

North Zulch ISD District Facilities Usage Policy

Facilities and Usage Guidelines

1. The district permits public use of designated school facilities for educational, recreational, civic or social activities, when these activities do not conflict with school use or with District Policy.
2. The Principal or the Superintendent or Administrative designee (AD) is authorized to approve use of District facilities with consultation of Master Calendar (available on the District website at www.northzulchisd.net).
3. Written application for use of facilities should be made seven (7) days in advance.
4. Approval will not be granted for any purpose that would damage school property.
5. Approval will not be granted to groups that are known to have damaged other rented property.

Priorities for Usage

1. The regularly scheduled educational program, including instructional activities, meetings, practices and performances of school sponsored groups and staff meetings related to official school business.
2. Meetings and other activities of school support groups organized for the sole purpose of supporting the school or school sponsored activities. (i.e. FFA, FCCLA, BETA, NHS, Drama Club, STUCO, Booster Clubs, PTO, etc.)
3. Meetings and other activities of groups made up primarily of school-aged children. (i.e. 4-H, Boy/Girl Scouts, Little Dribblers, etc.)
4. Meetings of employee organizations.
5. Meetings and activities of other groups on a first-come, first-served basis as approved.
6. Other organizations shall be approved by the School Board of Trustees or Administration.

Fees

1. No fee will be charged for school sponsored groups and school support groups. (see 1-4 above)
2. A fee shall be charged for the operation, supervision and clean-up costs at designated facilities:

Operation Fees: Individuals may apply to Administration, submit deposit and sign up for key.

Flat rate Deposit is \$20.00 per event (refundable with return of key, inspection and approved clean-up)

Old Gym: \$25.00 per event

New Gym: \$75.00 per event

Cafeteria: \$50.00 per event for cafetorium use only.

Cafeteria and Kitchen: \$75.00 plus fee for Staff member*

Softball Field/Lights/Concession: \$20.00 per event (if not using lights and concession there will be NO charge)

* Fee for staff member in cafeteria will reflect the overtime rate of the employee as appropriate.

Supervision: Prevailing cost of security officer.

Clean-up Costs: Custodial rate at time and a half

Failure to promptly pay for fees associated with the use of District Facilities may result in denial of future approvals.

Conduct

Organizations using school facilities shall conduct their business in an orderly manner, abide by all laws and policies, including but not limited to those prohibiting the use, sale or possession of alcoholic beverages, illegal drugs and firearms and the use of tobacco products on school property. No alteration will be made to school property either temporary or permanent without prior approval from District Administration.

GKD(LEGAL)

PROHIBITED ACTS

An officer or employee of the District who is acting or purporting to act in an official capacity may not, because of a person's race, religion, color, sex, or national origin:

1. Refuse to permit the person to use facilities open to the public and owned, operated, or managed by or on behalf of the District;
2. Refuse to permit the person to participate in a program owned, operated, or managed by or on behalf of the District;
3. Refuse to grant a benefit to the person; or
4. Impose an unreasonable burden on the person.

Civil Practices and Remedies Code 106.001(a)

RIGHT TO PRESERVE USE

The District, like a private property owner, may legally preserve the property under its control for the use to which it is dedicated. *Lamb's Chapel v. Center Moriches Union Free Sch. Dist.*, 508 U.S. 384 (1993)

FORUM FOR COMMUNICATION

The District may create a public forum of a place or channel of communication for use by the public at large for assembly and speech, for use by certain speakers, or for the discussion of certain subjects. *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37 (1983); *Chiu v. Plano Indep. Sch. Dist.*, 260 F.3d 330 (5th Cir. 2001)

The District is not required to allow persons to engage in every type of speech when the District establishes a limited public forum; the District may be justified in reserving its forum for certain groups or for the discussion of certain topics. The District shall not discriminate against speech on the basis of viewpoint, and any restriction must be reasonable in light of the purpose served by the forum. *Good News Club v. Milford Cent. Sch.*, 533 U.S. 98 (2001); *Lamb's Chapel v. Center Moriches Union Free Sch. Dist.*, 508 U.S. 384 (1993)

FEES FOR USE

The Board may set and collect rentals, rates, and charges from students and others for the occupancy or use of any of the District's facilities, in the amounts and manner determined by the Board. *Education Code 45.033*

PATRIOTIC SOCIETIES

If the District has a designated open forum or a limited public forum and receives funds made available through the United States Department of Education, the District shall not deny equal access or a fair opportunity to meet, or to discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code (as a patriotic society), that wishes to conduct a meeting within that designated open forum or limited public forum, including denying such access or opportunity or discriminating for reasons based on the membership or leadership criteria or oath of allegiance to God and country of the Boy Scouts of America or of the youth group listed as a patriotic society.

