



**FOREST LAKE AREA SCHOOLS
FOREST LAKE, MN 55025**

November 1, 2018

AGENDA ITEM: 9.4

**TOPIC: Community Use of School District Facilities & Equipment
Policy #701**

BACKGROUND: The purpose of this policy is to provide guidelines for community use of school district facilities and equipment. The district is committed to make available the use of school facilities to all citizens of the district. School district facilities rules and regulations, under this policy, shall apply to all property owned and managed by the school district and shall be in effect at all times when the school property is not in use for regular educational programs.

PROCESS: The School Board Policy Committee has reviewed this policy. It is now being presented to the School Board for review and approval with the changes noted.

RECOMMENDATION: Approval of this policy.

I. PURPOSE

- A. The purpose of this policy is to provide guidelines for community use of school district facilities and equipment. The district is committed to make available the use of school facilities to all citizens of the district. School district facilities rules and regulations, under this policy, shall apply to all property owned and managed by the school district and shall be in effect at all times when the school property is not in use for regular educational programs.

II. GENERAL STATEMENT OF POLICY

- A. Forest Lake Area Schools believes that the public schools are owned and operated by and for its patrons and that school buildings and facilities play an important role within the community. Therefore, the district encourages the maximum use of school facilities by our school and community for a variety of purposes and for residents of all ages. It is the policy of the Forest Lake Area School District to permit the use of school facilities by residents of the school district. The policy also permits the use of school facilities by other individuals and organizations. However, the use of school facilities should not interfere with various school educational programs.

III. ADMINISTRATION OF POLICY AND POLICY REVIEW

- A. This policy will be administered by the Forest Lake Area Schools Community Education Department. As such, the Forest Lake Area Schools Community Education Department will schedule and process all district facilities (buildings and grounds) before school hours, after school hours, evenings, weekends and non-school days. The district Forest Lake Area Schools Community Education Department will also approve user groups, communicate with buildings and grounds staff as well as the community, and also manage the revenue and expenses generated by facility use.
- B. The Forest Lake Area Schools Community Education Department, Buildings and Grounds Committee, and Policy Committee will review this policy, as needed. The Superintendent and Board of Education must approve all recommendations for changes associated with this policy.

IV. INDEMNIFICATION, LIABILITY, AND INSURANCE

- A. All commercial and nonprofit organizations that request the use of school district facilities must be organized in conformance with Minnesota Laws. Nonprofit status shall

mean that the group holds established nonprofit status according to the U.S. Internal Revenue Code or nonprofit status as determined by the State of Minnesota.

- B. Non-district organizations and commercial user groups are required to furnish public liability insurance. School district activities (i.e. E-12, extracurricular, co-curricular groups, community education services, etc.) and school-parent support groups and organizations (i.e. PTAs, PTOs, site councils, booster clubs and organizations) do not need to provide separate liability coverage.
- C. Organizations that request the use of school district facilities agree to defend, hold harmless and indemnify the district, its officers and employees, for all liabilities, costs, expenses, claims and damages which arise in connection with the conduct of activity on the premises by the authorized organization. The public liability must be for the duration that may be deemed necessary and suitable in the circumstances. The insurer must agree to waive the defense of governmental immunity in the event a claim is made against the district.
- D. Organizations that request the use of school district facilities must annually furnish the school district with a certificate of insurance, naming Forest Lake Area Schools as the certificate holder, thus confirming that the organization has purchased liability insurance. The insurance must be in the amount not less than \$1,000,000 for each occurrence. Each insurance company and the company writing the certificate of insurance are subject to approval by the district. Exceptions may be granted, but must be approved by the Director of Community Education, Director of Business Services, Superintendent, and/or designee of the district.
- E. Organizations that request the use of school district facilities agree to waive any right of recovery against the district, its officers and employees from any loss arising from the organization's use of the premises in this agreement.
- F. Users shall assume full responsibility for damages to the property that occur during the use of district facilities by their group and participants as well as assume full liability of any kind.

V. PRIORITY SCHEDULING FOR USE OF FACILITIES

- A. Community use may be limited by the availability of authorized supervisory, custodial and technical personnel as well as equipment, maintenance, and other program schedules.
- B. For athletic groups, priority will be given to groups considered "in-season" as outlined by the Minnesota State High School League and as determined by the Director of Community Education or designee.
- C. The scheduling of district facilities is based on the following group priority list, the date a facility use application is received and a group's financial account status.

