

Duchesne County School District - Policy Recommendation

6.0200 Community Use of School Facilities

<i>Existing Policy</i>	Recommended Policy
<p>6.0200.01 CIVIC CENTERS <i>Issue Date: 6/5/97</i> Public school buildings and grounds are civic centers and may be used by District residents for supervised recreational activities and meetings, subject to the requirements and restrictions set forth below. <i>Utah Code § 53A-3-413(1)</i></p>	<p>6.0200.01 CIVIC CENTERS Public school buildings and grounds are civic centers and shall be used by District residents for supervised recreational activities and meetings, subject to the requirements and restrictions set forth below. Use of school property as a civic center may not interfere with a school function or purpose and is considered a “permit” for governmental immunity purposes. <i>Utah Code § 53G-7-209 (2018)</i></p> <p>CIVIC CENTER USE LIMITED TO DISTRICT RESIDENTS— School buildings and grounds are only available for civic center use to organizers who are residents of the District. Requests for civic center use must be accompanied by appropriate documentation of the requester’s residence within the District. <i>Utah Code § 53G-7-209(4) (2018)</i></p>
<p>6.0200.02 FEES FOR USE <i>Issue Date: 6/5/97</i> The Board may set and charge a reasonable fee for such use to compensate the District for the expense incurred in that use. The fee charged may take into account increased overhead expense, including utilities, personnel, and other areas affected by use of the facilities. <i>Utah Code § 53A-3-414(3)</i></p>	<p>6.0200.02 FEES FOR USE OF SCHOOL PROPERTY The Board may set and charge a reasonable fee for the use of school property as a civic center to fully compensate the District for any and all expenses incurred in that use. The fee charged may take into account increased overhead expenses, including utilities, personnel, and other areas affected by the use of the facilities. <i>Utah Code § 53G-7-210(2)(c) (2018)</i></p>
<p>6.0200.03 SPECIAL FUNCTIONS OFFICER <i>Issue Date: 6/5/97</i> The Superintendent is designated as the District’s special functions officer. The special functions officer shall have charge of the grounds and shall take reasonable measures to protect school property when used for civic center purposes. The Superintendent may designate a District employee to serve as special functions officer in connection with particular uses of the facilities for civic center purposes. <i>Utah Code § 53A-3-413(2)</i></p>	<p>6.0200.03 SPECIAL FUNCTIONS OFFICER The Board may appoint a District security officer or student resource officer as a special functions officer. The special functions officer shall have charge of the grounds and shall take reasonable measures to protect school property when used for civic center purposes. <i>Utah Code § 53G-7-210(2)(d) (2018)</i> <i>Utah Code § 53-13-105(1)(b)(v) (2022)</i></p>

6.0200.04 INADVISABLE

Issue Date: 6/5/97

The Board may refuse to permit the use of school property as a civic center if it determines the use to be inadvisable.

6.0200.04 INADVISABLE USES

The Board may refuse to permit the use of school property as a civic center if it determines the use interferes with a school function or purpose.

[Utah Code § 53G-7-209\(3\) \(2018\)](#)

6.0200.05 POLITICAL SIGNS ON SCHOOL PROPERTY

A "political sign" is any sign or document that advocates the election or defeat of a candidate for public office or the approval or defeat of a ballot proposition. Schools and the school district are not required to allow the posting of political signs on school property. However, if the district or a district administrator or their designee posts or permits the posting of a political sign on school property, then the district shall also permit the posting of all other political signs, subject to the same requirements and restrictions. Any requirements or restrictions placed on the posting of political signs must be politically neutral and content neutral.

Approval for posting of a political sign may only be given by a building principal or higher-level administrator, or the designee of such an administrator.

[Utah Code § 20A-17-103 \(2015\)](#)

Policies from 2.0400 will be moved into 6.0230

Existing Policy

2.0400 USE OF SCHOOL FACILITIES

BOARD POLICY Issue date: 96/97

In accordance with established school laws, the Board authorizes, on condition, the use of school facilities for other than school purposes, providing that law permits the contemplated use, and that it is not contrary to the best interest of students in the District.

