

1 **Community Use of School Facilities**

439-1419

2 Pojoaque Valley school buildings and grounds may be made available for educational, cultural,
3 civic, religious, recreational, and governmental uses, and for patriotic groups (as defined in 20
4 USC § 7905 of the Boy Scouts of America Equal Access Act), when such non-school use of
5 District facilities does not interfere with the programs and best interests of the District. Approval
6 will not be granted to use District facilities for any purpose that would damage school property, or
7 to any group or individual that has damaged District property, or any user with a history of
8 nonpayment of District facility use fees. Board Policies are applicable to all users and potential
9 users of School District facilities. Violations of District policy may result in denial of an
10 application for use of District facilities.

11 The Superintendent or designee is authorized to make all approvals and set all conditions for non-
12 district community use of District buildings and grounds. Requests for non-school use of District
13 facilities shall be considered on a first-come, first-served basis, with District education and activity
14 uses having priority.

15 The Superintendent or designee retains the right to cancel a non-school use of a District facility,
16 or substitute an alternative District site, if a conflict arises with a District activity.

17 ~~Public school facilities are provided in order for the youth of the community to receive the benefits~~
18 ~~of a sound educational program. Although this is the primary purpose for which schools are built,~~
19 ~~the function of education also includes extension of the use of school facilities for service to the~~
20 ~~total community. To accomplish this objective, when possible, school facilities may be made~~
21 ~~available for auxiliary, educational, recreational, and cultural activities provided that the activity~~
22 ~~does not interfere with the programs and best interests of the district and in accordance with this~~
23 ~~policy.~~

24 ~~To that end, the use of school facilities by the community of the Pojoaque Valley School District~~
25 ~~for student, adult, and community activities will be allowed under conditions prescribed or~~
26 ~~permitted by state law and in accordance with adopted policies of the Board of Education.~~

27 ~~Board Policies are applicable to all users and potential users of School District facilities.~~

28 The following School District facilities may be available as space permits:

- 29 A. Middle School Auditorium
- 30 B. Other meeting or conference rooms,
- 31 C. General purpose classrooms
- 32 D. Libraries
- 33 E. School District grounds, athletic fields, other playing fields;
- 34 F. Cafeterias
- 35 G. Gymnasiums

36 ~~Priorities for Use of School District Facilities.~~

37 Use of School District ~~f~~Facilities will be granted to the following non-District groups in this order
38 of priority, at the rates shown below:

- ~~A. School District sponsored groups;~~
- ~~B.A. School related or curriculum related clubs and student organizations Meetings of District affiliated student clubs or organizations (No Charge);~~
- ~~C.B. School Meetings of District affiliated support organizations related groups (PTA, PTO, teachers' and principals' organizations, booster clubs) (No Charge);~~
- ~~D.C. Local Meetings of state and local governmental and public education entities (No Charge);~~
- ~~E. Educational institutions;~~
- ~~F.D. Other not-for-profit groups and not-for-profit youth organizations (see current school year rate sheet); and~~
- ~~E. Other Private or individual for-profit groups (see current school year rate sheet).~~

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.

When school-related and District support groups such as student clubs, PTA, or boosters hold special events, charges for use and cleaning of District facilities will be calculated on a cost-to-the district basis. When kitchen facilities are to be used for food preparation and/or service, the organization must pay to the District the cost of having a member of the food service staff present.

All users shall be billed for any damage resulting from improper or careless use of a District facility.

The Superintendent has authority to modify the customary use fees when a mutually beneficial relationship has been determined to exist between the District and the proposed user of District facilities. When any such circumstances exist, they shall be immediately reported to the Board, by the Superintendent or designee.

~~I. Facilities Available for Use. The following School District facilities located on any School District campus may be available as space permits:~~

~~Middle School Auditorium~~

~~Other meeting or conference rooms,~~

~~General purpose classrooms~~

~~Libraries~~

~~School District grounds, athletic fields, other playing fields;~~

~~Cafeterias~~

~~Gymnasiums~~

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1 H. Event Restrictions.

2 Any group or organization requesting to use District facilities must complete an application and
3 use agreement. An application must be approved by the Superintendent or designee, and a use
4 agreement signed prior Applicants will be approved by the Superintendent of Schools or his or
5 her designee. If the application is approved, a copy of the approved application is provided to the
6 applicant as authorizing documentation.

7 By signing the application for use, the person signing certifies that he or she has been duly
8 authorized and named to act on its behalf in making application for use of the School District
9 Facilities. An applicant requesting the use of school facilities agrees to comply with the following
10 rules concerning conduct on school property if granted permission to use the requested school
11 facilities.

12 An application for use shall be denied for activities that would exceed the capacity of the facility
13 requested or where the proposed use would be in violation of the law, or of fire or safety
14 regulations.