1. FLAS curricular, co-curricular, and extracurricular district-sponsored activities/events
2. FLAS Community Education activities/events
3. FLAS support organizations: PTAs, PTOs, site councils, booster clubs, and organizations authorized by district administration
4. Tax-supported public agencies operating within the school district: city and township public hearings, caucuses, elections, candidate forums, and other similar events
 - a) There cannot be any fees, donations, concessions or any other revenue-generating activities associated with these events
5. Nonprofit, youth-sponsored community service and youth-sponsored community recreation groups with a majority of participants residing in the district: youth service organizations, 4-H, scouts, local athletic associations, etc.
6. Nonprofit, adult-sponsored community groups with a majority of participants residing in the district
7. FLAS district residents holding private activities
8. Non-FLAS district nonprofit, youth-sponsored groups/organizations
9. Non-FLAS district nonprofit, adult-sponsored groups/organizations
10. Charter schools, private schools, commercial, non-district educational institutions, religious, and/or for-profit groups/organizations

VI. FACILITY USE SCHEDULING, AVAILABILITY, APPLICATION PROCESS, AND PROCEDURES

- A. With the exception of the District Office, the Forest Lake Area Schools Community Education Department will schedule and process requests for community use of all district facilities and equipment on school days, non-school days and weekends. The Community Education fulfills this function as the designee of the Superintendent, who holds final administrative authority regarding facility use.
- B. Individual schools and principals will maintain their internal building schedules during school hours ~~the school day and during co-curricular hours on days when school is in session.~~ The Forest Lake Area Schools Community Education Department will schedule and process all district facilities (buildings and grounds) before school hours, after school hours, evenings, weekends and non-school days. The activities office will also communicate all co-curricular facility use needs and changes to the Forest Lake Area Schools Community Education office.
- C. ~~With the exception of the District Office and Board Room, Community Education will process requests for community use of all district facilities and equipment on school days, non-school days and weekends.~~
- D. ~~In some circumstances, district buildings and facilities may be available on school days after school. In such cases, elementary buildings will be responsible for scheduling events~~

~~before 3:30 PM (school days only) and secondary buildings will be responsible for scheduling events before 6:00 PM (school days only). All scheduling will be communicated to the Community Education office for invoicing, record keeping, and communication purposes.~~

- E. Users interested in using school facilities should make such requests through Community Education at least ten (10) business days in advance by either completing an online facility use request or submitting a Facility Use Request Form. Completing an online facility use request or submitting a Facility Use Request Form, does not guarantee reservation. Community Education will then confirm classification, rental fees - if assessed, determine building and facility availability, and determine appropriate usage and duration of use of the facilities.

VII. PERMIT CHANGES, CANCELLATIONS, AND NO-SHOWS

- A. When Forest Lake Area Schools are closed due to inclement weather or building emergencies, all facility use permits are canceled. Any fees charged to the user for such permits will be fully refunded if rescheduling the event/activity is not an option.
- B. Occasionally, permits for a scheduled event must be rescheduled or canceled by the district to accommodate unforeseen events or emergency changes in school functions. All permits are revocable and should be considered a lease. If such a conflict occurs, every effort will be made to relocate and/or reschedule the activity.
- C. Permits are non-transferrable and are restricted to the stated hours, locations, and intended use of the facility as stated on the Facility Use Permit. The user is responsible for notifying Community Education when his/her group wants to make changes to a confirmed permit. Extensive revisions made by the user to facility use permits may result in a \$5 rescheduling fee per revision.
- D. Cancellations, additions, and/or changes to a permit shall be communicated (sent and received) to Community Education and be made not less than 48 hours (2 business days) in advance of the scheduled rental. Groups not giving a 48 hour (2 business days) notice of cancellation on any permit may be assessed the normal hourly rental rate.

VIII. GENERAL RULES, GUIDELINES, AND EXPECTATIONS

- A. Tobacco, alcohol, e-cigarettes and related materials, other controlled substances, and weapons are prohibited in all school district buildings and on all school grounds. Use of school facilities shall be denied to any groups which violate Policy 427 Tobacco-Free Environment and/or Policy 422 Employee Alcohol and Other Drug Use.
- B. Individuals and groups should confine themselves to the location of the facility listed on the Facility Use Permit.

- C. Any apparatus or other equipment moved into a building must have prior approval and must be removed promptly so as not to interfere with the E-12 school program.
- D. All activities shall be limited to any activity that does not inherently damage the facility, its structure, or the equipment located on-site.
- E. Users should check permanent equipment and facilities at the start of usage to determine any previous damage. Such damages should be documented and shown to a district building employee. All users assume financial and/or legal responsibility for damages that occur due to their neglect, inappropriate behavior, and/or inappropriate activities and will be responsible for any items damaged, lost, or stolen from the school district facilities.
- F. Chairs, AV equipment, and other materials within a classroom, gym, etc. shall be returned to their original placements at the conclusion of the activity/event. Also, the reserved space should be left clean and in the same condition found upon arrival.
- G. Facility Use Permit holders may be billed for emergency repair and/or cleaning supplies and personnel associated with spills, damages, etc.
- H. No food and/or beverage(s) are allowed inside school district buildings unless advance approval is granted in designated areas. Arrangements to serve refreshments will be made with Community Education staff prior to the event.
- I. No latex products are allowed to be used inside or outside of school buildings.
- J. The use of smoke machines, fog machines, bubble machines, etc. are prohibited as they may set off fire alarms.
- K. When moving equipment, users must use proper carts, wheels, etc. that does not cause damage to the facility. Damage to any facility will be paid at the user's expense.
- L. Users are permitted to use the facility for the time scheduled. Users are not permitted to arrive early or stay beyond the times reserved and documented in the Facility Use Permit.
- M. All building and district safety protocols, policies, and procedures must be followed at all times. This includes, but is not limited to: fire evacuation procedures, lockdown procedures, and tornado safety procedures. Failure to uphold school district policies and procedures may result in future permits being refused and/or revoked.
- N. The school district reserves the right to refuse or approve the use of certain school facilities when it determines it would be in the best interest of the community to do so.
- O. Failure to comply with Facility Use Rules may result in future permits requiring a Forest Lake Area Schools district employee being assigned such supervision responsibilities at

