

SMYRNA SCHOOL DISTRICT

District Policy

Article: 1000 Community Relations

Title: Use, Control and Management of District Facilities

Policy #: 1330

Purpose:

Adequate supervision must be provided for all district facilities. This shall include normal daily operation during and after school hours and approved use under this policy.

To assure and continue a positive and mutually supportive relationship between the Smyrna School District and the community it serves, it is the policy of the Board of Education to encourage maximum utilization of all district facilities to responsible individuals, groups and organizations sponsoring activities in educational, cultural, civic, political or recreational areas as defined and limited in Delaware Code, Title 14, Chapter 10, Section 1056, School Property: use, control and management.

1. Authority

While the primary purpose for the use of district property is the education of children and youth, the use of such property for other purposes shall be permitted provided it does not interfere with the program of the district or is not in harmony with the purposes of public education in such matters as character building, the development of unprejudiced social attitudes and the training of students for responsible citizenship. The decision of the Board of Education in regards to granting a request for use of facilities will be based upon a consideration of the following conditions, listed in order of importance:

- a) The facility requested for use has not been scheduled for use at the time requested;
- b) The use of the facility requested will be beneficial to children and youth and consistent with the program of education of the Smyrna School District;
- c) The use of the facility requested will serve a purpose that is educational, cultural, civic, political, or recreational.

Determination of use of district facilities and charges for the same rests with the Smyrna School District Board of Education and its designated representatives in accordance with this board policy.

2. School Facility User Categories

Potential users of school facilities will be placed in three (3) categories for the purpose of assessing charges as follows:

Category I – This category includes school-related organizations or other Smyrna School District organizations that hold fund-raising activities, the proceeds of which are to be used to benefit students of the Smyrna School District. These organizations will receive Category I status.

Examples of Category I organizations are as follows:

- School Clubs
- School Booster Clubs
- Parent Teacher Organizations
- Parent Teacher Associations

Category I organizations will not be assessed a rental fee. However, they will be required to reimburse the Smyrna School District for costs incurred in excess of normal operating expenses. Rental fees and costs are listed in Section 12.

Category II – This category includes educational, cultural, civic, political, or recreational groups that are directly related to the “primary purpose of education and are non-profit and non-school sponsors. Any group wishing to qualify for use of district facilities as a Category II organization shall petition the Smyrna School District by letter. Such letter shall include the aims and objectives of the group, how the activities relate to the primary purpose of education and an assurance that at least 50% of its participants are members of the Smyrna School District community. Examples of Category II organizations are as follows:

- Smyrna Employee Associations
(The district will honor building use stipulations outlined in negotiated agreements with the Board of Education.)
- Boy Scouts of America – local chapter
- Girl Scouts of America – local chapter
- Future Farmers of America – local chapter
- 4-H Clubs – local chapter
- Youth Athletic Leagues – local chapter
- Youth Community Groups – local chapters
- Boys and Girls Club – local chapter
- Alumni Associations of the Smyrna School District
- Non-Profit Civic Organizations located within the Smyrna School District

Category II organizations will not be assessed a rental fee. However, they will be required to reimburse the Smyrna School District for costs incurred in excess of normal operating expenses. Rental fees and costs are listed in Section 12.

Category III – This category includes organizations and community groups that are not directly related to the primary purpose of education, but certify their reason for use of district facilities to be educational, cultural, civic, political, or recreational. Any group that qualifies for the use of district facilities under the provisions of this category must certify that there is no individual monetary gain for representatives of the organization and that all charges or admissions in excess of costs will be donated to a charitable purpose as defined by IRS Regulations.

Category III users of school facilities will be assessed rental fees. In addition, they will be required to reimburse the Smyrna School District for costs incurred in excess of normal operating expenses. Rental fees and costs are listed in Section 12.

