

Use of District Facilities – Rule for Board Policy 7510

The Board of Education recognizes that the members of the community support the public schools. The public schools will therefore be operated for the benefit of District students and the citizens of the Menasha Joint School District.

Recognizing that District facilities are established, operated, and maintained by public funds, the Board of Education is committed to making District facilities available to achieve the following objectives:

- *Use of District facilities for the betterment of the community in general.*
- *Use of District facilities in such a way as not to interfere with school programs and to satisfy applicable statutes.*
- *Use of District facilities in a manner such that public property and citizen safety is assured.*

The right to authorize the use of District facilities shall be retained by the Board of Education through the Superintendent or designee. Such use will be permitted only at such times as the requested facilities are free from school sponsored activities. Authorization for use of District facilities shall not be considered an endorsement of an activity, person or entity, or the purpose(s) of such person or entity.

The Menasha Joint School District's "Use of District Facilities" policy governs the use of all property including, but not limited to, classrooms, auditoriums, gymnasiums, cafeterias and recreational facilities. This policy is designed to comply with local, state and federal law. The Administration shall establish administrative procedures for the use of school facilities that shall also be designed to comply with local, state and federal law.

A schedule of fees will be approved by the Board of Education. The schedule will take into consideration the purpose of the event and include fees sufficient to cover operational expenses, including any required custodial services and any additional facility personnel use. The Director of Business Services will determine fee charges on the basis of information obtained in the original Use of Facility application. Fees will be determined based on the purpose and duration of the activity and whether or not admission fees are charged or donations are requested. Fee schedule adjustments will be related to operational costs and building valuations. Personnel costs will be determined by the need to have employees work beyond regular hours or perform unusual services. Customary fees may be waived in unusual circumstances. The Board reserves the right to review and adjust fees on an annual basis.

Priority of Use

District facilities were established to meet public school program needs. School sponsored activities shall receive first consideration in facility use planning. School sponsored activities shall be approved by the building Principal in consultation with the Director of Business Services or designee and shall have precedence over all other requests for the use of facilities. The designated facilities coordinator shall keep a calendar of all scheduled school activities and maintain a current list of approved users. The designated facilities coordinator shall administer the use of all school facilities by non-school organizations in consultation with the Director of Business Services. The Director of Business Services or designee shall approve all non-school related activities.

Priority for the use of school facilities shall be as follows:

Group I – **District Sponsored Activities**: Activities involving organizations and groups in which the District is a sponsor of school program and activities involving students from within their building or from other school buildings within the District, (i.e. PTOs, scouting organizations, school clubs and other civic or service group activities in which the District has specifically agreed to sponsor).

Group II – **District Sanctioned Activities**: Activities involving organizations and groups in which the District is not a sponsor but has officially sanctioned those that have a direct relationship to District programs and activities (i.e. athletic, music and other clubs) in order for the organizations and groups to raise funds, donate equipment and provide other support to students and District programs. The Director of Business Services or designee shall make the determination on whether a group is to be officially sanctioned based on Board approved criteria. Insurance will be required as determined by the Director of Business Services.

Group III - **Non-Profit Activities**: Activities involving non-sanctioned, local organizations and groups which provide programs or activities primarily for the benefit of their own members or organization, (i.e. civic, religious, service groups and

501(c) non-profit organizations including private schools). These organizations and groups may charge fees, admissions or free will offerings for the purpose of raising funds primarily for their own members or organization. Insurance will be required as determined by the Director of Business Services.

Group IV – Profit Activities: Activities involving non-sanctioned, non-local or private organizations and groups which provide programs or activities primarily for the benefit of their own members or organization, (i.e. individuals, business firms, political parties, and other organizations). These organizations and groups may charge fees or admissions for the purpose of private gain or profit. Insurance will be required as determined by the Director of Business Services.

For organizations or groups that do not meet the classification of categories I, II, III or IV, applications will be individually review by the Director of Business Services or designee and a decision will be made consistent with the intent of BOE policy 7510.