the user's expense. The school district building employee's responsibility will be to supervise the operation of the district facilities but will not be required to supervise a user group or its activities.

IX. SUPERVISION

- A. A school district building employee capable of providing for the security of the school facility must be on duty whenever building facilities are being used. The "school district building employee" under this policy shall be limited to: custodian, Forest Lake Area Schools building supervisor, Forest Lake Area Schools Community Education staff, Forest Lake Area Schools district administrator, and/or co-curricular or extracurricular supervisors during the time they are supervising students assigned to their co-curricular or extracurricular assignment. Additional costs associated with facility use for the school district employee and other charges shall be billed to the user.
- B. Facility Use Permit holders are required to designate a permit holder supervisor(s) who must be present at all times while the activity is in session. The permit holder supervisor(s) will be responsible for ensuring competent and adequate adult supervision is provided for all activities at all times. Children under the age of 18 shall have adult supervision and at all times and in all locations. This includes hallways, washrooms, etc. Permit holder supervisor(s) should be the first to arrive and the last to leave the premises, to ensure adequate supervision.
- C. Failure to comply with Facility Use Rules may result in future permits requiring a Forest Lake Area Schools district employee being assigned such supervision responsibilities at the user's expense. The school district building employee's responsibility will be to supervise the operation of the district facilities but will not be required to supervise a user group or its activities.

X. OVERNIGHT USE

- A. Overnight use of the facilities by outside user groups are not encouraged but are permitted by the district. Facilities may be used to house visitors for temporary use under the following conditions:
 - 1. The district will require a district building employee or a district building supervisor to be assigned to the building during facility use.
 - 2. The visiting agency or group will have a roster of all participants available at all times.
 - 3. No heating and other appliances of any type will be allowed (hotplates, hair dryers, etc.) except in those areas so designated in the Facility Use Permit (kitchen, restrooms, locker rooms, etc.).
 - 4. Facility Use Permit holders are required to designate a permit holder supervisor(s) who must be present at all times while the activity is in session. The permit holder supervisor(s) will be responsible for ensuring competent and adequate adult

supervision is provided for all activities at all times. Children under the age of 18 shall have adult supervision and at all times and in all locations. This includes hallways, washrooms, etc. Permit holder supervisor(s) should be the first to arrive and the last to leave the premises, to ensure adequate supervision.

5. The user group will assume liability for any accidents that occur on or in the facilities during the time identified on the Facility Use Permit.
6. Overnight facility use charges for personnel and rental rates will be determined by the district on a case-by-case basis.

- B. Failure to comply with Facility Use Rules may result in future permits requiring a Forest Lake Area Schools district employee being assigned such supervision responsibilities at the user's expense. The school district building employee's responsibility will be to supervise the operation of the district facilities but will not be required to supervise a user group or its activities.

XI. RENTAL FEES, CUSTODIAL SERVICES, PERSONNEL, AND OTHER FACILITY USE CHARGES/FEES

- A. Revenue received from fees associated with community use of school facilities and equipment are used to recover added costs such as personnel, preparation and/or maintenance of facilities and fields, utilities, equipment, cleaning, consumable supplies, and other district costs associated with use. In order to ensure that these costs are not absorbed by and/or impacting the district's K-12 general education fund, these costs are charged back to the user based on the classification listed in the FOREST LAKE AREA SCHOOLS COMMUNITY EDUCATION COMMUNITY USE OF SCHOOL DISTRICT FACILITIES AND EQUIPMENT CLASSIFICATIONS AND FEE SCHEDULE.
- B. All classification placements, rental fees, custodial and/or personnel charges, and other facility use and equipment charges/fees are determined using the FOREST LAKE AREA SCHOOLS COMMUNITY EDUCATION COMMUNITY USE OF SCHOOL DISTRICT FACILITIES AND EQUIPMENT CLASSIFICATIONS AND FEE SCHEDULE.
- C. In cases where it is in the best interest of the community and school district to do so, the school district reserves the right to determine adjustments to classification placements and/or rental fees. These determinations are at the discretion of the Director of Community Education, Director of Business Services, and/or Superintendent and are made on a case-by-case basis.