3. Requests for use of Smyrna School District Facilities

All requests for the use of any Smyrna School District facility or equipment within the policies established by the Board of Education must be made at least fourteen (14) days in advance at the facility that is being requested for use on the district facility request form. Forms can be obtained at any district facility or on the district website (www.smyrna.k12.de.us). Exceptions to this policy may be made only by action of the Superintendent or his/her designee or if an emergency situation warrants such exception.

At first contact with the school district, tentative agreement may be reached on providing facilities or equipment; but the agreement is subject to approval by the building administrator and the Superintendent or his/her designee. If approved, a signed contract will be sent to the person assuming responsibility for use of the facility or equipment. Reservations will not be accepted more than ninety (90) days in advance.

4. Guidelines

- A. There are no rentals during the school day. During the winter months, buildings may be available for community use until 10:00 p.m. Any requests for exceptions must be cleared with the Superintendent or his/her designee and the building administrator.
- B. Religious groups may use school facilities for special purposes. Each application will be considered on its merit and concurrence with the provisions in the Delaware Code.
- C. The possession, use or consumption of alcoholic beverages or illicit drugs is not permitted on school property at any time. Violation of this requirement will be grounds for denial of future facility requests.
- D. Smoking is not permitted on school property at any time. Violation of this requirement will be grounds for denial of future facility requests.
- E. When kitchen facilities or equipment are used for food preparation, the Board of Public Health requires that the cafeteria manager or his/her designee be present during the preparations, serving and cleanup. Arrangements for such use must be made through the Superintendent or his/her designee. No food storage facility will be available before, during or after the event. The food preparation provider must have a valid restaurant permit from the Board of Health.
- F. In accepting the use of school property, the group granted the contract shall agree to make good any damages done to the property or equipment and to indemnify and hold harmless the Smyrna School District for any accident to any occupants of the building or grounds during the period of use by the group. The Board of Education and the Smyrna School District accept no responsibility for loss of personal property. Proof of insurance must be provided in the form of an acceptable Certificate of Liability with coverage of a least \$1,000,000 in favor of Smyrna School District naming the district as an additional insured. The Superintendent may waive this requirement for unique and justifiable reasons.
- G. Facility use will be scheduled at times so as not to curtail or inconvenience regular school program activities. Care will be exercised to clear conflicts in advance. However, in the event a conflict is found after the contract has been granted, the contract may be cancelled by school authorities and neither the Board of Education, Smyrna School District or any of its employees will be liable for financial loss or inconvenience suffered by the holder of the contract.
- H. All fire and safety rules shall be strictly enforced. Violation of this requirement will be grounds for denial of future facility requests.
- I. All brochures and/or published material must have prior approval by the Superintendent or his/her designee before it is distributed. The installation of decorations, posters, etc. must conform to safety and fire regulations, and nothing shall be fastened to the building in such a manner that will mar the finish. All decorations, posters, etc. are to

be recovered by the group responsible for their installation at the conclusion of the event.

- J. Organizations sponsoring functions which involve large numbers of people may be required to provide for traffic control and proper safety measures. In some instances, police may be required and verification of such arrangement must be provided.
- K. During the summer months buildings are not normally available for use. A waiver must be approved by the Superintendent's office.
- L. During the heating and cooling seasons, night setbacks shall be maintained in all buildings during weekends and holidays and evening hours of weekdays. Exceptions shall be granted by the Superintendent or his/her designee. Additional fees will apply for use of heating or air conditioning systems.

5. Priority of Use of Smyrna School District Facilities

The facilities of the Smyrna School District shall be available for community use under the conditions prescribed and permitted by law, in accordance with the policies adopted by the Smyrna School District Board of Education and following administrative rules and regulations dictated by the administration. The Board welcomes community use of the buildings insofar as facilities and responsibility of users will permit.

The priority of such use of facilities shall be as follows (from highest to lowest):

- a) Activities sponsored entirely by the Smyrna School District which are educational by nature.
- b) Activities sponsored entirely by the Smyrna School District which are student activity oriented.
- c) Activities jointly sponsored by district schools and school-related organizations.
- d) Activities sponsored by Smyrna School District's civic organizations and governmental organizations located within the boundaries of the Smyrna School District.
- e) Activities sponsored by organizations located within the Smyrna School District for non-educational fund-raising purposes.
- f) Activities sponsored by non-resident organizations.

