must pay fees for facility use, even if the ballot issue is in support of the district.

Regardless of whether fees have been waived, groups and individuals using district facilities must provide proof of insurance in an amount set by the superintendent or designee and must agree to indemnify and hold the district harmless for any damages and pay for the actual cost of replacing or repairing damaged property. The district may require payment of owed fees prior to allowing use of the facility.

Fees will be charged to groups (as defined in this policy) based on the following table:

Group	Facility Usage Charges (Operating Hours)	After hour Utility Charges	Extended Staff Hourly Charges	Other Operating Charges*
<i>District Sponsor Organizations</i>				
Group 1	No	No	No	No

<i>District Related Organizations</i>				
Group 2	No	No	Yes	Yes
<i>All Non-school Related Organizations</i>				
Group 3	No*	Yes	Yes	Yes
Group 4	Yes	Yes	Yes	Yes
Group 5	Yes	Yes	Yes	Yes

* Facility charge may be applied to usage of auditoriums, computer labs and selected outdoor facilities.

Scheduling

The district shall establish a facility scheduling procedure and timetable for district and non-district use of facilities. All school activities should be scheduled by August 15 each year. Non-school related organizations may request use of facilities on a first-received basis beginning July 1st of each year. Confirmations of such requests will be sent after August 15th.

Cancellation

Facility use permits may be canceled or rescheduled by either party up to 30 days prior to the use of the facility. However, permits for gymnasiums, the auditorium and outdoor facilities may not be canceled or rescheduled without user's permission, since approval for facility use has been granted.

The district reserves the right to cancel use of facilities at any time conditions so warrant including but not limited to, inclement weather, utilities outage, mechanical failure, school holidays, student curricular or activity/ athletic emergency, other emergencies, or when the district determines, in its discretion, that the proposed use will be contrary to the district's legitimate pedagogical goals, will violate Board policy, or is not in the best interests of students. When a schedule use must be canceled, the district will provide as much notice as possible.

Use of Equipment

The superintendent or designee may authorize the use of district equipment by community groups and individuals for educational, recreational, social, civic philanthropic and other similar purposes. Equipment will not be removed from district property without permission from the superintendent or designee. Fees may be charged for equipment usage in accordance with this policy.

Emergency Uses

The superintendent or designee may authorize the use of district facilities as an emergency shelter or for other emergency purposes if such use does not otherwise conflict with the district's needs.

Park Hill School District, Platte County, MO