

Administration Recommendation with new categories 1/18

Community Relations

AR 1330

USE OF SCHOOL FACILITIES AND PROPERTIES

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CONDITIONS OF USE

~~1.~~ Sponsoring organizations shall be responsible for adult supervision, interior cleanup, building security, and exterior maintenance of the sidewalks or walkways, including snow/ ice removal and application of traction control. ~~shall provide competent adult supervision agreed upon at the time the request for facility use is submitted. Principals are program supervisors and shall not be called upon to supervise activities of other groups.~~ Applicants shall communicate with the building administrator to ensure that these will be done. Building administrators are program supervisors and shall not be called upon to supervise activities of other groups.

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~~1-2.~~ The applicant shall agree to assume the risk of liability for damages because of bodily injury or property damage to any person or entity arising out of the use of the premises, and to indemnify, defend, and hold the School District harmless from any claims, demands, or suits by any person or entity arising out of that use, unless the liability is a result of the District's sole negligence. The applicant shall further agree to provide the District with a certificate of insurance showing minimum General Liability limit of \$1,000,000 per occurrence and naming the District as an additional insured, unless the District waives this requirement in writing. Applicant shall be subject to all provisions of the administrative rules and regulations governing community use of school facilities.

~~2-3.~~ Applicants shall supply any special supervision, determined necessary by the ~~principal~~ building administrator.

~~3-4.~~ Smoking of any substance, legal or illegal, is prohibited.

~~4-5.~~ Use of ~~T~~obacco in any form is prohibited.

~~-~~Alcoholic beverages/illegal or illicit drugs and people under the influence of said items are not permitted in school facilities or on school property at any time.

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~~6.~~
~~7.~~ Firearms or other deadly or defensive weapons, as defined in AS 11.81.900(b) (16) and (19), are not permitted in school facilities or on school property without advance approval of E 1330c Application for Community Possession of Firearms.

Commented [NB1]: Aug 7 – MI do we need to add language re: under influence?
DC – is it illegal to be in school?
DJ – not a matter of law for adults
DC – since building use policy, do we want to address this issue?

~~5-8.~~ Installation of equipment, alteration of existing building facilities, use of materials that affect the condition of floors, walls or other building parts may not be undertaken without specific approval of the ~~principal~~ building administrator.

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~~6-9.~~ Groups or organizations using the facilities shall assume all responsibility for the collection of admission fees, taxes, or other fees in connection with their programs unless prior arrangements have been made with the ~~building administrator~~ principal.

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~~7-10.~~ Advertising or ~~thea~~ sale of merchandise and printed matter, except that incidental to the program, is forbidden on school grounds.

Commented [NB2]: Aug 7 – MI – add see reference to advertising policy

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~~8-11.~~ Evening activities and programs shall be concluded thirty (30) minutes prior to the close of the second shift custodian work day and buildings shall be vacated by the close of the second shift custodian's work day unless prior approval has been granted by the ~~principal~~building administrator, or if use is of the swimming pool.

~~9-12.~~ Rental agreements are not transferable.

~~10-13.~~ Rental fees shall be determined in advance. Custodian or other service charges may be assessed at the conclusion of the activity according to the level of service provided.

~~11-14.~~ Seating, other special equipment, or facilities arrangements shall be made at the time the rental agreement is issued. Extra compensation shall be paid to cover costs for supervision, transferring equipment, setting up equipment in the building, or other services.

~~12-15.~~ Fire and safety regulations shall be observed.

~~13-16.~~ Lunchroom facilities may be used by students, parents, and teachers' organizations for the purpose of preparing and/or serving meals prepared by the cafeteria staff. Groups not desiring to use the kitchen facilities for food preparation may opt to rent commons, cafeteria, or gymnasium facilities, and have meals catered with permission of the building ~~administrator~~principal. Cafeteria staff must be present to supervise use of food preparation equipment in kitchen facilities.

~~14-17.~~ The District reserves the right to cancel an E 1330a Room/Building Use Application if such action is deemed necessary and in the best interest of the District. In the event of such revocation or cancellation, the District will refund any advance payment made and there shall be no claim or right to damages or expenses on the part of the permittee. The superintendent will approve all ~~KPBSD-District~~ cancellations.

~~15-18.~~ The District is not responsible for loss or damage to personal property by individuals or groups.

~~16-19.~~ The District ~~shall~~may require a hold harmless agreement (when appropriate) and certificates of insurance.

~~17-20.~~ Violation of these rules or regulations shall restrict subsequent facility use agreement.

~~18-21.~~ All District staff shall adhere to the provisions of the federal copyright law and maintain high ethical standards in using copyrighted materials.