Sanctioned Organizations/Groups

The Board of Education recognizes the value of booster clubs and other organizations to provide financial, organizational and moral support for District programs and its students. Booster clubs and other organizations that have a direct relationship to district programs and activities (athletic, music and other clubs) shall officially be recognized by the District in order for the club or organization to raise funds, donate equipment and provide other support to District programs and students. The Director of Business Services or designee shall make a determination on whether a booster club or organization is to be officially sanctioned by the District using the following criteria:

- If the club or organization is established under Section 501© of the Internal Revenue Code and the official Articles of Incorporation and Bylaws are filed with the Director of Business Services or designee.
- The club or organization agrees to follow Wisconsin Interscholastic Athletic Association (WIAA), Wisconsin School Music Association (WSMA) rules and regulations or any other applicable organization that determines the eligibility of student participants.
- The club or organization agrees to abide by all applicable Menasha Joint School District policies.
- The club or organization agrees to any Board Policy, individual school building procedure, or administrative practice or guidelines applicable to sanctioned groups.
- The head coach, advisor, or district designee of the affiliated high school program (if applicable) will represent the District on the club or organizations Board of Directors and will hold a leadership role in the mission and activities of the club or organization.
- The club or organization must provide minutes of meetings to the Superintendent or designee.
- The club or organization must provide to the Superintendent or designee, an annual financial statement that accurately describes revenues, expenditures and other pertinent financial information of the club or organization.

Upon receiving official determination by the Superintendent or designee, the club or organization may use the District's name, mascot and other such symbols associated with the District or its schools. In addition, the club or organization will be recognized as a Group II under this policy allowing rent-free use of the District's facilities within the limitations of this policy.

The Director of Business Services or designee will be responsible for informing club or organization officials of all applicable Board and District policies, administrative guidelines and administrative directives.

The Board of Education reserves the right to remove, deny or cancel official designation as a sanctioned club or organization if such club or organization violates any rule, regulation or policy of the District including but not limited to those of other governing bodies such as the WIAA, WSMA, or any other organization that determines the eligibility of student participants.

Limitations on Use

Notwithstanding any other provision in this policy, use of school facilities shall be restricted as follows:

- A. The Board of Education reserves the right to deny or cancel use of school facilities even though the proposed use is in accordance with Board policies, if granting or continuing such permission would result in community dissatisfaction and criticism, be harmful to District youth, or be incompatible with the mission of the District.

In determining whether a request for use of facilities should be referred to the Board of Education on the basis that a proposed activity may be harmful to District youth or incompatible with the mission of the District schools, the Superintendent or designee shall consider:

1. Whether the proposed activity is directed in whole or in part at a school age audience or involves school age participants. If the proposed activity is directed in whole or in part at a school age audience or involves school age participants, the Superintendent or designee shall further consider:
 - a. Whether the proposed activity is inconsistent with the educational mission of the public schools as identified by reference to Chapter 118 of the Wisconsin Statutes.
 - b. Whether the proposed activity involves or encourages behavior that is deemed inappropriate under school policies governing student conduct during school hours.
 - c. Whether the proposed activity poses an unreasonable risk of physical injury to school age attendees or participants.
2. Whether the proposed activity poses a substantial risk to school security.
3. Whether the proposed activity poses a substantial risk of damage to school property.
4. Whether the proposed activity poses an imminent risk of illegal activities.
5. Whether the proposed activity involves subject matter that is obscene, determined by reference to an activity's intended audience or participants.

In determining whether to deny use of facilities on the basis that a proposed activity is harmful to District youth or incompatible with the mission of the District schools, the Superintendent or designee shall, in addition to considering the above-referenced factors, consider whether the imposition of reasonable time, place or manner restrictions would provide a meaningful assurance that a proposed activity will not be harmful to District youth or incompatible with the mission of the District.

Weekend Use of District Facilities

Weekend use of District facilities shall be as follows:

1. District Sponsored Activities shall be acceptable on Saturday, but not on Sunday unless there are special circumstances. The building Principal in consultation with the Director of Business Services must approve all such special request for use on Sundays. In addition to the application and permit for the use of District facilities, the District shall require that the activity sponsor provide prior notice of the event to neighboring residents of the selected facility. Special consideration shall be given to the impact of the event on the facility's surrounding neighborhood (i.e. monitoring use of designated parking areas). Fees may be charged for related facility personnel use only.
2. District Sanctioned Activities shall be acceptable on Saturday and Sunday if required custodial, auditorium manager, or other required facility personnel are available. In addition to the application and permit for the use of District facilities, the District shall require that the activity sponsor provide prior notice of the event to neighboring residents of the selected facility. Special consideration shall be given to the impact of the event on the facility's surrounding

neighborhood (i.e. monitoring use of designated parking areas). Fees will be charged according to the approved schedule and for related facility personnel use.