15 It shall be the responsibility of the Superintendent or his/her designee to assure that authorized
16 district representative will be present during proposed use to open the facility, safeguard it during
17 use, and to secure the facility at the end of its use. A school custodian, and/or other district
18 employee as designated by the principal, shall be present during the activity or event. District
19 employees shall not give their building keys to an outside organization.

20 Official representatives of all groups using school facilities must sign a liability waiver “hold-
21 harmless” agreement agreeing to hold the District harmless for any damage to persons or property
22 arising from or related to the user’s activities on the District’s property. Representatives of all
23 groups must also sign a form, which indicates acceptance of responsibility for the care and
24 supervision of the facilities and for payment of the rental charges, if any.

25 The following insurance requirements apply to users of District facilities:

26 A. Any School District-sponsored or related activity is covered by the School District’s
27 statutory insurance program.

28 B. Use of School District Facilities by non-District users shall require proof of insurance for
29 the activity with combined single limits of liability of at least \$1,000,000 and a certificate
30 of insurance naming the School District as additional insured. The School District’s
31 insurance shall be secondary to the user’s insurance coverage.

32 C. In any event, the certificate of insurance, letter of self-insurance, or waiver shall be on file
33 prior to the scheduled event.

34 In addition to the terms set forth above, the following will apply to all non-school use of District
35 facilities:

36 The following restrictions apply to all events:

37
38 A. All activities must be conducted within the laws, rules and regulations of the State of
39 New Mexico and applicable municipal subdivisions, and with District policy.

1 B. All activities, including preparations, must be conducted in such an orderly manner that
2 ensures no interference with or disruption of District operations and students' education
3 experience.

4 C. The user of the District facility shall be responsible for reasonable care of the facility and
5 for proper conduct of members of the group.

6 D. An employee of the school district must be on duty unless prior approval for other
7 arrangements has been granted.

8 ~~A. The use of Alcohol, illegal drugs and tobacco are prohibited on all school property at all~~
9 ~~times.~~

10
11 E. Guns are not permitted on school property, unless in the lawful—except for those in the
12 possession of authorized law enforcement personnel.

13 ~~B.F. No political campaigning, fundraising, or partisan activities will be permitted on~~
14 ~~school property.~~

15
16 ~~C. Users of the facility shall be responsible for providing security as required by the member~~
17 ~~school or school district for the type of function they have planned.~~

18
19 ~~D. Users of swimming pool facilities must have a certified life guard on duty at all times.~~

20
21 E.G. Children present at events shall at all times be supervised by responsible adults; ~~if~~
22 if playground equipment is authorized to be used, the user of the facility shall provide at
23 least one adult supervisor for every fifteen (15) children.

24
25 ~~F. The user of the facility shall provide the appropriate signage to inform participants of the~~
26 ~~safety rules. A list of emergency agencies and phone numbers shall also be posted.~~

27
28 G.H. For events that involve animals, ~~including dogs,~~ all animals must be leashed,
29 penned, caged or otherwise properly contained, constrained or under supervision and
30 control at all times. ~~Other animals or pets are prohibited.~~

31
32 H.I. Open fires including candles, torches, and bonfires shall not be allowed, unless
33 except pursuant to by prior approval of the Superintendent and permitting by the
34 appropriate authorities.

35
36 I.J. Exits shall never be blocked ~~for any reason.~~

37
38 J.K. Parking shall be in designated areas only.

39
40 K.L. Every effort shall be made to provide vVehicle and pedestrian traffic must be
41 managed in a manner that ensures management in order to insure safe and orderly
42 movement of vehicles and people.

43
44 ~~L. All care shall be taken in the design, placement and construction of booths, displays,~~
45 ~~viewing stands, platforms, theater sets, temporary stages or any other structures to~~
46 ~~safeguard the safety of those building, using and disassembling such structures.~~

1
2 M. Decorations shall: 1) be fire resistant, whenever possible; 2); cover no more than 20
3 percent of the wall area; and, 3) never be placed within close proximity to incendiary
4 sources or close to exits ~~or by permission of the Fire Marshall.~~

5
6
7 N. No hazardous materials, including pyrotechnic devises, fireworks, explosives flammable
8 materials or liquids, poisonous materials or plants, strong acids or caustics shall be brought
9 onto the premises or used in any way while occupying the premises except with the
10 approval prior to use by the fire marshal or other authority having jurisdiction.

11
12 O. No amusement rides or attractions, including but not limited to, trampolines of any type,
13 enclosed or air supported structures of any type, climbing walls, climbing ropes, bow and
14 arrow shooting activity or equipment or devises related thereto shall be brought onto the
15 premises or used in any way while occupying the premises except with the express
16 permission of school authorities and on proof of insurance by the user of the facility of at
17 least \$1,000,000 per occurrence naming the school or school district and the authority as
18 additional insureds. All such activities shall be operated and overseen by persons
19 experienced and, if possible, certified to do so. Licensure from the appropriate state agency
20 for safety and operation of such rides or attractions will also be required.

