

I FACILITY USE AND RENTAL

It is the policy of the Olympia School District (the “District”) to encourage use of school facilities by the entire District community insofar as it does not interfere with the school program, present undue hazards, cause undue wear, or result in damage to District property. Use of District facilities must be appropriate and compatible with the space/area used.

II DEFINITIONS

- A) **Application** The term “application” means the District’s Application to Use School Facilities.
- B) **School Facilities** The term “school facilities” means the plant facilities and grounds of the District.
- C) **Supplemental Form** The term “supplemental form” means the District’s School Facilities Use--Supplemental Form.
- D) **Local** The term “local” means a majority of the members/participants reside in the District.

III RENTAL FEE STRUCTURE

The District may assess the following fees based upon the categories of use described in Article V below.

- A) **Cost Recovery Fee** The District’s intention in permitting certain community use of School Facilities is to recover the actual costs of facility use to ensure funds intended for educational purposes are not used for other purposes. The District may charge a cost-recovery fee to recover the actual costs of facility use, including, without limitation, utility costs, operation of building equipment and systems, surface wear, administrative costs, supplies, and personnel costs (see Article IV).
- B) **Commercial Rent Fee** The District may, in certain circumstances, charge a commercial rent fee in excess of actual costs of facility use. Commercial rates will ensure the District is not in unfair competition with privately-owned companies in the business of renting space and that School Facilities are put to their highest and best use.
- C) **Deposit** An advance deposit may be required for any rental of facilities by a non-district group. The District may deny a request for use of a facility or require an advance deposit if previous use by the requesting organization resulted in damage, inappropriate use, or failure to follow applicable District rules and regulations. .

IV PERSONNEL COSTS

In addition to rental fees, the District may assess charges for the following personnel costs:

- A) **Custodial and Groundskeeping Personnel** Charges for building custodians and District groundskeepers will be assessed when facilities are requested for times during weekdays when custodians are not normally on duty, on weekends, holidays, or after 2:30 p.m. on weekdays during school breaks (winter, mid-winter, spring and summer). Charges will also be assessed to non-district activities if the custodians and groundskeepers are used to directly serve the activity including set-up, restoration and clean-up work. A custodian must be present at all times when any non-district group is using a District building.
- B) **Food Service Personnel** Charges for food service personnel will be assessed when kitchen facilities are used to support activities or events other than normal school breakfast and lunch programs. This includes school fund-raising activities.
- C) **Technology Personnel** Charges for building technology staff will be assessed when technology-related equipment is authorized for use. Technology staff must be present at all times during the use of the District's technology equipment. Charges will also be assessed to non-district activities if the technology staff are used to set-up and restore the equipment for each use. Assigned staff may include the building's technology para-educator, technician or other staff as designated by the building principal or a District administrator.

V INSURANCE & INDEMNIFICATION REQUIREMENTS

Upon receipt of a complete application for use of School Facilities, the District, in consultation with the District's insurance provider, will determine whether the proposed use constitutes a Class I or Class II Risk for purposes of insurance and indemnification. The District may request additional information from the applicant in order to make this determination.

- A) **Class I Risk** Applicants with proposed uses designated as Class I Risks are required to execute the indemnification/hold harmless agreement in the Supplemental Form and may be required to maintain commercial general liability insurance and/or other insurance.
- B) **Class II Risk** Applicants with proposed uses designated as Class II Risks are required to execute the indemnification/hold harmless agreement in the Supplemental Form and provide commercial general liability insurance naming the District as "additional insured". Commercial general liability insurance will cover all activities with a single combined limit of not less than \$1,000,000. All commercial uses will be designated as Class II Risks.

VI CATEGORIES OF USE

The designated category of use will be used to assign the appropriate fees for the proposed use.

