

## **COMMUNITY USE OF SCHOOL FACILITIES**

### **Leasing** (renting)

School facilities and property may be leased to extended day resource programs and any person, group or organization for any lawful purpose in the interest of the community. The purposes include, but are not limited to, those for recreational, educational, political, economic, artistic, moral, scientific, social, religious, other civic or governmental uses.

A reasonable use fee shall be charged for the lease of school facilities and property and this fee may be offset by goods contributed or services rendered by the lessee. "Reasonable use fee" means an amount that is at least equal to the cost for utilities, services, supplies or personnel provided to the lessee pursuant to the terms of the lease.

### **Uncompensated Use**

The Superintendent may permit the uncompensated use of facilities and property by any school related group, including student political organizations, or by any organization whose membership is open to the public and whose activities promote the educational function of the District. "Education function" means uses that are directly related to the educational mission of the District as adopted by the Board and includes the educational mission related uses of parent - teacher organizations, youth organizations and school employee organizations. Use of facilities or property by organizations indicated above that will require a substantial District cost for utilities, services, supplies and/or personnel may be permitted only if goods contributed, services rendered or payments are made to reimburse these costs to the District.

The mission of the District is found in section A of the policy manual (see cross referenced policies below). The mission statement and the group's or organization's promotion of the educational function through the activity, as interpreted by the Superintendent in good faith, will be the basis upon which uncompensated use of District facilities and property shall be approved or denied.

### **Generally**

The Superintendent shall annually recommend a fee schedule to the Board for the lease of school property and such schedule shall include a procedure for determining the value of goods and services being provided as compensation for the use of school property. The schedule shall include a designation of those groups whose activities promote the educational function of the School District as determined in good faith by

the Superintendent and presented for Board review. The Superintendent shall publish a schedule of fees for use of equipment/facilities.

Property not associated with the use of facilities is covered in section E of the policy manual (see cross referenced policies below). The District will use its best efforts to avoid conflicts with approved use of the facilities and property but no lease or use provision shall be effective if the administrator of the facility finds that it would cause delay, cancellation, or rescheduling of a school-sponsored activity.

Proof of liability insurance shall be required for the use or lease of school property pursuant to A.R.S. 15-1105. Amphitheater Public Schools shall be named an additional insured on the Certificate of Insurance.

The School District and its employees, including the Governing Board, Superintendent or Chief Administrative Officer, are immune from civil liability with respect to all decisions made and actions taken to allow the lease or use of school property, unless the School District or its employees are guilty of gross negligence or intentional misconduct. This does not limit any other immunity provisions that are prescribed by law.

The Superintendent shall establish such rules and regulations as are needed to implement this policy as well as to assure the preservation of District property.

The lessee of school facilities must affirm knowledge of and enforce the requirements and restrictions set out in Chapter 28.1 of A.R.S. Title 36 related to medical marijuana.

The lessee of school facilities to be used for athletic activities must confirm knowledge of and compliance with the requirements and restrictions for such use as set out in Board policy JJIB.

*Adopted:* November 18, 2014

LEGAL REF.: A.R.S. 15-511  
15-1105  
15-1141 to 15-1143  
16-411  
36-2801 et seq., Arizona Medical Marijuana Act

CROSS REF.: A - District Mission and Belief Statement  
AC - Nondiscrimination / Equal Opportunity  
EDC - Authorized Use of School-Owned Materials and Equipment  
KFA – Public Conduct on School Property During Public Events

## **COMMUNITY USE OF SCHOOL FACILITIES**

### **(Procedures for Use of Equipment/Facilities)**

At least two (2) weeks before the requested use of a facility, a request must be submitted to the District Facility Coordinator. The District Facility Coordinator shall determine, in consultation with site-based staff as needed, the viability of fulfilling the use request.

If the request is denied, the applicant will be provided an explanation of the reasons for the denial.

Upon approval of the request by the District Facility Coordinator, the applicant will be provided with a detailed explanation of costs, requirements and conditions for the use of the requested facility.