3. Non-Profit and Profit Activities shall be acceptable on Saturday and Sunday if required custodial, auditorium manager, or other required facility personnel are available. In addition to the application and permit for the use of District facilities, the District shall require that the activity sponsor provide prior notice of the event to neighboring residents of the selected facility. Special consideration shall be given to the impact of the event on the facility's surrounding neighborhood (i.e. monitoring use of designated parking areas). Fees will be charged according to the approved schedule in addition to District personnel services.

Insurance Requirements

As a precondition for use of District facilities, organizations or persons requesting use of District facilities may be required to provide a certificate of insurance covering bodily injury liability, property damage liability and products liability (when food, beverages, etc., are dispensed), pursuant to administrative guidelines established by the Superintendent in conjunction with the Director of Business Services. Such administrative guidelines shall include, but not limited to, a schedule of required liability limits and procedures to be followed in carrying out this policy. All certificates of insurance must identify the Menasha Joint School District as an additional insured.

Legal Reference: Sections 120.12 (9) & (10) Wisconsin Statutes
 120.125
 120.13 (17), (19) & (21)
 120.44

Cross-Reference: 7510 – Rule, Use of District Facilities Regulations

Approved: 1/1/12

Use of District Facilities Regulations

I. Priority for Use of District Facilities

In all cases, District sponsored activities shall have scheduling priority provided that the request is made within a reasonable period of time before the activity is to be held. Requests for using District facilities should be forwarded to the facility coordinator or building Principal or designee for all sites, with the exception of the high school facilities. Requests for use of the high school facilities should be forwarded directly to the Activities Office. School sponsored or co-sponsored (Group I) use of District facilities requests should be forwarded to the facility coordinator or building Principal. All non-school related/non-sponsored (Group II & III) use of District facilities requests should be forwarded to the Director of Business Services or designee.

II. Agreement for Usage and Application Procedures

- A. Applications for the use of District facilities shall be made on a request form available through the building Principal or the Director of Business Services. Provided proper arrangements can be made for scheduling the activity/event, the building Principal or Director of Business Services will review applications, approve the request and issue a Permit authorizing the use of the facility. Permits will not be issued without a completed application form. Organizations or individuals requesting use of District facilities shall notify the facility coordinator or building Principal of the selected facility at least ten (10) working days in advance of the scheduled date
- B. Application forms shall be signed by the individual or representative of the organization scheduling the program and approved by the building Principal and Director of Business Services or designee.
- C. Applications will be processed on a first-come basis. In the event of a conflict, an effort will be made to find an alternative place. Every application for use of a school facility shall state the sponsor/co-sponsor, the general nature and purpose of the meeting and, upon request, a copy of the proposed program will be furnished. The application must list the sponsor representative responsible for the activity/event. The person supervising the activity must be listed on the application if different from the responsible party.
- D. A non-refundable deposit fee may be required for specific Group II & III applications. The deposit will serve to hold the reservation and will be applied to the balance due on the final invoice.
- E. When the application is approved, the person and/or organization will assume responsibility for orderly care and careful use of the facility. Any damage to school property will be the responsibility of the applicant and invoiced by Business Services. If payments for damages are not made, no future use of the district facilities will be allowed. The applicant will hold the Board of Education harmless from claims arising out of the use of the site or facility, for the function being sponsored, on the specific date(s). The sponsoring group may be required to furnish a bond or certificate of insurance to indemnify the group and the Board of Education and its agents against any and all suits for injury or loss sustained by attendance at the function.
- F. Keys will not be issued to non-district groups using school facilities without specific approval of the Director of Business Services or designee.
- G. No agreement is transferable to another party. If the event is to be canceled, the applicant should notify the appropriate building principal or Director of Business Services, at least forty-eight (48) hours in advance of the date reserved. If an event is properly canceled, there will be no charge. If not canceled, the District may invoice for expenses incurred in preparation for the use of the facility and a minimum two (2) hour charge for all personnel who reported to work.
- H. The granting of a permit for the use of one part of a building or site confers no privileges for the use of any facilities other than those stated in the permit. It does not include any other time(s) for preparation or rehearsal, unless specifically permitted.