6. Restrictions on the use of Smyrna School District Facilities

- a) The priorities itemized in Section 5 must be faithfully adhered to at all times by the administrative staff of the Smyrna School District when renting out Smyrna School District facilities.
- b) All users of Smyrna School District facilities must pay rental fees and costs as itemized in this Board Policy unless otherwise approved by the Smyrna School District Board of Education. There are to be no exceptions to this fee schedule made by any administrative member of the Smyrna School District except the Superintendent or his/her designee.
- c) Unless reservations are made in advance as prescribed in these policies and the administrator in charge of the facility is aware of the reservation, the facility may not be used by the party.

- d) Facilities may not be used by private groups or individuals for advertising or profit making. This in no way limits the availability to civic organizations for fund-raising projects which are in the public interest.
- e) School buildings are to be closed to all outside activities at the following times. Exceptions to this policy may be made only by action of the Superintendent or his/her designee.
 - 1) Christmas Eve and Christmas Day
 - 2) New Year's Eve and New Year's Day
 - 3) Thanksgiving Day
 - 4) Easter
 - 5) July 3, 4 and 5
 - 6) The last two weeks of school
 - 7) The week prior to the opening of school
 - 8) The first week of school
 - 9) All school holidays
 - 10) Summer breaks
- f) Approval of a facility use request is contingent upon the facility being appropriately staffed. If the facility is not scheduled to be staffed for the time period of the request and an adequate number of district approved staff members or volunteers are not available, the request will be denied.
- g) District facilities may be required to close due to weather or other unexpected events. Approved users are to monitor the school district website for any closing information.

7. Supervision and Care of School Facilities, Equipment and Furnishings

Care and supervision of school facilities including buildings, equipment and furnishings, grounds and athletic facilities during regular and evenings hours of instruction and school activities is the responsibility of the building principal or designee. Principals shall report any act of theft, vandalism or destruction of property in writing to the Superintendent with a copy to the Finance Director within 24 hours following the incident. The report shall include a listing of all items stolen, vandalized or destroyed.

8. Supervision and Care of Buildings, Equipment and Furnishings when using Smyrna School District Facilities

Any organization or group using school facilities or equipment shall designate one member of its group as being in charge of and responsible for all actions taken by the group. Adequate supervision must be provided for all facilities used by the public. This is the responsibility of the individual(s) signing the rental agreement, thereby assuming full responsibility. Failure to do so by any public or school organization will be grounds for denial of future facility requests. If a sponsoring person is not present at the time the facility is to be used, then the activity is cancelled. Disorderly conduct, vandalism, abuse of the property or inadequate supervision shall be grounds for eviction and/or cancellation of

contract. Principals shall report such instances in writing, to the Superintendent or his/her designee with recommendations within 24 hours after the incident.

The care of all buildings, conduct of participants and spectators, prevention of use of alcohol and tobacco, compliance with all state Fire Marshal and State health rules, and leaving all facilities and equipment in proper order is the responsibility of the organization or group in general; and the individual signing the rental agreement in particular.

9. Destruction of Property by persons using Smyrna School District Property

Any renter or group using any Smyrna School District property shall restore to the original condition or replace any property or equipment damaged or destroyed by them. The Board of Education, through consultation with Superintendent and appropriate staff, shall be the judge of unwarranted destruction of property and restitution thereof. The damage or destruction of district property will be grounds for denial of future facility requests.

10. Use of Equipment of the Smyrna School District

The contract use a school facility does not include the use of any school equipment, such as but not limited to computers, projectors, audio/visual equipment, scoreboards and spotlights. The use of school equipment is permitted only through special request and approval and with the assurance that only school-approved operators will be used. Any equipment or apparatus belonging to the renter of the Smyrna School District facility must also be approved, in advance, by the Superintendent and be listed on the rental agreement.