RENTAL OF SCHOOL FACILITIES Issue date: 96/97

Recommended Policy

6.0230 USE OF SCHOOL FACILITIES

6.0230.01 *BOARD POLICY*

In accordance with established school laws, the Board authorizes, on condition, the use of school facilities for other than school purposes, providing that law permits the contemplated use, and that it is not contrary to the best interest of students in the District.

6.0230.02 *RENTAL OF SCHOOL FACILITIES*

The rental of school facilities for other than school use shall be according to the following guidelines:

1. Duties of School Principal

a. The principal, subject to approval of the Superintendent, shall allow occasional use of school facilities and shall also be responsible for collection of monies, notification of personnel involved (custodian, lunch manager, or technician), and the determination of free and occasional use of the building according to policy.

2. Supervision

- The principal shall be responsible for adequate supervision of the school during rental hours. Any non-school group occupying school property shall provide adult supervision adequate to maintain order and prevent the destruction of school property. Facilities shall not be available at the time of use unless the supervisor or supervisors are present as agreed.
- At the time of rental, arrangements shall be made for adequate supervision. School supervision shall consist of a minimum of one custodian to care for the interest of the District and its property. In the absence of the principal, the custodian shall be in complete charge of the building and grounds.

SUPERVISION AND USE OF EQUIPMENT, BUILDING AND GROUNDS Issue date: 96/97

Arrangements for adequate supervision shall be made in keeping with the use for which the rental is made to ensure proper conduct in and around the building and the proper care of the school and its equipment.

STANDARDS BEHAVIOR Issue date: 96/97

The principal of the school shall accept application from only those groups who can assure adherence to the standards of behavior of the school. Tobacco, intoxicating drinks, and boisterous conduct are expressly prohibited.

The following will not be tolerated and are expressly prohibited by the board:

1. Vandalism
2. Use without consent, or abuse of school furniture or other school property.
3. Appropriations, use or abuse of books, supplies or athletic equipment belonging to the school or to its students.

2.0410 USE OF SCHOOL FACILITIES: RENTAL

2.0410.01

The rental of school facilities for other than school use shall be according to the following guidelines:

1. Duties of School Principal

a. The principal, subject to approval of the Superintendent, shall allow occasional use of school facilities and shall also be responsible for collection of monies, notification of personnel involved (custodian, lunch manager, or technician), and the determination of free and occasional use of the building according to policy.

2. ***SUPERVISION AND USE OF EQUIPMENT, BUILDING AND GROUNDS***

- a. The principal shall be responsible for adequate supervision of the school during rental hours. Any non-school group occupying school property shall provide adult supervision adequate to maintain order and prevent the destruction of school property. Facilities shall not be available at the time of use unless the supervisor or supervisors are present as agreed.
- b. At the time of rental, arrangements shall be made for adequate supervision. School supervision shall consist of a minimum of one custodian to care for the interest of the District and its property. In the absence of the principal, the custodian shall be in complete charge of the building and grounds.
- c. Arrangements for adequate supervision shall be made in keeping with the use for which the rental is made to ensure proper conduct in and around the building and the proper care of the school and its equipment.

6.0231 USE OF SCHOOL FACILITIES: RENTAL

PROCEDURES FOR RENTAL Issue date: 96/97

The following procedures apply to rental of school buildings:

1. Application for rental will be made through the principal of the school.
2. Rental rates will be determined according to the rental rate as approved by the Board.
3. Payments will be collected by the principal, recorded, and sent to the District office with a copy of the original application.
4. ~~Cancellations will be reported to the District office.~~
5. Personnel charges will be added according to the rates listed on the rental schedule.
6. The principal shall ~~submit to the District~~ a report of the use of building or grounds.
7. The principal shall report questionable use or activity connected with rental of facilities.
8. ~~A certificate of liability insurance is required of parties renting the facilities, with a limit of not less than \$500.00.~~ The District shall be named as an additional insured. (This provision (8) can only be waived in writing by the Board of Education.) A Hold Harmless Agreement shall also be executed.

BUILDING RENTAL AGREEMENT Issue date: 96/97

District facilities are rented subject to the following conditions and all other conditions as specified in the policies and procedures of the Board.