The United States secretary of education may issue and secure compliance with rules or orders with respect to a district that receives federal funds and that denies equal access, or a fair opportunity to meet, or discriminates, as described above. If a district does not comply with the rules or orders, no funds made available through the Department of Education shall be provided to that district.

YOUTH GROUP

“Youth group” means any group or organization intended to serve young people under the age of 21.

LIMITED PUBLIC FORUM

For purposes of this policy regarding PATRIOTIC SOCIETIES, an elementary school or secondary school has a limited public forum whenever the school grants an offering to, or opportunity for, one or more outside youth or community groups to meet on school premises or in school facilities before or after the hours during which attendance at the school is compulsory.

SPONSORSHIP

Nothing in this policy shall be construed to require the District to sponsor any group officially affiliated with the Boy Scouts of America, or any youth group listed as a patriotic society.

Boy Scouts of America Equal Access Act, 20 U.S.C. 7905

FACILITIES AS POLLING PLACES

The District shall make its buildings available for use as polling places in any election that covers territory in which the buildings are located. If more than one authority requests the use of the buildings for the same day and simultaneous use is impractical, the District shall determine which authority may use the building. *Election Code 43.031(c)*

No charge, including a charge for personnel, utilities, or other expenses incurred before or after regular business hours, shall be made for the use of a District building for a polling place if the day of the election is a day on which the building is normally open. If the day of an election is a day on which the building is not normally open, a charge may be made only for the reimbursement of actual expenses resulting from use of the building in the election. *Election Code 43.033(a)*

POLITICAL PARTY CONVENTIONS

The District shall not assess a charge for the use of a school building for a precinct, county, or senatorial district convention, except for reimbursement for the actual charges resulting from use of the building for the convention. The District shall provide an itemized statement of expenses to the reimbursing authority. *Election Code 174.0631*

GKD(LOCAL)

SCOPE OF USE

The District shall permit nonschool use of designated District facilities for educational, recreational, civic, or social activities when these activities do not conflict with school use or with this policy.

Approval shall not be granted for any purpose that would damage school property or to any group that has damaged District property.

Note: See the following policies for other information regarding facilities use:

- Use by employee professional organizations: DGA
 - Use of facilities for school-sponsored and school-related activities: FM
 - Use by noncurriculum-related student groups: FNAB
 - Use by District-affiliated school-support organizations: GE
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NONPROFIT FUND- RAISING

The District shall permit nonprofit organizations to conduct fund-raising events on District property when these activities do not conflict with school use or with this policy.

FOR-PROFIT USE

The District shall permit individuals and for-profit organizations to use its facilities for financial gain when these activities do not conflict with school use or with this policy.

SCHEDULING

Requests for nonschool use of District facilities shall be considered on a first-come, first-served basis.

Academic and extracurricular activities sponsored by the District shall always have priority when any use is scheduled. [See FM] The Superintendent shall have authority to cancel a scheduled nonschool use if an unexpected conflict arises with a District activity.

APPROVAL OF USE

The Superintendent is authorized to approve use of any District facility.

EXCEPTION

No approval shall be required for nonschool-related recreational use of the District's unlocked, outdoor recreational facilities, such as the track, playgrounds, tennis courts, and the like, when the facilities are not in use by the District or for a scheduled nonschool purpose.

EMERGENCY USE

In case of emergencies or disasters, the Superintendent may authorize the use of school facilities by civil defense, health, or emergency service authorities.

USE AGREEMENT

Any organization or individual approved for a nonschool use of District facilities shall be required to complete a written agreement indicating receipt and understanding of this policy and any applicable administrative regulations, and acknowledging that the District is not liable for any personal injury or damages to personal property related to the nonschool use.

FEES FOR USE

Nonschool users shall be charged a fee for the use of designated facilities.

The Board shall establish and publish a schedule of fees based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.

REQUIRED CONDUCT

Persons or groups using school facilities shall:

1. Conduct business in an orderly manner.
2. Abide by all laws and policies, including but not limited to those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products on school property. [See GKA]
3. Make no alteration, temporary or permanent, to school property without prior written consent from the Superintendent.

All groups using school facilities shall be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the District for the cost of any such repairs.