POLICY SERIES 4000 – COMMUNITY RELATIONS

- A) **District and Allied Organizations.** “District and Allied Organizations” include, without limitation, District Board of Directors’ meetings, Olympia School District Education Foundation meetings, District staff meetings and in-service training, District staff bargaining group meetings, associated student body activities, meetings of school site councils, parent-teacher associations, parent-teacher organizations, and other District-sponsored activities. The District will provide official recruiting representative of state and United States military forces, Job Corps, Peace Corps and AmeriCorps with access to school facilities (including number of days and type of presentation space) equal to and no less than the access provided to other post-secondary occupational or educational representatives. The District will impose no rental use charge for the use of School Facilities by groups in this classification. The District will impose no custodial charge when a custodian is present as part of his/her normal work schedule.
- B) **Community Use.** Community use of School Facilities may be subject to appropriate cost recovery charges, rental fees and personnel costs. Such charges will be determined and identified to the proposed user at the time the facility use is approved.
- 1) **Local Nonprofit and Public Service Organizations--Non-Revenue Producing**
Local Nonprofit and Public Service Organizations include, without limitation, non-revenue producing local community organizations and government/public service organizations, not affiliated with the District, that have a majority of the participants residing in the District. This classification may also apply to local youth activities and organizations. In addition, these organizations do not accept donations, fees or admission charges beyond those necessary to pay for the facilities. The District will impose no rental use charge for the use of School Facilities by these organizations. The District may waive custodial charges when a custodian is present as part of his/her normal work schedule.
- 2) **Local Nonprofit and Public Service Organizations—Revenue-Producing**
This classification includes use by Local Nonprofit and Public Service Organizations described in Article B.1 above when such organizations charge an admission fee or tuition for participation in the proposed facility use, or the use is not open to the public. This classification may also apply to local youth daycares, private schools and educational groups such as schools of dance, music, or other instruction, public universities and colleges. The District may impose a cost recovery fee for this type of use.
- C) **Modified Commercial Use.** Modified commercial use includes use by nonlocal, nonprofit and public service organizations. Nonlocal uses include those groups which do not serve the local community directly or do not have a majority of their members/participants residing in the District. This classification may also apply to nonlocal, private educational groups, private universities and colleges. The District may impose a modified commercial rent fee for this type of use.
- D) **Commercial Uses.** Commercial uses include profit-making organizations, individuals or groups engaged in business enterprises. The Board prefers that commercial enterprises use other publicly or privately-owned facilities. The District may impose a commercial rent fee for a commercial use. The rate will be set high enough so that tax-supported School Facilities will not be in unfair competition with privately-owned companies in the business of renting such space.
- E) **Special Uses.** Notwithstanding the generality of the uses described above, the District may permit the following special uses of School Facilities:

- 1) **Long-Term Lease of Surplus Real Property to Non-Profit Educational and/or Child Care Organization**

The Board may authorize the long-term lease of surplus real property and/or personal property to a non-profit organization providing educational and/or childcare services under certain conditions. Please refer to the District's surplus Buildings and Sites Policy.
- 2) **Political Meetings**

Use of schools by the community for political meetings will be administered on an equal opportunity basis to all political parties, providing the use of School Facilities will not be granted to any groups or individuals who advocate the overthrow of the United States Government. The District may impose a rental fee for a political meeting, consistent with the category of use, as determined by the Director.
- 3) **Religious Meetings**

Permission for the use of School Facilities by religious groups will be administered on the basis of equal opportunity to all faiths, with the following limitations:

 - a) School Facilities will not be made available for religious meetings during a time when schools are in session.
 - b) School Facilities may be made available for a period of up to one (1) year. An extension period may be considered for extenuating circumstances. School facilities shall not be rented as a permanent place of worship.
 - c) The District may impose a rental fee for a religious meeting, consistent with the category of use.
- 4) **Banquets**
 - a) The use of school cafeterias and lunchrooms, excluding kitchen area, may be made available for banquets when such banquets are to be catered. The District may impose a rental fee for a banquet, consistent with the category of use.
 - b) The use of school kitchens and food services equipment will be limited to school-related activities only, unless otherwise approved by the District. Kitchen equipment will be operated by Food Services personnel only.
- 5) **Ingersoll Stadium**
 - a) The priority of use of Ingersoll Stadium is for events conducted by the District in accordance with Procedure 4260P.
 - b) The use of the stadium may be restricted due to seasonal weather or repair as determined by the Superintendent or designee.
 - c) The use of the facility by non-district groups is limited to those listed in the 2004 City of Olympia Hearing Examiner's decision: Thurston County Youth Football League, Youth Soccer Associations, and track meets conducted by the City of Olympia Parks, Arts and Recreation Department as provided in Procedure 4260P(C).
 - d) Individual community members may access the facility for personal exercise by obtaining an access key card and agreeing to use the facility in accordance with district Procedure 4260P
- 6) **Performing Arts Center**

The priority of use of the performing arts centers at Olympia High School and Capital High School is for District events. Event sponsors who use these facilities

are required to have District-approved personnel operating the facility and its equipment.