1. ~~The principal will:~~
 - ~~Arrange rental with the applicant.~~
 - ~~Leave the facility clean for the renter.~~
 - ~~Discuss rental problems with renter.~~
2. ~~The applicant/supervisor will be responsible for providing adult supervision at his/her own cost. All applicants other than city governments within the district will pay a District employee. No activity may continue without proper adult supervision. Under no circumstances is a supervisor to leave before all participants have left the building.~~
3. ~~The following rules shall apply to the use of the facility:~~
 - a. ~~Supervisor will control all participants.~~
 - b. ~~Users will show respect for the building and its furnishings.~~
 - c. ~~Restrooms will be used properly.~~
 - d. ~~Children will be supervised by parents/guardians.~~
 - e. ~~The applicant or organization will be responsible to set up and put away any special equipment.~~

2-0410.02

f. Renters will be financially responsible for any damage to the facility.

6.0231.01 PROCEDURES FOR RENTAL Issue date: 96/97

The following procedures apply to rental of school buildings:

1. Application for rental will be made through the principal of the school.
2. Rental rates will be determined according to the rental rate as approved by the Board.
3. Payments will be collected by the principal, recorded, and sent to the District office with a copy of the original application.
4. Personnel charges will be added according to the rates listed on the rental schedule.
5. The principal shall keep on file all applications for use of building or grounds.
6. The principal shall **keep on file** a report of all rental agreements of buildings or grounds.
7. **Commercial (For-Profit) entities, persons, or organizations using any part of District properties are required to obtain public liability insurance covering in the amount of \$1,000,000 per occurrence and \$2,000,000 general aggregate.** (This provision (8) can only be waived in writing by the Board of Education.) A Hold Harmless Agreement shall also be executed.

6.0231.02 BUILDING RENTAL AGREEMENT

District facilities are rented subject to the following conditions and all other conditions as specified in the policies and procedures of the Board.

1. **The District may refuse to permit the use of school property if it determines the use interferes with a school function or purpose.**
2. **The use of alcohol, tobacco, or illegal drugs in any form will not be permitted in district facilities or on district property. In accordance with Utah Code Ann. 53A-11-903 (2) (a), tobacco and other drugs and/or paraphernalia, intoxicating drinks, and boisterous conduct are expressly prohibited on and within 1,000 feet of school property. No person shall possess a dangerous weapon except those exempt by law. All school and district policies will be enforced.**
3. **All fees (including security deposit if applicable) must be submitted with the application. If additional charges are levied by the school or district, they are due within 10 days of being invoiced.**
4. **All rental time shall be computed from the time of the requested opening to the closing of the doors. Closing time shall be the time when all persons associated with the rental have left the building/facility.**
5. **It is agreed and understood that the lessee and all persons attending the function shall confine themselves to the area of District facilities specified in the Building Rental Agreement/Permit. All Building Rental Agreements/Permits are for specific facilities and hours. It is the responsibility of the lessee to see that unauthorized portions of the properties are not used and the premises are vacated as scheduled. School officials may refuse to allow persons having**

no legitimate business to enter the property and may eject any undesirable person according to trespassing laws. (53G-8-603)