(cf. E 1330 (a) Room/Building Use Application)

(cf. 1325 –Advertising and Promotion)

(cf. 6162.6 –Use of Copyrighted Materials)

Commented [NB3]: Aug 7 – JK – states may for Cert of Insurance, but states later it is required. IS it always a requirement?
DJ – no, very rare instances. If student memorial, places not big enough in town, usually at parent's request

Commented [NB4]: Aug 7 – is PTA bound by same rules and regs? Regarding showing movies?
DJ – yes
DC – university got sued and big payout
MI – school district have licensing?
DJ – no, we do it by site

APPLICATION PROCEDURE

1. E 1330a Room/Building Use Application shall be filed with the ~~principal~~building administrator at least ten (10) days prior to the date when facilities are to be used.

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2. The school shall complete the application, including all applicable fees and the school administrator shall sign.
3. The school shall send the application to the Risk Management Office along with the required certificates of insurance.
4. Risk Management shall review the application and forward it to the assistant superintendent of instructional support.
5. The assistant superintendent shall make the final approval decision, sign and return the application to the school.
6. The school shall notify the applicant, collect fees and schedule the event.
7. Once fees have been collected, cancellations initiated by ~~KPBSD~~ the District must be approved by the superintendent.
8. If a fee paying applicant cancels, a cancellation fee of \$50 ~~will~~ shall be assessed.

PRIORITY USE OF FACILITIES

It is the goal of the Board to have facilities used as much as possible. The following groups shall have priority for use of school facilities in the following order:

Category I: School and school-related activities with a permanent ~~or contracted~~ school district employee as the responsible party. The school district employee must be directly engaged to coach, advise, or sponsor the activity, ~~and~~ be on site at all times and maintain up-~~to~~-date contact information with the ~~theatre building administrator~~ staff and district office. This includes Kenai Peninsula College courses. In order to qualify for this category, Kenai Peninsula College must charge tuition and give credits to all participants in the course. State, local and federal government meetings that are open to the public. Category I rental fees are waived, ~~other costs may be accrued for staffing, etc.~~ Custodial, technical and utility fees will be charged as required or necessary. School district employees may not schedule auditorium rentals for personal use without prior permission granted through Community Schools. Applicants in this category shall follow the established application process. Entities involved in the Community Schools Tri-Agency Agreement are included in Category I.

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Category II: Youth ~~Public~~; ~~Non-Profit~~ nonprofit groups/organizations open to all school age children which provide youth activities in which school-age children are the primary beneficiaries; and for-profit groups whose primary participants for the rental activity are school related youth (e.g. local commercial dance companies). All nonprofit groups will need to provide the following documentation: IRS letter indicating nonprofit status and exemption from federal taxes and current board of directors' names, addresses, and current phone number.

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Category III: State, local and federal government groups; local ~~Non-Profit~~ nonprofit organizations; private not-~~for~~-profit groups; ~~Partisan, Sectarian or~~

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denominational groups; ~~basic groups (Any# remaining~~ groups that do not meet ~~the~~ criteria for Category I, II, ~~and~~ IV).

Category IV: Private, for-profit, /commercial businesses/groups; any activity where the gate receipts or donations are to be used for partisan political activities including political education; and sectarian groups. ~~These priorities apply to the initial scheduling of events. Cancelling a reservation to provide a higher priority group access requires the explicit permission of the superintendent.~~
These priorities apply to the initial scheduling of events. Cancelling a reservation to provide a higher priority group access, requires the explicit permission of the superintendent.

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**Community Relations
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FEES — ROOMS AND POOLS

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ROOM FEES

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Fees—Room (per hours)	Category I	Standard Category II & III	Commercial Category IV
Classrooms, regular	No Fee	\$15.00	\$40 40.00
Classrooms, specialized	No Fee	\$20.00	\$50.00
Gymnasium	No Fee	\$30.00	\$70.00
Kitchens	No Fee	\$20.00	\$50.00
Dining Areas	No Fee	\$20.00	\$50.00

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1. ~~1.~~—Additional fees may be charged for technical services and special equipment such as projectors, projector operators, special custodial services, building supervision, set up and removal of chairs or bleachers.

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2. ~~Commercial Rental rate shall apply to churches, clubs, restricted membership organizations, political, and business groups. Scheduling and custodial fees must be paid by the group. Requests shall be submitted to the principal.~~

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3. ~~Commercial Rental rates shall apply to (a) any activity that profits an individual or organization (b) any activity where the gate receipts or donations are to be used for partisan political activities including political education and (c) any activity whenever admission is charged. Scheduling and custodial fees must be paid by the group. Requests shall be submitted to the principal.~~

Commented [DT5]: 10/16/17 MI #2 and #3 are vague. DC as policy has been revised, some parts may have been unaddressed. MI nonprofits should get standard rental rate. CD remove line 3 ST what is an example of a nonprofit that we would charge? CD Large camps, swimming programs

2. 4.—Specialized ~~classr~~Rooms include home economics, music, art, rehearsal, Little Theater, multipurpose rooms, and small gyms.