7) Athletic Facilities and Fields

- a) The priority of use of District athletic facilities and play fields is for District events. The District's play fields may be used by all District residents for open play and general recreation, unless a specific field is closed by the District, generally to protect field turf from over use or for other field maintenance or restoration work. The use of the fields must be appropriate and compatible with each play field and the surrounding area. Activities which endanger others or cause damage to fields and surrounding areas are prohibited. Pets are prohibited on District fields.
- b) All non-district groups must schedule the use of District fields with the City of Olympia Community Parks and Recreation Department. Absent the jurisdiction of the Parks Department, all other field uses, with the exception of Ingersoll Turf Field, must be scheduled with the District's Facilities Office.
- c) The use of fields may be restricted due to seasonal weather.
- d) The District may impose a rental fee for the use of fields for organized activities other than those coordinated with the City Parks Department, consistent with the category of use.
- e) The District will not permit any non-District group that operates a youth sports program where there is a reasonable risk that participants in the youth sports program might suffer a head injury or concussion, unless:
 - 1) the non-District youth group has provided the District with a statement of compliance acknowledging that the organization and its coaches and volunteers have taken all training reasonably available to the organization and/or as provided by WIAA on head injuries and concussions, and that the organization will fully comply with all requirements, policies and guidelines as required by the state of Washington and the District.
 - 2) the non-District youth group has provided the District with written documentation of accident liability policy insuring all participants for bodily injury and/or death. If this insurance lapses during the term of the facility use agreement, the youth group must discontinue use of District facilities until written proof of valid insurance is provided to the District.

VII PRIORITY OF USE

District activities retain first priority of use of District facilities and play fields. The District also maintains an inter-agency joint use agreement with the City of Olympia Parks, Arts and Recreation Department for a second priority of use for community-oriented recreational and special services in exchange for field maintenance services and other considerations.

VIII GENERAL CONDITIONS

All proposed users of school facilities are subject to the following provisions:

- A) School facilities will be rented only to those organizations which agree to assume responsibility for all financial obligations related to their use and assure facilities will

be used in compliance with all applicable rules and regulations, including Supplemental Forms.

- B) A custodian or other authorized District employee must be on the premises when any non-district group is using a school facility.
- C) The use of school facilities does not include the use of any District equipment (projectors, screens, televisions, VCRs, sound systems, athletic equipment, etc.).
- D) The District has the right to monitor all user events and may require termination of the use with, or without, cause at any time.
- E) Authorization of use will not be construed as an endorsement or approval of the activity or organization using the facility.
- F) The Superintendent or designee possesses the authority to establish procedures for the use of District facilities including the classification of use, rental rates, personnel costs, supervisory requirements, special instructions, and security requirements.
- G) Other than as provided by Procedure 4260P(B) (Olympia High School Auditorium Facility Use), school facilities will not be made available to non-district related individuals or groups for presenting a dance or concert.
- H) School facilities will not be made available for the purposes of conducting commercial sales.
- I) Notwithstanding paragraph H) above, non-profit booster clubs may sell fundraising merchandise to benefit school programs.



CROSS REFERENCE *Procedure 4260P(A)* *Facility Use and Rental Application Procedure*
Procedure 4260P(B) *Olympia High School Auditorium Use and Rental*
Procedure 4260P(C) *Ingersoll Stadium Use and Rental*
Procedure 4260P(D) *Ingersoll Stadium Safety and Security*

LEGAL REFERENCE *RCW 28A.600* *Students*
RCW 4.24.660 *Liability of school districts under contracts with youth programs*



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