

**Section 1000: Community/Educational Agency Relations**  
**Use of District Facilities and Equipment**  
**Community Use of School District Buildings, Sites & Equipment**

**File: 1006.01**

The board of education takes the position that the use of school facilities by various education and community organizations is in the interest of the general public.

All buildings, grounds, and property (real and personal), owned by the district, shall be deemed as school property. The term "facilities" shall include any of the buildings of the school district and/or the outside areas on school property.

The board of education grants to the superintendent of schools authority to authorize the use of any school facilities for non-school activities, according to policy guidelines. A waiver of rental fee must be approved by the superintendent of schools. The rental or the granting of the use of any school facility shall not interfere with school activities.

All employees are responsible for overseeing the care, inventorying, and security of equipment, materials, and facilities associated with their job assignment. Any damaged or non-functioning items vital to job performance should be reported immediately to the building principal so that repairs or replacements can be made. Further, if valuable items of equipment or material are not able to be reasonably protected, the situation should be reported to the building principal for appropriate action. Moreover, any incident of theft or vandalism involving school property should be reported immediately to the appropriate administrator, and that administrator should file a written report with the superintendent of schools.

No school-owned property shall be used for private entrepreneurial activity. If any school equipment is used for any personal, nonprofit activity, such as copying machines, computers, shop tools, etc., such use must have the prior approval of the building principal. A fee shall be determined which will fully reimburse the school district for any supplies used and for the use of the equipment. Buildings principals may allow staff or students to check out and use some equipment, such as a computer, if the use will enhance the skill of the individual or if the use of the equipment will benefit the school district. No equipment shall be removed from school buildings or the school campus without permission from the administrator responsible for the equipment. All equipment should be checked out and signed for by the person that will be using the equipment and shall be returned in a specified period of time. Equipment should not be checked out if it will in any way interfere with the educational process of the students.

A master schedule for all school district and non-school activities shall be kept current and shall be available for review in the office of the activities director or superintendent of schools. This schedule shall be the only official schedule for the school district. Any person, persons, or organization, either within the school system or from the general public, must initiate a request for use of the school facilities with the office of the superintendent of schools.

## Section 1000: Community/Educational Agency Relations

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#### Community Use of School District Buildings, Sites & Equipment

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Since the board of education is responsible for safeguarding the facilities and the equipment of the school district, it therefore deems it the board's responsibility to set forth a rental charge which will offset the cost of replacement or depreciation, thereby protecting the taxpayer's investment. Rental fees shall fall into one of the following categories:

1. Not for Profit, School Groups: This shall include those schools or groups within the public or parochial schools who would use the school facilities for the express purpose of conducting a school-related activity. Schools shall mean any secondary school activity associated with the Nebraska School Activities Association or any public or parochial agency which offers education or educational services to youth prior to graduation from high school. Although this group may charge an admission fee for an activity, the rental fee may be waived, as any admission fee would be used to offset the need for tax subsidies to be used in the financial support of the activity. Applicants in this category shall receive FIRST PRIORITY in any request for use of any school facility.
2. Not for Profit, Service Organizations: This shall include those organized groups such as churches, fraternal organizations, commercial clubs, et. al., who would use the school facilities to promote the growth of the individual as well as the organization. Applicants in this category must attest that admission to, or participation in, any form of activity which uses a school facility will be free from any monetary charge. Applicants in this category will receive greater consideration than applicants in Paragraphs 3, 4, or 5 but less than in Paragraph 1.
3. Not for Profit: This shall include any person or group of persons who would use school facilities to promote personal improvement in individual(s) or within a family structure. Applicants in this category must attest that admission to, or participation in, any form of activity using school facilities will be free from any monetary charge. This category is usually meant to accommodate individual, families or loose associations such as Town Team basketball or volleyball. Applicants in this category will receive a greater consideration than applicants in Paragraphs 4 or 5 but less than in Paragraphs 1 and 2.
4. For Profit, Service Organizations: This shall include any person, persons, or organizations within the boundaries of Holt County School District No. 7 who would use school facilities to offer goods or services to the general public for a fee or other monetary consideration. This category differs from a person, persons, or organization identified in Paragraph 5 in that the profit generated by an admission charge, or other means of monetary consideration, is generally understood to be directed toward the good of the general public. Examples within this group would be organizations such as the Vietnam Veterans, Irish Dancers, Miss America contest, Fellowship of Christian Athletes, etc. Applicants representing this category

## Section 1000: Community/Educational Agency Relations

### Use of District Facilities and Equipment

#### Community Use of School District Buildings, Sites & Equipment

File: 1006.01

shall receive greater consideration than applicants in Paragraph 5 but less than in Paragraphs 1, 2, and 3.

