

Statement of Purpose

The Board endorses community use of facilities for purposes that contribute to the school program, community affairs, or the goals of the Community Schools Act. The use of school facilities should be consistent with the goals and objectives of the Board and school district and must not conflict with the educational program.

Additionally, UCPS seeks to develop partnerships with other governmental entities and community and parks and recreation groups for the planning of or use of school athletic and recreation facilities during non-school use times as part of the Union County Public Schools "Building Cost Savings Principles," as well as to provide a means for land acquisition and to upgrade, enhance, and/or maintain athletic fields or recreation facilities for Union County Public Schools.

Use of school facilities will not be approved for activities that do any of the following:

- violate federal, state or local laws;
- violate Board of Education policies or regulations;
- discriminate on the basis of race, color, national origin, sex, medical conditions, religion, age, disability or any other legally protected category;
- advocate governmental change by violence;
- damage or have the potential to damage school buildings, grounds or equipment,
- conflict with school activities; or
- conflict with the mission of the Board of Education,
- additionally, activities that involve the use of inflatables will not be approved.

Other reasons that requests for use may be denied, include the following reasons:

1. The facilities are not available on the date(s) or at the time(s).
2. The application is incomplete or inaccurate.
3. The fee is not paid in advance.
4. During a previous use, the applicant/user group violated the rules governing the use of school facilities as set forth in this procedure.
5. On a previous occasion, the applicant/user group failed to pay the required use fee.
6. The activity, in the opinion of school officials, would cause or be substantially likely to cause damage to school property. (For example, playing fields should not be used during inclement weather or when their use will render their conditions damaged for school purposes.)

Those using public school facilities must provide required documentation regarding insurance coverage; individual or group responsible for supervision of activity;

current contact information; a list of all personnel to be present on site; and certification of criminal records check prior to the approval of the facility. Finally, provision must be made for the proper care and maintenance of the school facility.

The Superintendent or designee shall develop administrative guidelines, including a reasonable fee structure, to implement this policy.

Scheduling and Fees (Short Term Usage Agreement)

Scheduling is to be made through the principal's office of the school involved. Priority in the use of school facilities and the fee structure will be in accordance with the following user categories:

1. **School sponsored groups, including student organizations**
Fees: None
2. **School related groups (organizations formed to support the school in some manner, such as the PTA, PTO, teachers and principal's organizations and booster clubs)**
Fees: Fees for providing use of cafeteria kitchens will be charged to cover costs. The principal may require custodial, other supervisory services, and/or contracted services (i.e. auditorium house manager) at a fee.
3. **Local government**
Fees: Utility fees for the use of facilities may be charged. The principal may require custodial, other supervisory services, and/or contracted services (i.e. auditorium house manager) at a fee.
4. **All other non-profit and for-profit groups (all groups not included in the other categories)**
Fees: Rental and utility fees will be charged. The principal may require custodial, other supervisory services, and/or contracted services (i.e. auditorium house manager) at a fee.

The superintendent annually will set the fees to be charged. All fees and applications will be submitted to the principal and forwarded to the appropriate assistant superintendent's office. Checks are to be made payable to Union County Public Schools.

The Superintendent may also approve "Extended Use/Joint Use Agreements" with other governmental entities and community and parks and recreation groups consistent with this Policy. The Superintendent may determine appropriate agreement terms, including appropriate fees, charges or other consideration to be paid by the proposed user. Such agreements shall be in writing and approved and

executed by the Superintendent. Copies of all agreements entered into pursuant to this Section shall be kept on file in the Superintendent's office.

Additionally, the Board of Education may approve "Extended Use / Joint Use Agreements" that involve governmental entities and community and parks and recreation groups seeking to enhance school facilities through large school capitalized projects such as playing fields.

Contracted/other services approved by the Superintendent or appropriate Assistant Superintendent do not fall within the parameters of this policy.

Organizations Exempt from Paying Facility Use Charges

School-related organizations

School-related organizations will not be charged facility usage, personnel (i.e., custodial/cafeteria or supply fees. Personnel schedules are to be adjusted to accommodate the requirements to support this policy. The Maintenance Department is to be contacted if the site's staff schedules cannot be adjusted to meet the Community Use requirement.

Federal, State, Local Government or any Government Agencies

Any government agency may use a school facility for conducting a public meeting or hearing without incurring a facilities charge. The district must be reimbursed for personnel labor and the cost of supplies at the rate outlined in the applicable Fee Schedule. Personnel assignment fees will be charged only if the scheduled event occurs after the District employee's normal working hours.

Precinct Meetings

Pursuant to North Carolina General Statute 163-99, each political party recognized by the county or the state Board of Elections may hold a precinct meeting without charge at schools designated as polling places. Each party will schedule all of its precinct meetings on the same date. Organizers of precinct meetings to be held on school property shall be required to complete a Facility Use Application. Precinct meetings may be held twice a year per organization without a facility usage charge. The district must be reimbursed for the cost of supplies at the rate outlined in the applicable Fee Schedule. Personnel assignment fees will be charged only if the scheduled event occurs after the District employee's normal working hours.

Elections

Pursuant to North Carolina General Statute 163-129, the Board of Elections has the right to use school facilities without a facility use charge for the purpose of conducting registration and voting for any primary or general election. The district must be reimbursed for personnel labor and the cost of supplies at the rate outlined in the applicable Fee Schedule. Personnel assignment fees will be

charged only if the scheduled event occurs after the District employee's normal working hours.

Organizations Not Exempt from Paying Facility Use Charges

For-Profit

UCPS does not encourage the use of school facilities by For-Profit enterprises. If both a for-profit and a non-profit organization submit applications to use the same school facility at the same time, the non-profit organization's application shall be preferred. Facilities rented to For-Profit enterprises will be charged in accordance with the attached Fee Schedule.

