

## USE OF SCHOOL FACILITIES

The board believes that public schools are owned and operated by and for the community. The public is encouraged to use school facilities, but will be expected to reimburse the district for such use to ensure that funds intended for education are not used for other purposes.

The superintendent is authorized to establish procedures for use of school facilities, including rental rates, supervisory requirements, restrictions, and security. Those using school facilities will maintain insurance for accident and liability covering persons using the district's facilities under the sponsorship of the organization.

The district does not discriminate based on race, creed, religion, color, national origin, age, honorably discharged veteran or military status, sex, sexual orientation including gender expression or identity, marital status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a person with a disability and provides equal access to Boy Scouts of America and other designated youth groups.

Community athletics programs that use district facilities will not discriminate against any person on the basis of sex in the operation, conduct or administration of their programs. Upon request, the district will provide copies of the district's nondiscrimination policy to all third parties using district facilities.

For rental rate purposes, organizations seeking the use of school facilities have been divided into four categories.

### **A. Aberdeen School District student and school-sponsored organizations, activities and events**

This category includes district organizations such as ASB, PTO, PTA, Bobcat Booster Club, Bobcat Music Boosters, the District Board of Directors, staff and in-service training meetings, district-sponsored co-curricular activities and school groups using the facility for fundraising or meetings.

The district will impose no rental use fees. Custodial fees will be charged when additional time is required.

### **B. School or Child-Related Groups, Aberdeen Youth Sports, Youth Serving Organizations or other Government Agencies**

Includes those organizations whose main purpose is to promote the welfare of students, or to provide members of the community access to government programs or opportunities for civic participation. Groups in this category are those whose membership has a majority of Aberdeen School District students. Examples are: youth sports, youth serving organizations such as YMCA, Scouts, Campfire, PTA, 4-H, city or county-sponsored recreation groups, polling places, political caucuses and governmental groups. It is recognized that facility use between the School District and the City of Aberdeen Parks & Recreation Department is

additionally governed by a joint facility use agreement.

The district will provide official recruiting representatives of the state and United States military forces, Job Corps, Peace Corps and AmeriCorps with access to school facilities (including number of days and type of presentation space) equal to and no less than the access provided to other post-secondary occupational or educational representatives.

When facilities are used outside of regular school hours, or when the district incurs extra utility, cleaning or supervision costs, a fee established by the superintendent will be charged to recoup those costs. Additionally, youth organizations engaged in sports activities and using school facilities must provide a statement of compliance with the policies for the management of concussion and head injury in youth sports as required by RCW 28A.600 and Sudden Cardiac Arrest Awareness as prescribed by the Washington Interscholastic Activities Association.

### **C. Nonprofit and Out-of-District School Groups**

Includes groups or organizations that do not have a majority of their members/participants residing in the Aberdeen School District. Nonprofit groups and organizations may use school facilities for lectures, promotional activities, rallies, entertainment, college courses, or other activities for which public halls or commercial facilities generally are rented or owned. The district may charge a modified commercial facility fee in excess of costs incurred.

In addition to the modified commercial rental fee, applicable custodial and food service fees and cost recovery fees will be charged for this type of use. Fees may be waived or reduced when a service club or other nonprofit group is raising funds for charitable purposes. Additionally, out-of-district youth organizations engaged in sports activities and using school facilities must provide a statement of compliance with the policies for the management of concussion and head injury in youth sports as required by RCW 28A.600 and Sudden Cardiac Arrest Awareness as prescribed by the Washington Interscholastic Activities Association.

Professional fund raisers representing charities must provide evidence that they are registered and bonded by the state of Washington. Such fund-raisers must provide evidence that the charity will receive at least seventy-five (75) percent of the gross revenues received from the public prior to approval to use the facilities.

Similar treatment may be granted public universities and colleges when offering college courses within the community or when any university/college is offering a course for staff at the request of the district. Nonprofit groups of the kind that in most communities have their own facilities (civic groups, churches, lodges, veterans' groups, granges, etc.) who wish to use district facilities on a regular, but temporary, basis may do so under this rental rate.

### **D. Individuals, for Profit and Commercial Enterprises**

Includes individuals, commercial enterprises, profit-making organizations and business-related enterprises. While the district would prefer these organizations use commercial or

Private facilities, facilities may be rented for non-regular use at the prevailing rate charged by commercial facilities in the area.

District-sponsored activities, including curricular and co-curricular functions, retain first priority in use of facilities. Authorization for use of school facilities will not be considered as endorsement or approval of the activity, group or organization.