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3. 5.—Kitchen use must include additional payment for food service personnel.

Commented [DT6]: 10/16/17 ZK add, except categories 1 and 2 under priority use DC these are not theater fees, separate room use

4. 6.—Long-term rental agreements may be negotiated; contact building ~~principal~~administrator.

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POOL FEES

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Admission Fees for Open Swim - Pools

Facility	Adults	Youth	Sr. Citizen	2 and Under
Ninilchik	\$4.00	\$3.00	\$3.00	\$0.00
Seward	\$5.00	\$4.00	\$4.00	\$0.00
Kenai, Soldotna, Skyview, Homer, Seldovia	\$5.00	\$5.00	\$5.00	\$5.00

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Punch Cards/ 10 Swims

Facility	Adults	Youth	Sr. Citizen	2 and Under
Ninilchik (11 swims)	\$40.00	\$30.00	\$30.00	
Seward	\$45.00	\$35.00	\$35.00	

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Kenai, Soldotna, Skyview, Homer, Seldovia	\$45.00	\$45.00	\$45.00	---
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Party Pool Rental Fees Per Hour

KPBSD	1 lifeguard	2 lifeguards	3 lifeguards
Student Clubs, Swim Teams	25.00	50.00	---
Commercial	150.00	175.00	---
Party Pool Rental Number of participants	N/A	\$70.00 Up to 49	\$95.00 50 or more

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Additional Lifeguards \$25 per hour as needed or determined by pool manager based on user group needs.

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Commented [DT7]: 10/16/17MI Non-profit rental fee separate from this?
DJ party fee. Commercial e.g. kayak classes
DC Challenger is nonprofit. Fees need to be well established.

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THEATER/AUDITORIUM FEES

Theatre or Auditorium Per Event	Category I	Category II	Category III	Category IV
Rehearsal*	No Fee	\$75.00	\$75.00	\$100.00
Rehearsal Additional time	No Fee	\$30/hour	\$30/hour	\$30/hour
Performance** Under 600 Seats	No Fee	\$300.00	\$300.00	\$750
Performance** Over 600 Seats	No Fee	\$300.00	\$300.00	\$1,500

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Commented [DT8]: 10/16/17 ST add language that parents supervising are allowed in during rehearsal but, no spectators.
ST principal communicates which facilities are available i.e. restroom

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*Rehearsal: —a The base charge of a rehearsal is a minimum includes up to of four hours, this includes one technician. If an organization you exceed your s scheduled timefour hours, additional hours time will be charged at 1.5 times the regular rate\$30.00 per hour. Additional technical and custodial fees will be charged as required.

**Performance/Event: —a The base charge of a performance includes up to is a minimum of 4four hours, which includes a technician. If an organization exceeds four hoursIf you exceed your scheduled time, additional hours time will be charged at 1.5 times the regular rate per hour. Additional technical and custodial fees will be charged as required.

Ticket SaleTheater Fees:

For any performances or /events that charge an entrance fee, an *additional fee will be charged per ticket. Within ten days of the event, the building userorganization shall submit a report (to whom)to the building administrator of total tickets sold.

*Non profitCategory II & III - \$1 per ticket

**CommercialCategory IV- \$2 per ticket

Deposits in Advance

Users shall pay a damage deposit of \$300 at the time of scheduling the event/performance. This deposit shall be refunded when it is determined that no damage occurred in all areas used by the applicant. In the event of damage, applicant liability is not limited. If the user cancels after contracts are signed, the user shall forfeit the deposit fee.

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THEATER USE

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1. The District welcomes the use of the school theater and auditorium facilities for presentation of performances for community enjoyment with the understanding that school functions have first call upon facilities.
2. An E 1330a Room/Building Use Application must be approved by the building administrator and the theater manager/technician prior to use.
3. An annual schedule of theater events will be made in September for the following upcoming school year. An application is not final until all paperwork is processed; this process can take up to 30 days. Permits are issued on a first come, first served basis.
4. No person shall use theater equipment without authorization and only trained personnel shall operate theater equipment. Special lighting or sound equipment requests shall be identified on the application when submitted. Unforeseen needs may be accommodated with theater manager/technician approval.
5. It is forbidden to change, cut, knock out, remove, or in any way alter or modify the basic building structure including the stage floor, proscenium, apron, ramp, doors and walls without the theater manager/technician permission. This includes curtains and valance, teasers, stage microphone pickup, doorbell, piping for mounting stage lights, fire extinguishers, work lights, curtain rods, pulley and rope, intercom system, or breezeway stair railing. No special wiring may be added or existing wiring removed, relocated, or modified for any special effects. This applies to any and all wiring on stage, in the light booth, or other locations within the building complex.
6. Use of school facilities permits shall be limited to the theater/auditorium dressing room on the dates and times requested. All user groups are subject to the rules as outlined by the E 1330a Room/Building Use Application.