21
22 P. All users of school facilities shall give written notice to the school of any accident resulting
23 in bodily injury or property damage to District property ~~of the school occurring on school~~
24 ~~premises or in any way~~ connected with the use of the school premises within 24 hours of
25 ~~the accidents such an incident.~~ The notice shall include details of the time, place and
26 circumstances of the accident and the names and addresses and phone numbers of any
27 persons witnessing the accident, and injuries sustained.

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29
30 ~~P. Permission shall be denied for activities that would exceed the capacity of the facility or~~
31 ~~be in violation of fire or safety regulations. It shall be the responsibility of the applicant to~~
32 ~~make appropriate members familiar with the use of fire and other safety devices and~~
33 ~~procedures.~~

34 ~~Q. M. All activities must be conducted within the laws, rules and regulations of the State~~
35 ~~of New Mexico and applicable municipal subdivisions.~~

36 ~~R. N. Requests for future use may be denied to an organization that fails to comply with~~
37 ~~established rules.~~

38
39 ~~S.Q. If playground equipment is to be used, the user of the facility shall provide at least~~
40 ~~one adult supervisor for every fifteen (15) children.~~

41
42 ~~T.R. The user of the facility shall provide the appropriate signage to inform participants~~
43 ~~of the safety rules. A list of emergency agencies and phone numbers shall also be posted.~~

44 ~~U.—~~

45 ~~V. R. No partisan political fundraising functions shall be permitted.~~

~~1 Access to school facilities by the users of the facility shall be limited to those areas specified in
2 the site use agreement.~~

~~3 III. — Facilities Use Fees. The District has established five (5) general levels of fee structure as
4 follows:~~

~~5 School District departments/School related student clubs or Organizations/school sponsored
6 groups: NO CHARGE~~

~~7 Non-curricular related student organizations/School District related groups: NO CHARGE~~

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~~9
10 Government agencies: NO CHARGE~~

~~11 Non-profit organizations: As established by the Facilities Use Handbook~~

~~12 For profit organizations: As established by the Facilities Use Handbook~~

~~13 Private Individuals or groups: As established by the Facilities Use Handbook~~

~~14 The Superintendent is authorized to establish procedures to set rental fees not specifically listed in
15 this policy or to modify listed fees when it is beneficial to the School District. The Superintendent
16 is authorized to act on any rental proposal not covered in this policy.~~

~~17 It is the intent of this policy that parent teacher groups, booster clubs, and any other school related
18 organizations should have the use of school facilities for their regular meetings without charge.
19 When such groups hold special events, any charge for facilities will be calculated on a cost to the
20 district basis. When kitchen facilities are to be used for food preparation and/or service, the using
21 organization must pay a member of the food service staff to be present.~~

~~22 IV. — Application; Requirements. By signing the application for use, the person signing certifies
23 that he or she has been duly authorized and named to act on its behalf in making application for
24 use of the School District Facilities. An applicant requesting the use of school facilities agrees to
25 comply with the following rules concerning conduct on school property if granted permission to
26 use the requested school facilities. It shall be the responsibility of the Superintendent or his or her
27 designee to assure that adequate supervision of school facilities is provided during periods of
28 community use.~~

~~29 Official representatives of all groups using school facilities must sign a liability waiver “hold-
30 harmless” agreement agreeing to hold the District harmless for any damage to persons or property
31 arising from or related to the user’s activities on the District’s property. Representatives of all
32 groups must also sign a form, which indicates acceptance of responsibility for the care and
33 supervision of the facilities and for payment of the rental charges, if any~~

~~34 A. All community group activities, including preparations, must be conducted in such a
35 manner that students can continue their educational programs without interference or
36 disruption.~~

1 ~~B. An employee of the school district must be on duty whenever a school building is used~~
2 ~~by an organization or group unless prior approval for other arrangements has been~~
3 ~~granted.~~

4 ~~C. The applicant is held responsible for the preservation of order. All children attending~~
5 ~~or participating in the event or activity must be supervised by responsible adults.~~

6 ~~D. No alcoholic beverages shall be brought to or consumed in the buildings or on the~~
7 ~~grounds.~~

8 ~~E. Tobacco and smoking is prohibited on school property.~~

9 F. Putting up decorations or scenery or moving pianos or other major furniture is not
10 allowed without prior permission.