5. For Profit: This shall include any person, persons, or organization who would use school facilities to offer goods or services to the general public for a fee or other monetary consideration. Applicants in this category shall receive less consideration than those in Paragraphs 1, 2, 3, and 4.

The rental fees for major school facilities shall be covered in administrative form 1006.01E1, Rental Fees for School Facilities and Equipment. The facility rental fees shall be reviewed annually by the board of education.

The board of education recognizes that there may be groups or agencies who do not meet the group criteria established in this policy or other policies relating to the rental of school district facilities, or who may have extenuating circumstances which would preclude the payment of the predetermined rates. A list of these groups, schools, or agencies who have been approved for a negotiable rate shall be kept in the office of the superintendent of schools. To be included on the negotiable list, the group, school, or agency must request a special fee consideration. The request shall be forwarded to the board of education for its determination. In each case, the administration shall provide the board of education with an analysis of the request and a recommendation for action.

Before any contract is considered finalized, information sheets shall be circulated to, completed by the building principals, and returned to the office of the superintendent of schools acknowledging availability and future use of the facility. Once the sheet has been returned to the office of the superintendent of schools, the potential renter of the facility shall be notified of final approval of the rental and that the event has been scheduled. Upon notification of the final approval, the use fee shall be collected in advance, and a copy of the signed contract shall be given to the applicant.

#### **Facility Use Contract**

Once a school facility has been determined to be available for rental a rental contract shall be executed between the renter or an authorized representative of the organization renting the facility and the superintendent of schools and/or designee. The contract shall specify the following:

1. The name of the person, persons, or organization responsible for renting the facility and who will be responsible for any loss, breakage, or damage to rental equipment.
2. The date and time(s) of the activity.
3. The site and required equipment.

**Section 1000: Community/Educational Agency Relations**  
**Use of District Facilities and Equipment**  
**Community Use of School District Buildings, Sites & Equipment**

File: 1006.01

4. The rental fee and any deposit required.

**Custodial Support in Facility Rentals**

The Head Custodian or designee shall be present for any rental of school facilities. It shall be the custodian's duty to prepare the site, remain available to the renter during the activity, and to close and clean the site after the completion of the activity. The custodian shall be paid by the school district and shall be considered an employee of the school at all times. The cost of the custodian for all rental activities shall be part of the site rental fee.

**Damage to Facilities or Equipment**

Any person or organization renting school facilities or equipment shall be prepared to pay the actual cost of repair or the cost of replacing any facility or equipment which may become damaged during the rental period. Refusal to pay for damage shall be sufficient and justifiable grounds for the school to refuse any request for further rentals from the individual or organization.

**Request to Modify Facilities**

Any person, persons, or organization desiring to rent school facilities should consider renting them on an 'as is' basis. Any modifications or changes in facilities, grounds, or support services must be made in writing to the board of education, through the superintendent of schools, prior to the rental approval and the issuance of the rental contract. This written request should present in detail the changes requested, the estimated cost of said changes, who will perform the work, and the insurance coverage to be carried by the contractor and the renter. Any modification costs and the preparation of any legal documents involved in preparing any contracts or papers involved in the request for building or facility modifications shall be borne by the renter.

The board of education shall determine whether if any, or all, of the modifications should be left in place after the rental period or whether the renter shall be responsible for the removal of the modifications. If the modifications are not to be removed, the renter then must agree that the title and ownership of the modifications shall revert to Holt County School District No. 7.

If modifications are approved, such actions shall be done at a scheduled meeting of the board of education. The board of education may, at its discretion, require that a deposit in the form of cash or a cashier's check be made prior to the beginning of any work on the proposed modifications.

**Reporting and Reviewing of Facilities and Equipment Use**

Each year the board of education will receive a report from the school administration concerning the rental activities during the past year. The report shall present such information by site and include the person, persons, or organization using the property, the date, and the fee collected. The report shall compare costs of use with fees collected and present any recommended changes in existing policies or fee structure.

**Section 1000: Community/Educational Agency Relations**  
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Each year the board of education will review its policies and administrative regulations on the rental of facilities and equipment, and determine if any changes in policies or in rental fees should be made.

Legal Reference: Good News Club v. Milford

Cross Reference: 705.02 Usage Fees, Admissions and Royalties  
904.02 Lease, Sale or Disposal of School District Buildings  
and Sites  
1001 Principles and Objectives for Community Relations