

COMMUNITY USE OF SCHOOL DISTRICT FACILITIES & EQUIPMENT

The facilities and equipment of the school district except transportation equipment will be made available to local nonprofit entities which promote cultural, educational, civic, community, or recreational activities. Such use will be permitted only when the use does not interfere with or disrupt the educational program or school related activity, and the use is consistent with the state law. The board reserves the right to deny use of the facilities and the equipment to any group.

Organizations, individuals, and other entities who wish to use the school district property must apply for such use at the building principal's office. It shall be the responsibility of the building principal to determine whether the school district facility requested is available and whether the application for use meets board policy and administrative regulations. It shall be the responsibility of the building principal to provide facility rental agreement forms and obtain proof of insurance of \$1 million single limit damage and injury liability insurance, said coverage shall name the Western Dubuque Community School District as a certificate holder.

The District reserves the right to cancel or postpone any activity due to conflict, disregard of policies, or other uncontrollable circumstances. If approval has been given to a group to use the facilities and it is later determined that the facilities will not be available, notice of cancellation will be given to the application as soon as possible with reasons for the cancellation. The District will work with the affected individual or group to attempt to reschedule or provide alternate facilities if possible.

Activities in the school district facilities, whether school-sponsored or not, shall be supervised by an employee of the school district unless special arrangements are made with the building principal. The employee shall not accept a fee from the nonprofit user; rather, if appropriate, the school district employee will be paid by the school district, and the user will be billed as per the rental agreement. It shall be the policy not to permit individuals or groups from outside the Western Dubuque Community School District boundaries to use facilities, unless sponsored by local organizations.

The use of school facilities for partisan, political, or sectarian purposes may be granted. Approval of a request does not imply the endorsement or sponsorship by the Superintendent, the Board, or the District. Under circumstances considered appropriate and acceptable by school officials, certain school facilities may be rented and used for private profit. Principles of guidance for judging acceptability will be good taste, community welfare, and timing.

Administration Guidelines

All users of District facilities must comply with all federal, state and municipal equal opportunity laws and regulations prohibiting discrimination. All users of District facilities must comply with Board policies, these *Facility Use Guidelines*, and guidelines as may be established by the individual buildings. Unauthorized use of school facilities will result in an automatic suspension of the right to use facilities. Abusive and obscene language will not be tolerated. By Board policy, all District facilities have been established as tobacco-free.

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The Board and/or designee reserves the right to grant or deny any or all facility use requests at its sole discretion when action is deemed in the best interest of the District. District administrators have the right to terminate any activity at any time if, in their judgment, any violation of Board policies and rules or federal, state or municipal laws occurs, or if the activity is deemed to be hazardous to people, buildings or equipment.

The school district may sponsor education related organizations' use of the ICN upon approval of the superintendent or his/her designee. Sponsored ICN users mission must be consistent with the mission of the school district. Costs associated with the use of the ICN will be passed on by the school district to the sponsored user.

Authorized users of the ICN shall ensure their use of the ICN is consistent with their written mission. The ICN will not be used for profit making ventures. Authorized users may not resell time on the ICN. Entities that wish to use the school district's ICN classroom to originate, receive or broadcast programming must follow the state requirements. However, it is recommended that entities that wish to use the school district's ICN classroom to originate, receive, or broadcast programming contact the school district's ICN scheduler's office to inform them of their needs.

It shall be the responsibility of the entities that wish to use the school district's ICN classroom to originate, receive or broadcast programming in compliance with the law regarding authorized use of and content of the programming on the ICN. The school district assumes no responsibility or liability for entities using the ICN classroom in violation of the law, the authorized user's mission or school district policy and its supporting administrative regulations. The school district reserves the right to charge all costs, including attorney fees, that may arise to the entity for the entity's failure to comply with the law or school district policy and its supporting administrative regulations.

Groups using the facilities will be classified in priority order I, II, III, IV, V with Class I having the highest priority for use. The Superintendent or his/her designee will determine the classification of each request for use of a facility upon criteria outlined below.