- I. Use of public school facilities will be in accordance with state statutes.
- J. All permits are subject to immediate cancellation if it is discovered that information given on an application is misrepresented. If the use of the facility is discovered to be contrary to any policies, rules, and regulations of the Board of Education, the permit is subject to immediate cancellation. Upon notice by an authorized agent of the Board, such activity/event is to cease. The Board and its agents are to be held harmless of any expenses or losses incurred by the sponsoring organization due to such cessation.
- K. Approvals of all permits are contingent upon the availability of District personnel. No building will be opened for community use without the presence of a custodian or other authorized/trained District personnel.
- L. Only the Menasha Joint School District may pay its employees for services rendered. Business Services will bill the permit holder for all salaries and employee benefit payments. At no time shall any salary be paid directly to the employee. The District, or its representatives, will determine the number of District employees to be on duty for each activity/event.
- M. District maintenance schedules shall have priority use over non school-related/non-sponsored building rentals.
- N. District facilities were built for school purposes and applications which conflict with the school program will not be granted. All building permits issued are subject to emergency conditions, depending on District requirements, and rescheduling or cancellation by the District may be necessary. If rescheduling or cancellation by the District is necessary, as much advance notice as possible shall be granted to the permit holder. On the days of an emergency school closing, (i.e. snow day) all events scheduled within the building by outside groups are canceled.

III. Responsibilities of the Users

- A. Supervision
 - 1. The Director of Business Service or designee in consultation with the building principal will determine what school personnel must be present at the activity in order to supervise the using group, to protect or maintain the school facilities. School personnel may include supervisors, custodians, paraprofessional, instructors, or others.
 - 2. Each group using school facilities must have a responsible adult in charge of the using group's activity and any other individuals as specified by the Director of Business Service or designee. Proper supervision must be maintained at all times; before, during and after the activity.
 - 3. When municipal regulations or at the discretion of the school administrator the presence of policemen or firemen is required, the sponsoring organization or individual must pay full cost of such personnel.
- B. Arrangement for use of special equipment spotlights, audio-visual equipment, nets, etc. should be made with original application. Use of the facility does not include the use of school equipment unless specifically permitted. Only approved persons shall use the special equipment. Organizations wishing to bring unusual equipment, material, devices, and/or animals into school buildings or on school premises must receive prior approval from the Director of Business Services and present proper insurance coverage with a "hold harmless" clause protecting the Board.
- C. All construction and set materials, props, and equipment belonging to the renting organization shall be removed from the facility immediately following the performance/event. The District, at the renter's expense shall dispose of any items not so removed, unless prior arrangements are made.
- D. All stage scenery, properties, curtains and decorations made of combustible material to be used in the auditorium shall be effectively flameproofed and meet with the approval of the auditorium manager. Approval must be obtained prior to any set-up of stage materials.

- E. Organization members must remain in the designated areas at all times.
- F. Organization members must leave at the designated time in order to allow clean up. Supervisors and coaches shall be responsible for reasonable clean up after the activity or team play.

III. Responsibilities of Adult Supervisor

- A. The adult supervisor will be the first to enter the building at least thirty (30) minutes before the scheduled event.
- B. The adult supervisor will show the approval form to the building engineer or school administrator.
- C. The adult supervisor will report any building or equipment damage to the building engineer or school administrator.
- D. The adult supervisor shall make sure that all members of the group have left the building.
- E. The adult supervisor shall notify the building engineer or school administrator when the group has left the building.
- F. The adult supervisor shall notify the building engineer or school administrator on duty of any accident or injury as soon as possible.
- G. The District reserves the right to judge the adequacy of supervision. Failure to provide adequate supervision will be grounds for immediate revocation of the permit and refusal of future permits to the group.

IV. General Regulations Governing Use of School Facilities

- A. A school employee or other authorized personnel will open and close the building.
- B. School officials, at all times, have full authority to enforce proper and safe conduct of all persons and activities on school property.
- C. Youth groups comprised of minors (under 18) must have a responsible person (21 years of age or over) present at all times to supervise youth and teenager activities. Other groups must have a responsible adult on the premises during the scheduled activity.
- D. Any sale or distribution of food or drink must be approved at the time of application. The group must secure required state and local permits. Food and beverage sales and consumption may be restricted to specific locations. All use of food service facilities must receive prior approval from the Supervisor of Food Services. Food and drink may not be consumed in the auditorium, auditorium lobby, and may be restricted in the high school field house, old gym, weight room, or any other area designated by the District.
- E. When using a classroom, all furniture shall be returned to its proper place. Classroom supplies and materials should not be used at any time unless specifically authorized, (i.e. computer labs).
- F. No decorations shall be placed in or on any of the school facilities without specific approval at the time at which the application is submitted.
- G. Gym shoes or comparable footwear must be worn for athletic activities in school gymnasiums.
- H. State law prohibits smoking in school buildings and/or on school property.
- I. Parking shall be permitted in designated areas only.