11. Accidents that occur by parties using Smyrna School District Facilities

If an accident occurs, the person signing the rental agreement shall secure names of witnesses of said accident and shall submit a written account of any accident to the building administrator and the Superintendent within 72 hours. This written report shall include names of people involved, a description of events leading to the accident, and a statement assuming all responsibility for the accident. The Smyrna School District Board of Education will assume no responsibility for accidents incurred in the use of buildings and grounds on a rental basis. Violation of this requirement will be grounds for denial of future facility requests.

12. Rental Fee Schedule

- I. Auditoriums:
 - John Bassett Moore Intermediate School \$50.00/hr
 - Smyrna High School \$50.00/hr
 - Cost includes house lighting

 - Additional cost for stage lighting and sound system

- II. Cafeteria:
 - John Bassett Moore Intermediate School \$25.00/hr
 - Smyrna Middle School \$25.00/hr

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| | Smyrna High School | \$25.00/hr |
| | Cost does not include use of kitchen facilities | |
| | Additional cost for use of kitchen facilities | |
| III. | Multi-Purpose Rooms (used as auditoriums, gymnasiums, and cafeterias): | |
| | Elementary Schools | \$25.00/hr |
| | Smyrna Middle School | \$25.00/hr |
| IV. | Classrooms: | |
| | All schools | \$10.00/hr |
| V. | Multi-media Centers: | |
| | All schools | \$25.00/hr |
| VI. | Gymnasiums: | |
| | John Bassett Moore Intermediate School | \$50.00/hr |
| | Smyrna Middle School | \$75.00/hr |
| | Smyrna High School – Main | \$150.00/hr |
| | Smyrna High School – Secondary | \$75.00/hr |
| | Smyrna High School – Auxiliary | \$75.00/hr |
| | Does not include locker rooms or fitness center | |
| VII. | Athletic Fields: | |
| | Smyrna High School Stadium Field | \$1,000.00/game |
| | Cost does not include use of field house or stadium lighting | |
| | Additional cost for use of stadium lighting | \$200.00/hr |
| | Additional cost for use of field house | \$200.00/hr |
| | Smyrna High School Turf Field #2 | \$750.00/game |
| VIII. | Tennis Courts: | |
| | Smyrna High School | \$10.00/hr |
| | John Bassett Moore Intermediate | \$10.00/hr |
| IX. | Non-Refundable Application Fee: | |
| | Due upon approval of Rental Application | |
| | To Be Credited to Rental Charges if applicable | \$25.00 |

Additional Costs if applicable

The following policies and rates have been established by the Smyrna School District Board of Education for additional costs associated with facility rentals.

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| Custodial Staff: | |
| Regular | \$25.00/hr |
| Saturday and after 10:00 p.m. on weekdays | \$37.50/hr |
| Sunday and holidays | \$50.00/hr |
| Heating and Air Conditioning: | |
| | \$15.00/hr |
| Auditorium Stage Sound and Lighting | |
| | \$15.00/hr |
| Kitchen Facilities and Staff: | |
| Use of Kitchen Facilities | \$15.00/hr |
| Cafeteria Manager or designee | \$25.00/hr |
| Saturday | \$37.50/hr |
| Sunday and holidays | \$50.00/hr |
| Additional Kitchen Staffing | |
| | \$20.00/hr |
| Saturday | \$30.00/hr |
| Sunday and holidays | \$40.00/hr |

- Any other operational or special costs that might be incurred will be charged to the renting organization.
- Organizations charged fees under provisions of this sub-section will be subject to charges for the entire time school district personnel are on duty including preliminary preparation activities, during the actual program or event, and throughout the cleanup period. The district will determine the number of personnel required for an event.
- All rental fees and fees equal to the proposed custodial time and all other fees must be paid seven (7) days before the scheduled event. Failure to comply with this time frame will result in cancellation of facilities use agreement.

Revision Approved by Board of Education, April 20, 2011