11 ~~G. An explanation of anything to be sold, given, exhibited or displayed for sale will be~~
12 ~~provided on the application form. No sales will be permitted without prior~~

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15 ~~permission. The proceeds from any approved sales shall be used for charitable or~~
16 ~~nonprofit purposes.~~

17 ~~H. All outside users must comply with the District requirement of liability insurance~~
18 ~~and shall furnish proof of insurance for the activity with combined single limits of~~
19 ~~liability of at least \$1,000,000 and a certificate of insurance naming Pojoaque Valley~~
20 ~~Schools as additional insured.~~

21 ~~I. When it is deemed to be in the best interest of the District, the District may require~~
22 ~~a cash deposit of five hundred dollars (\$5300) above the rent to be charged to cover~~
23 ~~damage to rental property. The deposit, less payment for damage done beyond normal~~
24 ~~wear and tear on the property, shall be refunded within thirty (30) days of the end of~~
25 ~~the event.~~

26 ~~J. The availability of cafeteria kitchens and other special subject or usage areas may~~
27 ~~be restricted to specific times or activities. Special fees may be charged for the use of~~
28 ~~those facilities.~~

29 ~~K. When more than one (1) applicant requests the use of a facility for the same time, the~~
30 ~~applicant filing first shall be given first consideration. If a school program or calendar~~
31 ~~changes, the school program shall take priority, even if the activity has been scheduled.~~
32 ~~Every effort will be made to reschedule the activity as conveniently as possible when~~
33 ~~such cancellation has occurred.~~

34 ~~L. Permission shall be denied for activities that would exceed the capacity of the facility~~
35 ~~or be in violation of fire or safety regulations. It shall be the responsibility of the~~
36 ~~applicant to make appropriate members familiar with the use of fire and other safety~~
37 ~~devices and procedures.~~

1 ~~M. All activities must be conducted within the laws, rules and regulations of the State of~~
2 ~~New Mexico and applicable municipal subdivisions.~~

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

5 **V. — Insurance Requirements.**

6 ~~Any School District sponsored activity is covered by the School District's statutory insurance~~
7 ~~program.~~

8 ~~Use of School District Facilities by non-District related users shall require proof of insurance for~~
9 ~~the activity with combined single limits of liability of at least \$1,000,000 and a certificate of~~
10 ~~insurance naming the School District as additional insured. The School District's insurance shall~~
11 ~~be secondary to the user's insurance coverage.~~

12 ~~In any event, the certificate of insurance, letter of self insurance, or waiver shall be on file prior to~~
13 ~~the scheduled event.~~

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15 ~~It shall be the responsibility of the Superintendent or his or her designee to assure that adequate~~
16 ~~supervision of school facilities is provided during periods of community use.~~

17 ~~Official representatives of all groups using school facilities must sign a liability waiver "hold-~~
18 ~~harmless" agreement agreeing to hold the District harmless for any damage to persons or property~~
19 ~~arising from or related to the user's activities on the District's property. Representatives of all~~
20 ~~groups must also sign a form, which indicates acceptance of responsibility for the care and~~
21 ~~supervision of the facilities and for payment of the rental charges, if any.~~

22 **VI. — Alternative Space.** ~~The Pojoaque Valley Schools reserve the right to substitute alternative~~
23 ~~space for any facility reserved for a non-School District function if deemed necessary to conduct~~
24 ~~official School District business or special District related programs.~~

25 **VII. — Procedure for Requesting Use of School District Facilities**

26 ~~An application for the use of the School District facilities and areas for activities on any School~~
27 ~~District campus by both School District related and non-related individuals and organizations must~~
28 ~~be completed and approved prior to the event.~~

29 ~~Only completed applications will be considered. Applicants will be approved by the~~
30 ~~Superintendent of Schools or his or her designee. If the application is approved, a copy of the~~
31 ~~approved application is provided to the applicant as authorizing documentation.~~

32 ~~Although every effort will be made to serve all individuals in the community, the School District~~
33 ~~has the right to decline request for use of School District facilities to any applicant if:~~

34 ~~The applicant has shown historical misuse of the School District facilities;~~

35 ~~The applicant has a history of nonpayment of fees;~~

1 ~~The applicant requests use for an event that the Superintendent believes offers a substantial~~
2 ~~possibility of causing damage to the School District facilities, or disruption of School District~~
3 ~~programs, activities, or operations;~~

4 ~~The applicant requests use for an activity not appropriate in a school setting or for the facility~~
5 ~~requested;~~

6 ~~The applicant requests use for an activity that is restricted under this Policy;~~

7 ~~The activity conflicts with maintenance or repair schedules; or~~

8 ~~The School District is closed for snow, flooding, or other emergency situations.~~

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12 ~~D. All agreements for use of school facilities terminate as of June 30 each school year.~~
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14 ~~Reference Policy: Political Activities by Employees and Others #251~~

15 ~~Policies 222, 223, 307, 369 shall apply insofar as they relate to the prohibition of drugs, tobacco~~
16 ~~and tobacco products and deadly weapons on school property.~~

17
18 Legal References:

19 §22-5-17 NMSA 1978

20 6.50.17 NMAC