- J. There shall be no sale, distribution, or consumption of alcoholic beverages or illegal drugs in school buildings or on school grounds.
- K. The signing of the Application for Use of District Facilities constitutes an acknowledgment by the group or organization of acceptance of responsibility for any damage incurred to building or equipment resulting from such use.

VI. Administrative Responsibility

In accordance with Board of Education policy, the administrators and employees will assist community groups and organizations in the use of District facilities.

The Principal or in the case of the high school, the Activities Director, shall keep a calendar of all scheduled meetings and activities that may include:

- A. The activities of the particular school that, by Board policy, has first priority for use of that building.
- B. Curricular and co-curricular activities.
- C. Local P.T.O. and any other school co-sponsored activities.
- D. Activities required for proper maintenance of school facilities.
- E. Activities under the district-wide sponsorship of the Menasha Joint School District or sponsored by individual schools in the District.

VII. Scheduling Issues

In the event that the building Principal cannot resolve a scheduling conflict or problem, the matter shall be referred to the Superintendent or designee who will make the final decision.

In the event there are emergency school closings during the week, an announcement will be made by 6:00 a.m. regarding the daytime facility usage and a second announcement will be made by 12:00 Noon for evening rentals. In the event of an emergency after these specific times during the week or anytime on a weekend, notification will be made as soon as possible. These announcements will be given to radio and television media for communication to the public. Individuals and groups who are scheduled to use district facilities will generally not receive direct notification of cancellation of events and should listen for announcements on local media stations.

Approved: 1/1/12

Menasha Joint School District Use of Facility Rates

Facility/Area	Hourly Rates			
	Group I	Group II	Group III	Group IV
Senior High				
Fieldhouse	No Charge	18.00	73.00	104.00
Locker Rooms	No Charge	1.00	3.00	4.00
Auditorium	No Charge	11.00	42.00	66.00
Commons	No Charge	3.00	13.00	19.00
Multi-Purpose Room	No Charge	3.00	13.00	19.00
Classroom	No Charge	1.00	3.00	4.00
Maplewood Middle School				
Large Gym	No Charge	6.00	23.00	33.00
Small Gym	No Charge	6.00	15.00	25.00
Locker Rooms	No Charge	1.00	3.00	4.00
Commons	No Charge	3.00	13.00	19.00
Multi-Purpose Room	No Charge	3.00	13.00	19.00
Classroom	No Charge	1.00	3.00	4.00
Elementary Schools				
Gym-Butte des Morts	No Charge	6.00	23.00	32.00
Gym-Clovis Grove & Gegan	No Charge	3.00	11.00	15.00
Gym-Nicolet, Jefferson	No Charge	3.00	11.00	15.00
Commons - Butte des Morts	No Charge	3.00	13.00	19.00
Commons - Clovis Grove	No Charge	3.00	13.00	19.00
Classroom	No Charge	1.00	3.00	4.00
Calder Stadium				
Both Bleachers - Lights	No Charge	23.00	93.00	112.00
Both Bleachers - No Lights	No Charge	19.00	76.00	95.00
South Bleacher Only - Lights	No Charge	20.00	78.00	91.00
South Bleacher Only - No Lights	No Charge	15.00	61.00	74.00
Computer Labs (per unit/per hour)				
Rate Per Unit/Hour	No Charge	1.25	1.25	1.25

Additional Information:

- Charges for continuous/long-term use of facilities may vary from the above rates. These charges will be related to operational costs/building valuations
- The above fees do not include costs of necessary custodial overtime. When it is necessary to have a custodian work beyond regular schedules, the cost of wages and related fringe benefits (\$34.00 per hour) will be added to the above rate. (\$36.50 Food Service Staff)
- Rental of the auditorium requires the auditorium manager (\$15.00 per hour) to be on duty and may require additional personnel to operate audio/lighting equipment (\$10.00 per hour). The cost of this personnel will be added to the above hourly rate. Rehearsal, construction, and tear down will be charged at the rate of \$34.00 per hour