Non-Profit

For Non-Profit Organizations, facility usage, supplies, and personnel fees are assessed as outlined in the fee schedule. Personnel assignment fees will be charged only if the scheduled event occurs after the employee's normal working hours.

Community-Based Organizations (for athletic organizations please see the section for "Sports Camps and Independent teams; City/County/Community Recreations Leagues" later in this policy

Groups, including but not limited to colleges and universities, sponsoring activities other than educational activities, adult fraternities/sororities, professional and occupational groups, and church and religious groups may use school facilities but must pay facility usage, custodial supply fees and personnel(custodial/cafeteria) fees based on rates outlined in the Fee Schedule.

In-Kind Credit Process

Government and non-profit community organizations are encouraged to donate equipment or services to a school that will directly benefit our children during student hours. In such instances, a written proposal will be made to the Superintendent, or his/her designee, through the school principal. Credit balances are good for two school years.

Process for submitting for in-kind credit:

1. The in-kind credit proposal will identify the service(s), material(s) or combination thereof that will be donated to the school.
2. Proof of value, invoices or receipts, where possible should be attached to the proposal. If it is not possible to provide invoices or receipts as proof of value, then an estimated value should be placed on the contribution and the basis for calculating such an estimated value.
3. The administration will confirm the accuracy of the identified value and establish a Community Use credit balance which the government or non-profit agency may draw against to offset the established facility use fees at the school of donation.

**Payment details for Sports Camps and Independent Teams;
City/County/Community Recreation Leagues; Shared Use Agreements**

Sports Camp

- 1. Non-Profit.** Non-profit camps may be organized and operated by non-profit agencies and will be charged a facility usage fee as outlined in the attached fee schedule. Personnel assignment fees will be charged only if the scheduled event occurs after the employee's normal working hours. The applicant/user group will be required to provide the necessary information in order to verify the organization's status as a non-profit organization.
- 2. For-Profit.** For-profit camps will be charged at the For-Profit rate for facility use and the individual participant costs will be established by the organization hosting the camp.

Independent Teams

Teams, including but not limited to Amateur Softball Association, Amateur Athletic Union, United States Specialty Sports Association, Babe Ruth teams etc., that are members of a national or local sports organization but not affiliated with city/county/ community recreational leagues that desire to use District facilities for practices, games, and tournaments will be governed by the rules applicable to For Profit Use guidelines. In order not to be charged at the "For-Profit Rate", the independent team representative must provide a copy of the national or local sports organization Internal Revenue Service Tax Exempt 501 (c) (3) document or a copy of a Tax Exempt letter issued by NC Department of Revenue. Personnel, facility and supply fees will be charged based on the applicable schedule. The national and local sport organizations must also provide a statement on letterhead from the national organization or local chapter's headquarters with wording that verifies the renting organization as an affiliate.

City/County/Community Recreation Leagues

Shared-use agreements will only be applicable for the use of outside fields. Shared-use agreements, whenever possible, will be negotiated with the central government agency in the community to support recreational activities within that community. When no central government agency exists or when the central government agency cannot support the shared-use agreement, shared-use agreements will be negotiated with the participating recreation league/association. If the recreation league/association declines to participate, they will be offered the use of the facilities under the terms specified on the Facility Use Application. The terms of the agreements will vary with each governmental agency and community organization, but the terms will cover a specific timeframe and be subject to re-negotiations and termination as defined in the agreement.

Any organization renting only field facilities will be responsible for ensuring that they have access to appropriate facilities, services and care for preventing weather related medical conditions (including but not limited to heat, cold and dehydration).

Responsibility of School System for Rental of Facilities

1. Provide clean facilities for use.
2. Provide an adult employee or principal's designee, at renter's expense, during the use of a facility if required by the principal. Hourly wage employees are to be paid time and one half plus fringe benefits for the hours worked.
3. Arrange facility for use.
4. Report any damages to the office of the Superintendent of Schools and to the individual in charge of the persons using the facility.

Insurance

All user groups, except school sponsored groups, will be required to furnish a certificate of insurance for general liability coverage with total limit coverage of \$1,000,000 for each claim made. The insurance policy must be provided by a company authorized to do business in the state of North Carolina. The Certificate of Insurance must list "Union County Board of Education" as certificate holder and Additional Insured. This certificate must be provided to the District at the time the application is submitted.

- Property Damage
 - The applicant/user group agrees to accept full responsibility for protecting the property and equipment of UCPS and assumes any and all liability for any necessary repairs or replacements required or for any damage done to the facility, building, equipment or property during use by the user applicant/user group.
- Personal Injury
 - The applicant/user group (or his insurance carrier) is responsible for all claims for personal injury that arise from the applicant/user group's use of a school facility.

Authority

The Principal, in his or her sole discretion, may accept or reject the application if the proposed use or activity is determined by the Principal to be an extraordinary risk to person or to property or is inconsistent with this Policy or applicable guidelines. Additionally, the Superintendent or the appropriate Assistant Superintendent of the Union County Public School System has the authority to accept or reject the application of any person or group for the same reasons.

Right of Review

Any applicant/user group whose request is refused in accordance with these regulations has the right of review of the principal's decision by the Superintendent or the appropriate Assistant Superintendent.

**LEGAL REF: G.S. 115C-523,-524
G.S. 115C ART. 13: 115C-524 (b); G.S. 163-99, 129;
Equal Access Act, 20 U.S.C.A. 4071-4074
Lamb's Chapel v. Center Moriches School District,
508 U.S. 384 (1993); Good News Club v. Melford, 121 S.
Ct. 2093 (2001)**

UNION COUNTY BOARD OF EDUCATION

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