- 1) Rate Class I – School District and District-Sponsored Activities – (***No Building Request Form/No Rental Fee***)
 - a) Regular classroom activities
 - b) School-sponsored activities for students (clubs, athletics, intramurals)
 - c) School-sponsored activities for community (plays, open houses)
 - d) School-and District activities for District staff (training sessions and wellness)

If custodial services or technical services are required beyond normal duties, then the group or organization will be billed for actual time spent for building supervision and clean-up at the applicable regular or overtime rate.

A Certificate of Liability is required to be on file.

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- 2) Rate Class II – Governmental Agencies, Educational Agencies, Non-School Related nonprofit Western Dubuque Community Organizations Sponsoring Free Events, Community-Sponsored Activities Benefiting District Schools. (***No Building Request Form***/No Rental Fee; costs assessed)

For purposes of determining nonprofit designation, tax-exempt status must be verified.

- a) All towns located within district boundaries, state and federal governmental meetings, elections and activities for which no participation fee is assessed.
- b) Colleges, community colleges, private schools meetings and activities for which no admission or participation fee is assessed.
- c) ***School-related groups and organizations. (All booster clubs and parent-teacher organizations). All fundraising events will be for the sole benefit of the school group recognized by the district.***
- d) Youth organization meetings and activities for which ***no admission, no participation fee is assessed, no tryouts, and open invitation to all students in Western Dubuque School District to be part of team.***
 - i) Community Theater
 - ii) Scout organizations
 - iii) 4-H organizations
 - iv) Local civic groups
 - v) Youth camps if no salary is paid to camp staff and cost of camp is to cover actual expenses.

If custodial services or technical services are required beyond normal duties, the group or organization will be billed for actual time spent for building supervision and clean-up at the applicable regular or overtime rate. Use will terminate at a time determined by the building principal.

A Certificate of Liability is required to be on file.

- 3) Rate Class III – Non-Profit Adult Organizations, Civic and Service Groups; Fee-Based Events Sponsored by Governmental Agencies, Educational Institutions, Non-profit Youth Organizations. – (Permit/reduced rental fee; costs assessed)

For purposes of determining nonprofit designation, tax-exempt status must be verified.

- a) Activities sponsored by governmental agencies, educational institutions, or nonprofit youth organizations for which an admission ***gate*** or participation fee is assessed or tryouts held.
 - i) Groups include, but are not limited to:
 - (1) Traveling athletic teams
 - (2) Schools other than those comprising the Western Dubuque Community School District
 - ii) Fundraising activities conducted by either nonprofit or for-profit organizations when all proceeds benefit a charitable cause other than District Schools.

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A district employee will be assigned as the building supervisor. The organization will be billed for actual time spent for building supervision at the district's current extra duty rate.

If custodial services or technical services are required beyond normal duties, the group or organization will be billed for actual time spent for building supervision and clean-up at the applicable regular or overtime rate. Use will terminate at a time determined by the building principal

- 4) Rate Class IV – Western Dubuque Residents
- a) All Western Dubuque residents may have access to use school district facilities for individual nonprofit activities when these facilities are not needed for the rate schedule by making application to the building principal.

Use will terminate at a time determined by the building principal.

A Certificate of Liability or copy of the responsible adult's homeowner's policy is required to be on file.

- 5) Rate Class IV – Activities Not Qualifying for Class I, II, III, or IV

If custodial services or technical services are required beyond normal duties, these groups or organizations will be billed for actual time spent for building supervision, technical support and clean-up at the rate established in policy 905.1R1.

A Certificate of Liability is required to be on file.

Legal Reference: Iowa Code §§ 8D; 276; 278.1(4); 279.8; 297.9-.11; 123.46 (2011).
1982 Op. Att'y Gen. 561.
1940 Op. Att'y Gen. 232.
1936 Op. Att'y Gen. 196.

Cross Reference: 704 Revenue

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