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Cross References:	Policy 3422	Student Sports – Concussion, Head Injury and Sudden Cardiac Arrest
Legal References:	RCW 28A.230.180	Access to campus and student information directories by official recruiting representatives – Informing students of educational and career opportunities.
	RCW 4.24.660	Liability of school districts <u>under contracts</u> with youth programs RCW 28A.320.510 Night schools, summer schools, meetings, use of facilities for
	RCW 28A.335.150	Permitting use and rental of playgrounds, athletic fields, or athletic facilities
	RCW 28A.335.155	Use of buildings for youth programs — Limited immunity
	20 USC Sec. 7905	Boys Scout of America Equal Access Act
	34 CFR Sec. 108.6	Equal Access to Public School Facilities for the Boy Scouts of America and Other Designated Youth Groups
	AGO 1973 No. 26, Initiative No. 276 - School districts — Use of school facilities for presentation of programs — Legislature — Elections	

Adoption Date: 2/1/00

Revised: 4/17/01, 2/21/07, 5/1/18; 09/03/19

**Use of School Facilities Procedures**

1. Applications for use of school facilities will be available at all Aberdeen School District locations and online. When applications are received by the district, he/she will coordinate scheduling the use of the facilities.
2. Charitable organization must be registered with the state of Washington, Secretary of State Office, as a non-profit corporation. Professional fund raisers representing charities must provide evidence that they are registered and bonded by the state of Washington. Such fund raisers must provide evidence that the charity will receive at least sixty (60) percent of the gross revenues received from the public prior to approval to use the facilities. Similar treatment may be granted to public universities and colleges when offering college courses within the community or when any university/college is offering a course for staff at the request of the district. Rental agreements for usage of facilities may be entered into by the district with higher education institutes/colleges for cooperative learning programs offered to the community.
3. The superintendent will develop and recommend a fee schedule for use of school facilities. The fee schedule will be submitted to the board for review and may be revised annually.
4. Sponsoring organizations will provide sufficient, competent adult supervision for all activities and in all areas, including restroom and hallways, and will remain with the group during all activities and be responsible for the group's compliance with all appropriate rules and regulations.
5. Tobacco products, alcoholic beverages and/or illegal drugs are strictly prohibited in school facilities or on school property, including outdoor and parking areas in accordance with RCW 28A.210.310.
6. The applicant agrees to exercise the utmost care in the use of the school facilities and agrees to protect, indemnify and hold harmless the Aberdeen School District, its elected and appointed officials, directors, employees, agents and staff from any and all claims, liabilities, damages, expenses, or right of action, directly or indirectly attributable to the organization's activities and/or use of premises resulting from the use or occupancy of school facilities.
7. All applicants will be held liable/responsible for any expenses incurred by the District arising from the use of school facilities. In the event that property loss or damage is incurred during such use or occupancy, the amount of damage will be decided by the superintendent or designee. The applicant agrees to accept the district's estimate of replacement/repair and pay all costs associated therein within 30 days to include food or beverage damage. Failure to comply with this regulation and to pay any damage charges assessed will result in denial of further privilege of use of school facilities and may result in legal action.

8. The applicant agrees to provide, prior to use of the facilities, comprehensive general liability insurance with minimum benefits of \$1,000,000 per occurrence with an annual aggregate of not less than \$1,000,000. Aberdeen School District is to be named as additional insured. This insurance shall be primary. Waiver forms will not be accepted as a substitute for proof of insurance. A certificate of insurance with additional insured endorsement must be received by the facility coordinator prior to approval and use of any district facility.
9. Youth organizations engaged in sports activities and using school facilities must submit a signed statement of compliance with the policies, described in RCW 28A.600 for the management of concussion and head injury in youth sports and Sudden Cardiac Arrest Awareness as prescribed by the WIAA
10. The superintendent has the authority to make the final decision on the use of school facilities and the appropriate fees. However, the applicant may appeal such decision to the board.
11. Because of the value of district's playing fields to the community's total recreational opportunity, the fields may be used by all residents. The use must be appropriate and compatible with each play field and its surrounding area. Such use will not result in destruction, damages, or undue wear or pose a hazard to children or others. Activities which endanger others or cause damage to fields and lawns are restricted. Should damage to fields and lawns occur, the superintendent will make reasonable effort to obtain restitution for the damage.
12. An authorized custodian or district employee must be in the building or on the premises after normal school hours when any non-school group (Category 2-4) is using a district facility. A minimum 2-hour custodial fee will be charged when facilities are requested for weekends, holidays, or during school breaks.
13. All cancellations must be made through the Building Administrator at least forty-eight (48) hours prior to the scheduled usage or the organization may be billed for costs incurred by the District.
14. District or school-related activities will have priority over other requests for use of facilities, regardless of prior approvals or the date of application.
15. Scheduling priority will be given to groups based upon categorical classification and the percentage of Aberdeen Schools student participants.
16. Terms and conditions on the Facility Use Application must be met; deviation will be considered a breach of contract and may result in denial of future use of school facilities.