6. A representative of the school district, herein referred to as the Building Supervisor, will be present on school property the entire time period whenever an authorized function is taking place, will secure the building, and will report violations.
7. Lessee must provide sufficient supervision and these individuals will be on the premises during the entire rental period. These Lessee designated supervisors shall be responsible for ensuring that all building rental rules, regulations, and laws are adhered to by participants and those attending; any violations will be reported to the building supervisor. If Supervision cannot be assigned, the building WILL NOT be rented.
8. If the event is sufficient in size, extra district personnel may be assigned and an hourly rate may be added to fees at the discretion of the principal or principal's designee. See the fee schedule for the current rate.
9. A food service employee approved by the Food Service Supervisor must be present any time a kitchen is rented.
10. Users will show respect for the building and its furnishings. The facility will be left in a clean and orderly fashion when the group leaves with the lights off and doors locked. Users will be financially responsible for any damage to the facility. Additional fees may be levied equal to the actual replacement, repair, or clean-up cost for any loss, damage, or condition resulting from any activity above normal wear and tear. Any custodial clean-up above normal wear and tear may be billed at one and a half times the regular rate.
11. It is expressly agreed and understood that all applicable governmental laws and ordinances and all rules and regulations of the Board of Education of the Duchesne County School District shall be complied with fully and strictly by the lessee and by all persons attending the function. Whenever the rules and regulations have been violated, the school may revoke the permit to use the facilities and refuse to consider future Building Rental Agreements/Permits.
 - a. State law requires any groups using school facilities to allow participants of said activities to wear religious clothing. This includes students wearing athletic uniforms. Utah Code 53G-7-802
12. Schools and the school district are not required to allow the posting of political signs on school property.
13. DCSD and area schools will NOT be responsible for any accident or injury incurred during the rental period. The applicant or organization will assume all responsibility for any accident and adequate insurance for specific events. Immediate notification will be given to the Building Supervisor of any conduct or circumstances that bring about an injury to persons or property, describing the injury or damage to property, stating the time and place the injury or damage occurred, and stating the names of all persons involved.
14. Persons or organizations using District facilities, including stage or stage equipment, shall not remove or displace furniture or apparatus including lights, curtains, ceiling balance, counterweights system, or switchboard except when under the direct supervision of the designated school employee. When the stage is to be used, full details of equipment and personnel needed must be furnished with the applications.

15. Food and beverages are allowed only in designated areas. Food and beverages are not allowed in classrooms, auditoriums, libraries, or computer labs.
16. Restrooms will be used properly.
17. Children will be supervised by parents/guardians.
18. Gym users must comply with footwear restrictions as designated by the school administration.
19. All functions shall close by 10:30 p.m. unless special permission is secured in advance from the principal or designee.
20. The permit holder and those working with the function must familiarize themselves with the fire exits and the location of fire extinguishers. Exits must not be blocked. Chairs and tables should not exceed the limits of the space and should not be placed in aisles or doorways. If extension cords are used, they must not pose a safety hazard that would cause someone to trip or fall.
21. This agreement may not be changed except by an agreement in writing and signed by the party against whom enforcement of any waiver, change, modification, or discharge is sought.
22. The District Building Use Policy is incorporated herein, and whenever applicable is contractual as a part of this Agreement as is set forth verbatim.
23. The applicant or organization will be responsible for setting up and putting away any special equipment. All non-school property is to be removed at the end of the rental period.
24. The facility will be left in a clean and orderly fashion when the group leaves with the lights off and doors locked.
25. Commercial (For-Profit) entities, persons, or organizations using any part of District properties are required to obtain public liability insurance covering in the amount of \$1,000,000 per occurrence and \$2,000,000 general aggregate. Lessees and/or persons attending the function are not covered by District insurance. In some circumstances, a rider may be added to an individual's homeowner's insurance. Groups or individuals work directly with an insurance provider to obtain a Certificate of Insurance. The Certificate of Insurance must list Duchesne County School District as the insured or as an additional insured on the Certificate.

DUCHESNE COUNTY SCHOOL DISTRICT INDEMNITY AGREEMENT

Indemnity

I, the undersigned, on behalf of myself and my organization/group/company, understand that we, the lessee and all of the lessee's officers, directors, employees, and associates, agree to assume full and complete responsibility and liability for any meeting, function or activity conducted on the Duchesne County School District (District) facilities pursuant to this Building Rental Application/Permit and that the Board of Education of the Duchesne County School District, and its members, officers, employees, and agents, assume no liability arising out of the rental or use of the District facilities by lessee or by the parties for whom this Building Rental Application/Permit is made, or by any persons attending the

function, meeting or activity, nor for any failure of such party or parties to obtain the necessary licenses or permits, nor for any violation of any such party or parties of any applicable laws and ordinances.