### **Fees**

- Payment of fees/projected costs are to be received at least fourteen (14) calendar days in advance of the facility use. Accepted forms of payment are check, cash, cashier's check or money order.
  - If payment is made within (14) calendar days prior to the facility use, accepted forms of payment are cash, cashier's check or money order only.
- A cash bond/damage security deposit may be required, if the District should deem it necessary, for the potential repair or replacement of damaged equipment, furniture, or facility. This deposit is refundable following inspection by site personnel to confirm no damage was incurred.
- Each group will be responsible for the repair or replacement of damaged equipment, furniture, or facility occurring during their use of district facilities.
- Any cost overruns for services or equipment will be billed to the lessee.

### **Requirements**

An applicant requesting the use of school facilities agrees to comply with the following rules and the District policy concerning conduct on school property if granted permission to use the requested school facilities.

- All community group activities, including preparations, must be conducted in such a manner that students can continue their educational programs without undue interruption.
- A District employee must be on duty whenever a school building is in use (except as noted below).
- The applicant is held responsible for the preservation of order. All children attending or participating in the event or activity must be supervised by responsible adults.
- When more than one (1) applicant requests the use of a facility for the same time, the applicant filing first shall be given first consideration. If a school program or calendar changes, the school program shall take priority, even if the activity has been scheduled. Every effort will be made to reschedule the activity as conveniently as possible when such cancellation has occurred.
- Confirm knowledge of and commitment to comply with the requirements and restrictions for use of facilities for athletic activities as set out in Board Policy JJIB.
- All activities must be conducted within the laws, rules and regulations of the State of Arizona, Pima County, City of Tucson and/or Town of Oro Valley.

*Permission Required Prior to Use:*

- The availability of cafeteria kitchens and other special subject or usage areas may be restricted to specific times or activities. Special fees may be charged for the use of those facilities.
- Nothing shall be sold, given, exhibited, or displayed for sale without prior permission from the District Facility Coordinator. Any sales are prohibited unless the proceeds will be used for charitable or nonprofit educational purposes.
- Putting up decorations or scenery or moving pianos or other major furniture is not allowed without prior permission.
- The issuance of keys to facilities is to be discouraged. However, if no alternative is suitable, it shall be the principal's responsibility to issue and retrieve facility keys according to the District key-control procedures.
- Any use of a school facility/equipment not specifically permitted by a Facility Use contract.

*Insurance:*

- Unless waived by the District when use is in conjunction with a District activity, groups must provide the District with documentary evidence of liability insurance of at least one million dollars (\$1,000,000). Amphitheater Public Schools is to be named as an additional insured on the Certificate of Insurance.
- The School District and its employees, including the Governing Board, Superintendent or Chief Administrative Officer, are immune from civil liability with respect to all decisions made and actions take to allow the lease or use of school property, unless the School District or its employees are guilty of gross negligence or intentional misconduct. This does not limit any other immunity provisions that are prescribed by law.
- All liability insurance is to be secured by the applicant, with evidence being sent to the District office seven (7) calendar days before the date of use. Failure to secure acceptable liability insurance will cancel the use agreement.

*Prohibitions:*

- Permission shall be denied for activities that would exceed the capacity of the facility or be in violation of fire or safety regulations. It shall be the responsibility of the applicant to make appropriate members familiar with the use of fire and other safety devices and procedures.
- The following will not be permitted on district property under any circumstances:
  - Illegal drugs;
  - Possession or use of medically-prescribed marijuana;
  - Use of prescribed medication, except in an emergency;
  - Alcoholic liquors/beverages;
  - Smoking;
  - Firearms;
  - Weapons, including but not limited to, knives with a blade length of two and one-half inches or greater; martial art weapons; explosive devices, or stun guns/tasers.
- No District employees shall be paid directly by any group using the facilities. All wages earned by District employees on duty for approved facilities use shall be paid by the District.

Requests for future use may be denied to an organization that fails to comply with established rules.