

Use of School Facilities and Equipment

Section 1. General. East Allen County Schools (EACS) recognizes the capital investment the community has made in school buildings and equipment and believes that EACS grounds, facilities and equipment should be made available for community purposes, provided that such use does not conflict with their use for school purposes or interferes with the regular conduct of school work and activities. It must be realized that there are costs involved in the use of EACS facilities; and, therefore, this Policy is intended to deal with the use and expense in a fair and consistent manner.

Section 2. Authority to Approve Use. The building principal is authorized to approve and schedule the use of school buildings, grounds, or equipment under the principal's control in accordance with this Policy unless otherwise provided in this Policy. No building staff member has the authority to authorize free use of EACS buildings, grounds or equipment unless approved by the facility's principal or designated assistant principal. Any such approval must be consistent with this Policy.

Section 3. Impact on Surrounding Neighborhoods. In granting permission for use of EACS buildings, grounds, and equipment, EACS shall consider the impact on the surrounding neighborhood and may include conditions that minimize neighborhood impact. All community use activities must terminate by 10:30 P.M. unless prior written approval for an extension beyond that deadline is granted by the EACS Chief Financial Officer.

Section 4. Restrictions on EACS Facilities and Equipment Use. No EACS facility or other property shall be used:

1. By any individual or group for the commission of a crime or any act prohibited by law.
2. By any group assembling to advocate the violent overthrow of the government of the United States or the State of Indiana.
3. For any activity that conflicts with its use for school purposes or which interferes with the regular conduct of student activities.
4. For any activity that unlawfully discriminates against an individual or group of individuals.
5. For any activity that involves the possession, consumption, or sale of alcoholic beverages or any restricted substance.
6. For any activity that would be lewd, profane, obscene, or immoral.

7. For any activity involving lotteries or gambling, legal or illegal.
8. For any activity that would subject the facility to extraordinary stress, would increase the risk of fire, would not be approved or insured by the EACS liability and fire insurance carrier, or, may be inherently or unreasonably dangerous.

Section 5. Conditions for EACS Facilities and Equipment Use. The following conditions shall apply for community use of EACS buildings, grounds, and equipment:

1. Smoking shall be prohibited at all times.
2. Use of facilities for activities or events not sponsored, or co-sponsored, by EACS must not result in direct costs to EACS, except as provided in this Policy.
3. All requests for use and approval of use shall be in writing on a form provided by EACS. Any person applying for use of EACS grounds, facilities, or equipment on behalf of any group or organization must present written authorization from the group or organization to make application.
4. Certain grounds, facilities, or equipment may be excluded, at the discretion of the EACS Chief Financial Officer, from community use for safety, security, or liability reasons.
5. EACS facilities are not available to groups for wedding receptions, private dances or other private parties.
6. If an EACS facility kitchen is used, an EACS food service employee must be present and paid at the user's expense.
7. A refundable security deposit shall be required prior to the use of EACS facilities. Any refund of such a security deposit will be made only after all payments due to EACS are made and only if there is no equipment damage or other loss.
8. Users will be charged for the additional cost of any set-up, take-down, field marking, or other special preparation provided by EACS staff.
9. All users shall provide adequate adult (21 years of age or older) supervision during the entire use and the group supervisor(s) will be held responsible for compliance with rules, general behavior, and safety.
10. All users shall be financially liable for proper supervision of any activity and for facility or grounds clean-up after the activity. Users must arrange

and pay for any special supervision required by the activity such as police protection or parking supervision.

11. All users shall be financially liable for proper supervision of any activity and for facility or grounds clean-up after the activity.
12. Community use of EACS buildings shall require the presence of authorized EACS personnel on site during any activity or event; however, said EACS personnel will be present only to supervise the facility, and not to supervise the user or its activity and participants.
13. Use shall be limited to those areas specifically approved and shall include the nearest drinking fountain and lavatories.
14. Users must indemnify and hold EACS harmless with respect to any loss or damage of personal property of the user or any individual attending the user's activity.
15. Any equipment to be brought into the building by a user must be approved prior to rental. Any damage or loss of this equipment or damage to EACS property, as a result of bringing in such equipment is the responsibility of the user.
16. Any decorations must be fireproof and no materials of any kind may be placed on floors, walls, ceilings or other parts of any EACS building without the written consent of the building principal.
17. Unless otherwise arranged, scheduled use of EACS facilities is automatically canceled when EACS schools are closed for severe weather. EACS is not responsible for any consequential damages or loss of any kind whatsoever due to such cancellation.
18. Users must observe all local/state/federal ordinances and laws pertaining to the use of public buildings and grounds.
19. Partial or full payment may be required at the time the contract is signed.
20. Trained individuals shall be in charge of the use of EACS school equipment. The principal may require the user to employ, at user's cost, a qualified EACS employee to operate the equipment.