~~The District welcomes the use of the school theater/auditorium facilities for presentation of performances for community enjoyment with the understanding that school functions have first call upon facilities.~~

~~An E 1330a Room/Building Use Application must be approved by the principal and the theater manager/technician prior to use.~~

~~An annual schedule of theater events will be made in September for the following school year. An application is not final until all paperwork is processed; this process can take up to 30 days. Permits are issued on a first come, first served basis.~~

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~~Use of school facilities permits shall be limited to the theater/auditorium dressing room on the dates and times requested. All user groups are subject to the rules as outlined by the E-1330a Room/Building Use Application.~~

Theater Rules Prohibit:

1. Food, drinks, gum, smoking, obscenity, and feet on the furniture
2. Tampering with switches, equipment, or property
3. Issuing of keys to non-school personnel
4. Loaning of school property critical to the operation of the theater/auditorium
5. Animals in the theater, unless they are essential to a performance and approved by the theater manager
6. Activity in violation of School Board policy, local, state, or federal law where applicable

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Commented [DT9]: 10/16/17 ZK suggested to strike this word, hard to define
DJ here because of a former entertainer that use a lot of profanity in performance. Been part of policy for around 5 years.
MI keep it to provide for option "teeth."
ST likes it. Feels a responsibility to his school. Puts weight on building principal depending.
Consensus to leave it in.

Commented [DT10]: 10/16/17 MI there are times that non-school personnel have keys. Reword.
DJ Need to know who is in our buildings. Key should not be issued to others.
ST agrees with DJ. Lost keys require rekeying, security issue, only employees (including coaches), not community member
ZK keep policy

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6.
(cf. 3515 Access and Keys)
(cf. 5131.62 Tobacco)

~~Rehearsal — a rehearsal is a minimum of four hours, this includes one technician. If you exceed your scheduled time, additional hours will be charged at 1.5 times the regular rate per hour. Additional technical and custodial fees will be charged as required.~~

~~Performance/Event — a performance is a minimum of 4 hours, which includes a technician. If you exceed your scheduled time, additional hours will be charged at 1.5 times the regular rate per hour. Additional technical and custodial fees will be charged as required.~~

Theater Fees:

~~For any performances/events that charge an entrance fee, an *additional fee will be charged per ticket. Within ten days of the event, the building user shall submit a report (to whom) of total tickets sold.~~

~~*Non profit — \$1
*Commercial — \$2~~

Theater Rental Rates

Base Rates	Commercial	Non-Profit
Flat Rate	\$1,500	\$600
Rehearsal	\$125	\$125
Technician Fees	\$65	\$55

Legal Reference:
ALASKA STATUTES
18.35.300 - 18.35.330 Health nuisances (smoking)

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ST principal communicates which facilities are available i.e. restroom

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Commented [DT12]: 10/16/17 ZK Rehearsal rates, why the same for comml and nonprofit? Thought \$100 was agreed upon for non-profit or increase comml.
DJ Tech fees are separate from rehearsal.
DJ rehearsal should not be open to spectators
DJ add language "additional tech"
JT Some rehearsals only need lights turned on, tech fees should not be charged.
CD Charges are per performance.

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Commented [DT13]: 10/16/17 ST not enough to cover cost of tech.
DC you have to have a tech, even to turn on lights and equipment.

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Deposits in Advance

~~Users shall pay a damage deposit of \$300 at the time of scheduling the event/performance. This deposit shall be refunded when it is determined that no damage occurred in all areas used by the applicant. In the event of damage, applicant liability is not limited. If the user cancels after contracts are signed, the user shall forfeit the deposit fee.~~

Insurance Requirements

~~The applicant/lessee agrees to assume the risk of liability for damages because of bodily injury or property damage to any person or entity arising out of the use of the premises, and it agrees to indemnify, defend, and hold the School District harmless from any claims, demands, or suits by any person or entity arising out of that use, unless the liability is on account of the District's sole negligence. The applicant further agrees to provide the District with a certificate of insurance naming the District as an additional insured, unless the Superintendent waives this requirement in writing. All parties to this agreement shall be subject to all provisions of the administrative rules and regulations governing community use of school facilities.~~

Applicable late fees will be assessed per policy ~~_____~~.

Legal Reference:

~~ALASKA STATUTES~~

~~18.35.300—18.35.330 Health nuisances (smoking)~~

**KENAI PENINSULA BOROUGH SCHOOL DISTRICT
REVISED:**