We further understand that we, the lessee, and all of the lessee's officers, directors, employees, and associates, undertake and agree to **indemnify and HOLD The Board of Education of the Duchesne County School District, together with its officers, directors, employees, representatives, and agents, FREE AND HARMLESS FROM AND AGAINST ANY AND ALL** losses, claims, liens, demands, and causes of action of every kind and character arising in favor of any third party, including governmental agencies or bodies, on account of claims, debts, personal injuries, death or damages to property (including property of the Board of Education of the Duchesne County School District), and at the option of the Duchesne County School District defend the District and any and all of its board, officers, directors, agents, representatives, employees, assigns, affiliates, and successors in interest from and against any and all suits and causes of action, claims, charges, costs, damages, demands, expenses (including, but not limited to attorney's fees and cost of litigation), judgments, civil fines and penalties, liabilities or losses of any kind or nature whatsoever, for death, bodily injury or personal injury to any of my or my group's employees, agents, and volunteers, or damage or destruction to any property of either party to this agreement, or third persons in any manner arising by reason of or incident to utilization of any District facility or property (whether real or personal) on the part of the employees, agents, affiliates, representatives, patrons, residents, and individuals in any way connected with the use of the District's facilities and property.

The lessee and its officers, directors, employees, and associates hereby agree to promptly pay to the Board of Education of the Duchesne County School District just compensation for any damage, injury, or destruction to any school property, including personal property and school facilities, caused by lessee or any of lessee's officers, directors, employees, representatives and agents, or by any person or persons attending the meeting, function or activity for which this Building Rental Application/Permit is made.

2.0420 USE OF SCHOOL FACILITIES: ACCESS

2.0420.01

SPECIAL FUNCTIONS OFFICER

Issue date: 96/97 CFA

The Superintendent is designated as the District's special functions officer. The special functions officer shall have charge of the grounds and shall take reasonable measures to protect school property when used for civic center purposes. The Superintendent may designate a District employee to serve as special functions officer in connection with particular uses of the facilities for civic center purposes.

6.0232 USE OF SCHOOL FACILITIES: ACCESS

6.0232.01

BUILDING SECURITY

The superintendent and principals shall have the responsibility for building security and the issuing of keys subject to the following guidelines:

6.0232.02

2.0420.02

BUILDING SECURITY

Issue date: 96/97 CFA

Superintendent and principals shall have the responsibility for building security and the issuing of keys subject to the following guidelines:

2.0420.03

BUILDING ACCESS

Issue date: 96/97 CFA

1. Keys will be issued as follows:
 - a. ~~High School and Middle School: Appropriate keys for each administrator and custodian~~
 - b. ~~Elementary School: Appropriate keys for each administrator, secretary and custodian~~
2. To facilitate proper building security, a selected door in each school will be keyed for teachers and employees for after hour use. This door will be one of the entry/exit doors on alarmed buildings.
3. All employees are to sign when checking a key in or out and will be given an authorization slip properly signed by the principal.
4. No master key shall be issued to, or used by, other than District authorized personnel.
5. Each administrator is responsible for designating hours for building use after school and during weekends and holidays. ~~Alarm contracted buildings: All employees are to contact the District when they remain in the building after normal closing hours or enter the building on weekends and holidays. The principal will notify the District of persons authorized to be in the building during named hours and dates. Alarm codes are NOT to be given to unauthorized employees~~
6. Employees who copy a key or disregard this policy, or who do not follow this policy will be subject to disciplinary action or termination.
7. Students shall not be issued keys or allowed in a building without adult employee supervision.
8. ~~No~~ keys are to be issued to any member of the community, club or organization.
9. The District will be notified immediately whenever it is discovered that a school key is lost or stolen.

2.0420.04

~~INADVISABLE~~ Issue date: 96/97

~~The Board may refuse to permit the use of school property as a civic center if it determines the use to be inadvisable.~~

BUILDING ACCESS

1. Keys will be issued to each employee **based on their responsibilities.**
2. To facilitate proper building security, a selected door in each school will be keyed for teachers and employees for after hour use. This door will be one of the entry/exit doors on alarmed buildings.
3. All employees are to sign when checking a key in or out and will be given an authorization slip properly signed by the principal.
4. No master key shall be issued to, or used by, other than District authorized personnel.
5. Each administrator is responsible for designating hours for building use after school and during weekends and holidays. **Administrators shall also inform personnel of procedures regarding alarms.**
6. Employees who copy a key or disregard this policy, or who do not follow this policy will be subject to disciplinary action or termination.
7. Students shall not be issued keys or allowed in a building without adult employee supervision.
8. Keys are to be issued to members of the community, club or organization **only if absolutely necessary, and only if all rental agreements are signed.**
9. The District will be notified immediately whenever it is discovered that a school key is lost or stolen.