Section 6. Insurance. Each user shall be required to present evidence of the purchase of liability insurance based on guidelines established by the EACS Chief Financial Officer, unless the insurance requirement is waived in writing by the EACS Chief Financial Officer. If required to provide proof of insurance, a user must also present EACS with a certificate of insurance naming EACS as an additional insured.

Section 7. Priorities/Fee Classifications. Organizations using EACS buildings and grounds shall be classified into three (3) categories. Rental fees and rental priorities are determined according to these classifications:

1. Class I (Priority): EACS sponsored or co-sponsored activities; elections; federal, state, or local public hearings or information meetings. In this Class, there shall be no rental charge during regularly staffed custodial hours. However, at the discretion of the building administrator, custodial services may be required for activities which are established for times when the building to be used is not normally staffed with custodians. Such services will be charged at the overtime custodial rate set forth in the Facilities Use Fee Schedule.

If custodial services are required by the building administrator, there will be a minimum two (2) hour custodial charge. If custodial services are not required, the building administrator shall designate an EACS employee responsible for building supervision and clean-up during the activity. It shall be the responsibility of the "designated" EACS employee to ensure adequate building supervision in the absence of a custodian. In this Class, any additional utility costs, for any temperature settings other than the standard building settings for the date and time of the activity, will be charged at EACS' direct cost.

2. Class II (Second Priority): Recreation programs sponsored by a state or local governmental unit; organized youth groups such as Boy Scouts/Girl Scouts, 4-H; locally-affiliated youth athletic associations; local civic and charitable community groups conducting free community programs; tax-supported institutions of higher learning for the purpose of conducting classes or other education-related programs or activities, any group of forty (40) or fewer individuals not requiring custodial services in connection with their use of the facility with at least one EACS employee participant (who must remain onsite during, and be responsible for, the group's use of the facility) and at least 50% of the non-EACS employee participants being patrons of EACS. In this Class, the rental charges shall be based upon the rental fee schedule annually approved by the Board. Additional staffing charges will be made for special set-up and for all activities which are scheduled when the building to be used is not normally staffed with custodial personnel.
3. Class III (Third Priority): Private educational institutions offering classes or other educational programs or activities; any non-Class II non-profit entity that charges a membership, enrollment fee, or collects any money whatsoever (such as but not limited to, a free will offering) and engages in recreational, educational, worship, instruction, or fundraising activities; commercial and business organizations that engage in recreational, educational, commercial, fundraising, or profit-making activities, any non-

Class II group of twenty-six (26) or more with or without EACS employee participants, any non-Class II group of twenty-five (25) or less with EACS participants, but with less than 50% of the non-EACS employee participants being patrons of EACS. In this Class, the rental charges shall be based upon the rental fee schedule annually approved by the Board. Additional staffing charges will be made for special set-up and for all activities which are scheduled when the buildings to be used is not normally staffed with custodial personnel.

Section 8. Use of EACS Facilities for Fee-Based Activities. The use of EACS facilities for fee-based activities such as private tutoring, private music lessons, private athletic coaching, athletic instructional clinics, or other commercial activities, whether for district students or others, shall require a supplemental payment, in addition to any rental or staffing fees, equal to fifteen per cent (15%) of the fee charged per participant unless the participant fee is less than \$25/activity, or less than \$50/year. This provision applies to all EACS coaches and full or part-time employees as well as outside parties.

Section 9. Fee Schedule. The EACS Chief Financial Officer shall present to the Board a fee schedule for rental fees and staffing fees to be charged Class I, Class II, and Class III users. The fee schedule shall remain in effect until a subsequent fee schedule is promulgated by the Superintendent.

Section 10. Waiver of Fees-Reciprocity. If EACS schools are granted free use by an outside organization of facilities comparable to EACS facilities, the EACS Chief Financial Officer may, at his sole discretion, waive any fee to be charged that organization under this Policy. Any waiver must be in writing.

Section 11. Payments and Procedures.

1. All payments for the use of school facilities, equipment, or for the services of food service workers and/or custodians are to be made by check or money order payable to the East Allen County Schools. Payment may not be in cash. A check or money order shall be attached to the rental form (EACS Fi-1) and forwarded to the Business Office.
2. If the building principal has a question concerning whether or not a charge is to be made, the Chief Financial Officer should be contacted.

Section 12. Equal Opportunity. All organizations, whether or not school-sponsored, that have free or reduced-rate access to EACS facilities and grounds, may NOT invite candidates, representatives of campaign committees, and/or opponents/proponents of a particular ballot issue to make presentations at their meetings unless the meeting is a forum to which every candidate for the position or both sides of the ballot issue have been invited and are given equal opportunity to attend and participate.