~~Utah Code § 53A-3-414(5)~~

2.0430 USE OF SCHOOL FACILITIES: EMPLOYEE USE OF SCHOOL PROPERTY

2.0430.01

USE OF SCHOOL PROPERTY

Issue date: 96/97 Updated: 3/12/20 CFB

The following guidelines shall govern use of school facilities and property:

1. The Principal may authorize the use of school property at the school for community service provided it is used only by authorized school personnel or approved personnel.
2. Property of one school may be loaned to another school of the District provided arrangements are made between the principals involved.
3. School property shall not be used by individuals for private commercial purposes at any time and may not be used for private use except as specifically permitted in this policy.
Utah Code § 76-8-402(2) (2019)

2.0430.02

USE OF SCHOOL PROPERTY FOR PRIVATE PURPOSES

Issue date: 96/97 Updated: 3/12/20 CFB

The following guidelines govern use of school property for private purposes by District personnel:

1. District personnel are to possess and use school property primarily to fulfill their duties as an employee of the District.
2. District personnel may also make incidental use of school property for personal matters if the value provided to the District by the employee's use of the property in fulfilling the employee's work duties substantially outweighs the personal benefit received by the employee from personal use.
3. Specific guidelines for incidental personal use of school property shall be established by the supervisor of the employee using the school property and consistent with the guidelines of this policy.

2.0430.03

OFFICE MACHINES

*Issue date: 96/97 Updated: 3/12/20 DFB*The following guidelines govern use of office machines by school employees:

6.0233 USE OF SCHOOL FACILITIES: EMPLOYEE USE OF SCHOOL PROPERTY

6.0233.01

USE OF SCHOOL PROPERTY

The following guidelines shall govern use of school facilities and property:

1. The Principal may authorize the use of school property at the school for community service provided it is used only by authorized school personnel or approved personnel.
2. Property of one school may be loaned to another school of the District provided arrangements are made between the principals involved.
3. School property shall not be used by individuals for private commercial purposes at any time and may not be used for private use except as specifically permitted in this policy.
Utah Code § 76-8-402(2) (2019)

6.0233.02

USE OF SCHOOL PROPERTY FOR PRIVATE PURPOSES

The following guidelines govern the use of school property for private purposes by District personnel:

1. District personnel are to possess and use school property primarily to fulfill their duties as an employee of the District.
2. District personnel may also make incidental use of school property for personal matters if the value provided to the District by the employee's use of the property in fulfilling the employee's work duties substantially outweighs the personal benefit received by the employee from personal use.
3. Specific guidelines for incidental personal use of school property shall be established by the supervisor of the employee using the school property and consistent with the guidelines of this policy.

Utah Code 76-8-402(1), (2) (2019)

6.0233.03

OFFICE MACHINES

The following guidelines govern the use of office machines by school employees:

1. As a convenience, personal copies from copy machines may be made by school employees by paying the standard rate approved by the District. That standard rate should be similar to commercial rates in the area and the service will be provided only to employees.
2. The laminating machines that are owned by the District may be used by District personnel for personal use provided costs of the materials are paid and authorization is given by the administrator responsible for the equipment.
3. Employees whose regular job requires them to use District computers may use those computers for personal use after regular working hours, consistent with guidelines and restrictions that may be established by District Information Technology personnel and Policies DMA, DMB, and DMC. Computer media used for personal data should either be supplied by the employee or purchased from the District.
4. Portable computers furnished by the District for employee use may be checked out for a specified time through the checkout procedure established by the Principal.

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2. The laminating machines that are owned by the District may be used by District personnel for personal use provided costs of the materials are paid and authorization is given by the administrator responsible for the equipment.
3. Employees whose regular job requires them to use District computers may use those computers for personal use after regular working hours, consistent with guidelines and restrictions that may be established by District Information Technology personnel and Policies DMA, DMB, and DMC. Computer media used for personal data should either be supplied by the employee or purchased from the District.
4. Portable computers furnished by the District for employee use may be checked out for a specified time through the checkout procedure established by the Principal.